

**DECISION NOTICE
FINDING OF NO SIGNIFICANT IMPACT**

**USDA FOREST SERVICE
TONGASS NATIONAL FOREST
SITKA RANGER DISTRICT**

ACCESS AND TRAVEL MANAGEMENT

This Decision Notice contains a brief summary of the environmental analyses completed for this project as well as my decision regarding which alternative to implement and the rationale for my decision. It also contains Findings required by various laws, and information concerning the right to Administrative Review of this decision. The Environmental Assessment (EA) and Revised EA completed for this project are incorporated by reference in this decision document.

Purpose and Need

The purpose of this project is to provide sustainable, efficient, and safe access to forest resources and recreational opportunities on the Ranger District. The need for this project is to reduce the number of unmaintained or inadequately maintained roads to better match the level of funding available for road maintenance and to eliminate or reduce risks of adverse environmental impacts, threats to public safety, and complies with the 2005 Travel Management Rule.

This Decision Notice documents my decision concerning how the road systems on the Sitka Ranger District will be managed. The road systems provide access for recreation, subsistence, and commodity uses. There are approximately 372 miles of authorized road on the District (including roads that cross private land where the government holds an easement). Cars, trucks, off-highway vehicles (OHVs) such as motorcycles and all-terrain vehicles, bicycles, and pedestrians use many of these roads. Many roads on the District are isolated and are only accessible by boat or float plane. Transportation on remote roads is generally limited to bicycles, motorcycles, and OHVs due to the expense of transporting larger vehicles. The majority of the roads on the District were built to provide access for timber management. This road network created new and improved access to the District for recreational and subsistence users. In recent years, budgets have been insufficient for the Sitka Ranger District to perform adequate maintenance on all of our roads.

DECISION

Based on the EA and Revised EA completed for this project, as well as taking into consideration comments received during the 30-day public review of the documents, it is my decision to select Alternative 4 for implementation, with modifications. Passenger vehicle access for the Selected Alternative will remain as described in the Revised EA Alternative 4 (refer to Figures 1 through 6 at the end of this Decision Notice). For OHV access the Selected Alternative will implement Alternative 4 with the following modifications (see Figures 7 through 14 at the end of this Decision Notice):

Changes for OHV Access:**Lower Baranof Island**

Katlina: National Forest System (NFS) Road #7579 – change approximately 0.5 miles to OML 1 (storage) – part of the easement has become Coxe Creek, cutting off legal public access; the Sitka Ranger District intends to address Coxe Creek within the easement working with Shee Atika, Inc., the land owner.

NFS Road #75797 – this road is OML 1 (in storage) and is changed to yellow-potential OHV trail; public access needs to be re-established before this trail can be open to OHVs.

Kizhuchia: NFS Road #7582 – change portion of road adjacent to private land (appx. 1/2 mile) to closed (storage). If public access through private property is granted from the landowner, the closed portion of the road will be opened.

Upper Baranof

Appleton Cove: NFS Road #7722 W - the last 1.94 miles of this road will be put into storage as per the decision in the 1992 Alaska Pulp Corporation Long-Term Timber Sale Contract Kelp Bay EIS due to wildlife concerns.

St. John the Baptist: NFS Road #7584 - change the first 3.06 miles of this road from NFS Road #7585 to the lake from OML 1 (storage) to potential OHV trail (yellow).

As described in the EA and Revised EA, OHV use is limited to a 50-inch wheelbase or less on the Starrigavan trail system and on Ocean Boulevard (Road 7544). On the remaining OHV designated trails, OHV use is limited to a 60-inch wheelbase or less.

Designated OHV Use Areas

Three designated OHV use areas will be open and available to OHV use. The North Beach Designated OHV Use Area would remain as described in the Revised EA (see Figure 12). The Harbor Mountain Designated OHV Use Area has been expanded to include additional acres for riding (see Figure 13). Use by OHVs will continue to be seasonal; it will only be open in the winter with snow condition requirements described in the Revised EA. The Bear View Designated OHV Use Area, as shown in the Revised EA, will be referred to as the False Island Designated OHV Use Area on this and future maps (see Figure 14).

Dispersed Camping

Motor vehicle use off the center line of designated routes up to 100 feet is allowed for the purpose of dispersed camping as long as the vehicle remains on a hardened surface. Dispersed camping at North Beach would be allowed as described under Designated OHV Use Areas.

As described in the EA and Revised EA, roads placed in storage will have most drainage structures removed and additional water bars installed. A few roads (4.7 miles) not needed for long-term management will be decommissioned. Decommissioned roads will have their drainage structures removed and road surfaces may be scarified and revegetated unless they are already naturally revegetated.

Motor Vehicle Use Map (MVUM)

Based on this decision, as well as any future road management decisions, a Motor Vehicle Use Map (MVUM) will be produced annually that will identify what roads, trails, and areas are open to motorized use. The MVUM will be revised annually to display changing conditions of roads. As yellow roads (potential OHV trails) are repaired or concurrence is received from the Alaska Department of Natural Resources, these roads will be added to the MVUM and shown as open to motorized use. Likewise, some roads and trails may not be shown as open on the annual MVUM

if conditions change on the roads causing safety hazards (such as landslides or bridge failures) or if a major construction project would block the road.

The Southeast Alaska Transportation Plan

The Southeast Alaska Transportation Plan (SATP), as proposed in 2004, includes transportation and utility corridors designed to better link communities within the Sitka Ranger District to the continental highway system. Representatives of the State of Alaska Department of Transportation requested that the Forest Service retain the roads aligning with these routes. Our decision will not preclude future road development within the SATP identified corridors. Portions of the following road corridors would be retained indefinitely in the event they are needed for future road corridor development:

Road #7500: Hoonah-Tenakee Inlet Road Corridor

Road #7540: Kadashan Road Corridor

Roads #7580 and #7582: Rodman Bay Road Corridor

Roads #7583 and #75832: Rodman Bay Road Corridor

Road #75790: Rodman Bay Road.

Roads #7586 and #7587: Rodman Bay Road Corridor

The Forest Service signed a Memorandum of Understanding (MOU) with the State of Alaska in 2006 to provide rights-of-way for the road corridors covered by Public Law 109-59. This agreement identifies right-of-ways the State needs for their transportation and utility corridors. The corridors are displayed on Map 92337 (part of the MOU). The corridor between Tenakee and Hoonah, Sitka to Rodman Bay, and Sitka Baranof (across Baranof Island) are included in this MOU. The MOU also identifies marine access points the Forest Service needs for activities on National Forest Land and public access. Marine access points included in the MOU: Mud Bay, Sitkoh Bay, Eagle River, Kidney Cove, Mid Arm Kelp Bay, Nakwasina, Nakwasina NE, Finger Creek, Silver Bay, Indian River, Hanus Bay, Lisa Creek, St. John the Baptist Bay, Rodman Bay, Appleton Cove, Saook Bay, Todd, False Island, Corner Bay, Crab Bay, and Inbetween.

RATIONALE FOR THE DECISION

I have selected Alternative 4 with the modifications identified above as the Selected Alternative because I believe that it best meets the Purpose and Need as described in the EA and Revised EA. The Selected Alternative balances resource protection, public safety, and public access needs. The predicted funding will not suffice to meet Forest Service standards for keeping roads and trails open under the Selected Alternative. The Sitka Ranger District will be embracing partnerships to assist with keeping roads and trails open to meet motorized needs for the public. This alternative is based on four roads analyses completed for the District. These roads analyses were completed using the roads analysis process outlined in FS-643 and included public meetings to gather public input. The roads analysis process was used to identify the road systems that best meets current and anticipated land management and public access needs within expected budgets. This decision generally implements the findings of the roads analysis and supports the three landscape assessments in the project area.

I recognize that the Selected Alternative has a high impact on road access via motorized vehicles, and thus a high impact on recreation and subsistence by those using motorized equipment to access areas and resources. The Sitka Ranger District currently has approximately 372 miles of authorized road. Prior to this decision, 251 miles of this 372 miles, were used by OHVs. However, due to State of Alaska law related to the crossing of anadromous streams, lack of public access (across private land), and previous EIS decisions that closed roads, only 108 miles of these roads currently had legal access. With implementation of this decision, over 100 miles of the road systems would remain open for motorized access under the Selected Alternative and approximately 63 additional miles of road will be opened when legal stream crossings can be provided and/or roads are repaired or right-of-way acquired.

Although roads will be closed in the Selected Alternative, no recreation areas will be closed or access denied; all roads will remain open to non-motorized (foot traffic) access at all times and alternative forms of access, including float plane, boat, bicycle, helicopter (outside of wilderness), and walking, will continue to be allowed.

Comments from the public during scoping and in response to the EA and Revised EA indicated that many local residents favor leaving all, or nearly all, roads open. Many public comments noted the importance of the roads for recreation and subsistence. A few comments favored closing roads to protect water quality, fish habitat, and the old-growth reserves. In considering these competing goals, I considered what was achievable within the available road maintenance budget. Road maintenance budgets for the past several years have not been sufficient to maintain the District road systems. Because this situation is expected to continue, hard choices must be made. Many roads have old log stringer bridges that are deteriorating or have already collapsed. Other roads lack legal access, either because they cross private land where no easement exists providing for public access, or because they cross fish streams without approved crossings. The selected alternative allocates the available funds to the highest priority roads, as identified in the roads analyses. Appendix A of the EA lists the priority for repairing roads that must be closed to OHV use until safety issues are dealt with and/or legal access can be provided. I plan to work with local groups and communities to explore ways to provide additional access for recreation and subsistence. We will actively pursue partnerships to facilitate improved access, including adopt-a-road agreements to maintain roads.

PUBLIC INVOLVEMENT

We initiated access and travel management planning in 1999 and began conducting roads analyses, using the roads analysis process (RAP) outlined in FS-643. Analyses were completed for roads in the Indian River area, Southeast Chichagof Island, Baranof Island, and Kruzof Island. This process provided an assessment of the extent and condition of the existing roads. We held public meetings to invite public comment and identify preliminary issues. Recommendations documented in the roads analyses, supplemented by the input from public comment, led to the Proposed Action addressed in the Access and Travel Management EA and Revised EA.

The project has been listed on the Tongass National Forest Schedule of Proposed Actions available on the Forest Service web site. The proposal was provided to the public and other agencies for comment during scoping (March 14, 2005 to April 14, 2005). A scoping brochure describing the Proposed Action and soliciting public comment was mailed to 471 individuals,

organizations, institutions, and industry representatives that had previously shown interest in Forest Service projects on the Sitka Ranger District. Interested parties included federal and state agencies, Alaska Native groups, municipal offices, businesses, interest groups, and individuals. A total of 125 responses were received based on scoping regarding the project and our Proposed Action, including 71 from members of the Sitka Recreational Riders, Inc. The majority of respondents (111) were from Sitka. Seven were from Tenakee Springs, six were from other cities in Alaska, and one was from Utah. Some individuals also included additional comments with their submissions. In addition, an announcement about the project and public meetings was published in the *Juneau Empire* on March 14 and 15, 2005 and the *Daily Sitka Sentinel* from March 14 through 18, 2005. Public service announcements were also made on Sitka's Raven Radio (KCAW) prior to public meetings.

Public meetings were held in Tenakee Springs and Sitka on March 22 and 24, 2005, respectively. A meeting was also held in the community of Angoon on May 18, 2005. There were 16 attendees at the Tenakee Springs meeting, 62 at the Sitka meeting, and approximately 12 at the Angoon meeting. Prior to the meetings, scoping brochures were sent to the local community centers in Sitka, Tenakee Springs, and Angoon. During the public meetings, scoping brochures were distributed to the participants and maps illustrating the Proposed Action were available for public review. Following the presentation, the public was prompted to ask questions and was encouraged to provide written comments to the Forest Service.

A Web site (<http://www.SitkaATM-EA.com>) was created for users on both high-speed and dial-up Internet connections to access the scoping brochure and download it if needed. Sixteen of the responses were received through the Web site.

Forest Service staff met with representatives of the Angoon Community Association on May 18, 2005, Shee Atika Incorporated on June 15, 2005, and Sealaska Corporation on June 24, 2005. Forest Service staff also met with representatives of the Sitka Tribe of Alaska for an informational Access and Travel Management meeting on May 31, 2005 from 7 to 9 p.m.

The following government agencies were contacted: U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Alaska Department of Fish and Game, Alaska Department of Transportation, Alaska Department of Natural Resources, National Marine Fisheries Service.

The 2006 EA was mailed to 167 individuals, organizations, institutions, industry representatives, federal and state agencies, Alaska Native groups, municipal offices, and businesses. A total of 44 responses were received regarding the EA during or after the 30-day comment period on the EA. The Legal Notice for the 30-day comment period on the EA was published in the *Daily Sitka Sentinel* on January 3, 2006. The Forest Service's response to comments on the 2006 EA are located in the Access and Travel Management project record. The comments were also used to make corrections and additions to the Revised EA.

Based on a projected reduction in the road maintenance budget, a new alternative (Alternative 4) was created. An announcement about the project and public meetings was published in the *Daily Sitka Sentinel* on March 28 and March 30, 2007. Public service announcements were also made on Sitka's Raven Radio (KCAW) prior to public meetings. Alternative 4 was described and discussed at a public meeting in Sitka on April 5, 2007 and in Tenakee Springs on March 14, 2007. There were about 20 attendees at the Tenakee Springs meeting and about 40 at the Sitka meeting. During the public meetings, maps illustrating Alternative 4 were available for public review. Following the presentation, the public was provided the opportunity to ask questions. A

representative of the Alaska Department of Natural Resources was present at the Sitka meeting to answer questions about State law and fish stream crossings.

The Revised EA was sent to 46 individuals, organizations, institutions, industry representatives, federal and state agencies, Alaska Native groups, municipal offices, and businesses who commented on the original EA or requested the Revised EA. Additionally 132 announcements of the availability and internet location of the Revised EA were sent to those people who had provided scoping comments or shown interest in the project. The Legal Notice for the 30-day comment period on the Revised EA was published in the *Daily Sitka Sentinel* on August 23, 2007. A total of 28 responses were received regarding the Revised EA during or after the 30-day comment period on the Revised EA. Subsistence hearings were held in Tenakee Springs, Angoon, and Sitka on September 5 and 6, 2007, after publication and dissemination of the Revised EA. No one attended the Angoon hearing. A total of 29 people attended subsistence hearings in Sitka and Tenakee Springs, with 6 people providing testimony; transcripts of the subsistence hearings are located in the Project record. A summary of the comments received on the Revised EA and the Forest Service's response to those comments has been included with this Decision Notice and is attached to this document as Appendix A.

Based on comments, I am providing the following clarification as to why the Hanus Bay roads will remain closed. All the Hanus Bay (Catherine Island) roads will remain closed to manage for subsistence resources per the Alaska Pulp Corporation Long-Term Timber Sale Contract Kelp Bay EIS decision. The Record of Decision states: General public all terrain vehicle (ATV) use will be prohibited on all roads in the Catherine Island and Portage Arm area. This decision takes that previous decision into account and confirms that decision.

Issues

Two issues were identified and used to develop alternatives for the project: motorized access for recreation and motorized access for subsistence. Other issues include roads in old-growth reserves, fisheries, water quality, public safety, road maintenance costs, the Southeast Alaska Transportation Plan road corridors, unauthorized access onto private lands, funding for proposals, and enforcement of closures.

Motorized Access for Recreation

Many residents of remote communities such as Sitka and Tenakee Springs rely heavily on National Forest System roads to access recreational opportunities and to enjoy outdoor activities. Roads provide access to cabins; beaches; camping, fishing, and hunting sites; and trails, and create opportunities for viewing wildlife and appreciating the scenery of the Forest. These experiences represent an important part of the region's lifestyle, and also support the local economy, including more than 70 outfitter/guide services that provide opportunities for tourists and residents. Recreational riding was ranked as the highest use by OHV riders who use District roads for recreational riding, camping, hunting, and fishing.

Motorized Access for Subsistence

Many scoping comments were made about the loss of motorized access for subsistence. Roads have been used to reach sites for hunting, fishing, and gathering. All alternatives provide for non-motorized subsistence access. All alternatives, including the No Action Alternative,

preclude motorized access for subsistence where there are inadequate crossings on anadromous fish streams (Alaska State statute, AS 41.14.870).

ALTERNATIVES CONSIDERED

I considered four alternatives, including the Proposed Action and No Action Alternative. Under the No Action Alternative (Alternative 1), current management plans would continue to guide management of the roads on the Sitka Ranger District. All system roads would be managed as designated by the Forest Plan, existing road management objectives, and previous National Environmental Policy Act (NEPA) decisions (1992, 1994, 1996, 1999, and 2003). No changes to passenger vehicle access or OHV access would be made on Forest roads. However, the No Action Alternative would not comply with the travel management regulations promulgated in November 2005 (known as the OHV rule). Under previous regulations, all classified roads were open to OHVs, except where designated closed. Under current regulations, all roads are closed to OHVs unless designated open.

Ongoing road maintenance and reconditioning would continue, to some degree, in all alternatives no matter which alternative is chosen.

The Proposed Action (Alternative 2) would reduce the amount of road open to highway vehicles by approximately 45 miles. These roads would be placed in storage, decommissioned, or converted to trails. Approximately 14.5 miles of unauthorized roads would be added to the Ranger District road systems (they would become forest roads) and another 4.5 miles of unauthorized road would be converted to OHV trails. Under the Proposed Action, six road systems would remain open for OHV use (with certain exceptions within each system).

Alternative 3 was developed in response to public concerns about diminished opportunities for OHV access for recreation. Under Alternative 3, no roads would be decommissioned or converted to OHV trails; roads no longer needed would be stored. Under Alternative 3, we would actively work toward making all classified roads on the District open to OHV use.

Alternative 4 places more roads into storage and reduces more road maintenance levels than Alternative 2 and 3. Alternative 4 was developed in response to anticipated budget reductions in engineering.

Biological Evaluations were completed for sensitive plants and animals. No sensitive wildlife or fish species will experience impacts that would cause or contribute to a trend towards federal listing or cause a loss of viability to the population or species. While the likelihood of effects to sensitive plants is extremely low (due to a lack of habitat in the road systems), the alternatives “may impact individuals but not likely cause a trend to federal listing or loss of viability” for those plant species known or suspected to occur in the project area.

FINDINGS REQUIRED BY OTHER LAWS

1997 Tongass Land and Resource Management Plan (Forest Plan)

This decision is consistent with the Forest Plan. The selected alternative fully complies with the Tongass Forest Plan. This project incorporates all applicable Forest Plan forest-wide Standards and Guidelines and management area prescriptions as they apply to the project area, and complies with Forest Plan goals and objectives. The Forest Plan identifies 13 Land Use

Designations (LUDs) in the project area. Management direction for each LUD is summarized in Chapter 1 of the EA. All required interagency review and coordination has been accomplished.

The Forest Plan complies with all resource integration and management requirements of 36 CFR 219 (219.14 through 219.27). Application of Forest Plan direction for the Sitka Access and Travel Management Plan ensures compliance at the project level.

ANILCA Section 810, Subsistence Evaluation and Finding

The effects of this project have been evaluated to determine potential effects on subsistence opportunities and resources. The selected alternative provides unrestricted non-motorized access to the entire District. No documented or reported subsistence use would be restricted as a result of this decision. As for motorized access, some areas will be restricted that were previously open. However, the Sitka Ranger District has made a concerted effort to keep as many roads and trails open for motorized access where laws and standards can be met. For this reason, none of the alternatives would result in a significant possibility of a significant restriction of subsistence use of wildlife, fish, or other foods.

Coastal Zone Management Act of 1972, as Amended

Under the Coastal Zone Management Act (CZMA), Federal agency activities within the coastal zone must be consistent with the Alaska Coastal Management Program (ACMP). This is a federal agency activity as defined in 15 CFR 930.51(a). The Memorandum of Understanding (MOU) between the Forest Service and State of Alaska lists activities normally requiring a consistency determination (Section 202.B.1.). This project is included on that list and a consistency determination has been provided to the State. I have determined that this activity is consistent to the maximum extent practicable with the enforceable policies of the ACMP.

Endangered Species Act of 1973

A Biological Evaluation has been completed for this action that indicates that no federally listed threatened or endangered species will be affected by this activity. The Biological Evaluation has been included in the planning record.

National Historic Preservation Act of 1966

I have determined that there will be no effects on historic properties listed in, or eligible for listing, in the National Register of Historic Places. Heritage resource surveys of various intensities have been conducted in the analysis area in accordance with the Regional Inventory Strategy. By following the provisions of the Programmatic Agreement signed July 29, 2002 between the Forest Service, Alaska State Historic Preservation Officer, and the Advisory Council on Historic Preservation, this action complies with Section 106 of the National Historic Preservation Act. The Heritage Resource Report is included in the planning record.

Floodplain Management (EO 11988), Protection of Wetlands (EO 11990)

This activity will not impact the functional value of any floodplain as defined by Executive Order 11988 and will not have negative impacts on wetlands as defined by Executive Order 11990. Restoring natural drainage patterns and decommissioning roads are expected to improve wetland function.

Recreational Fisheries (EO 12962)

This activity is consistent with Executive Order 12962. Decommissioning roads and restoring natural drainage patterns is expected to improve the quantity, function, sustainable productivity,

and distribution of United States aquatic resources for increased recreational fishing opportunities.

Environmental Justice (EO 12898)

I have determined that in accordance with Executive Order 12898 this project does not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act of 1996 (the Act) defines Essential Fish Habitat (EFH) as “those waters and substrates necessary for fish spawning, breeding, feeding, or growth to maturity.” For EFH, “fish” refers to federally managed fish or shellfish species and their prey. Marine EFH in Alaska includes estuarine and marine areas from tidally submerged habitat to the 200-mile exclusive economic zone (EEZ). Freshwater EFH includes streams, rivers, lakes, ponds, wetlands and other bodies of water currently and historically accessible to salmon. EFH for Pacific salmon recognizes six critical life history stages: (1) spawning and incubation of eggs, (2) juvenile rearing, (3) winter and summer rearing during freshwater residency, (4) juvenile migration between freshwater and estuarine rearing habitats, (5) marine residency of immature and maturing adults, and (6) adult spawning migration. Habitat requirements within these periods can differ significantly and any modification of the habitat within these periods can adversely affect EFH.

EFH Assessment

The Selected Alternative will have “no adverse affect” on EFH because Forest Plan direction and applicable BMPs would be applied during implementation of road closure, decommissioning, and maintenance activities. Forest Plan direction and BMPs were developed through interagency negotiation and provide state-of-the-art protection of fish habitat. Stream crossing structures would be removed on closed or decommissioned roads, reducing their potential for failure during storms. This action would also remove structures that interfere with natural fish movement patterns. On the open roads, efforts to restore fish passage through improperly installed stream culverts would continue. Thus, the Selected Alternative would benefit salmon streams by closing roads and removing stream crossing structures. Approximately 42 miles of road in RMA are permanently closed in the chosen alternative. These restoration actions would reduce the current risk and negative effects of roads on EFH in the project area.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the EA for this project using criteria identified in implementing regulations for NEPA (40 CFR 1508.27). Based on the EA and the findings displayed above, I have determined that this is not a major action that will have a significant effect on the human environment and therefore does not require the preparation of an Environmental Impact Statement.

IMPLEMENTATION DATE

Implementation of decisions made by the District Ranger, which are subject to appeal pursuant to 36 CFR part 215, may occur on, but not before, five business days from the close of the appeal filing period. The appeal filing period closes 45 days after publication of legal notice of this decision in the *Daily Sitka Sentinel* newspaper, published in Sitka, Alaska.

RIGHT TO APPEAL OR ADMINISTRATIVE REVIEW

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Individuals or non-federal organizations who submit written comments or otherwise express interest in this particular action during the comment period specified at 215.6 have standing to appeal this decision. The notice of appeal must be in writing, meet the appeal content requirements at 215.14 and be filed with the Appeal Deciding Officer:

Forrest Cole, Appeal Deciding Officer
Tongass National Forest Supervisor
Federal Building
Ketchikan, AK 99901-6591
(Street Address: 648 Mission Street)
Fax: (907) 228-6292
appeals-alaska-tongass@fs.fed.us

The Notice of Appeal, including attachments, must be filed (regular mail, fax, e-mail, express delivery or messenger service) with the Appeal Deciding Officer at the correct location within 45 calendar days of publication of notice of this decision in the *Daily Sitka Sentinel*, the newspaper of record for the Sitka District. The publication date in the newspaper of record is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Appeals submitted electronically, including attachments, must be in an electronic format compatible with Microsoft Word.

Hand delivered appeals will be accepted at the Supervisor's Office in Ketchikan during normal business hours (8:00 a.m. through 4:30 p.m.) Monday through Friday, excluding holidays.

CONTACT PERSON

Carol Goularte
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204 Siginaka Way
Sitka, Alaska 99835
Telephone (907) 747-6671

CAROL A. GOULARTE
Sitka District Ranger

Date

Distribution

Legal Notice, *Daily Sitka Sentinel*
Sitka Tribe of Alaska, Lawrence Widmark

Shee Atika, Incorporated, Coyne VanderJack

State of Alaska, Department of Natural Resources, DCOM (formerly OPMP)	Lawrence Marx
State of Alaska, ANILCA Impl. Prog., Sally Gibert and Susan Magee	Bart Meyer
State of Alaska, DOT, David Hawes	Eric J. Morrison
City and Borough of Sitka, Marlene Campbell	Charles Olson
Sitka Conservation Society, Andrew Thoms	Greg Overturf
Sitka Recreational Riders, Bradley Shaffer	Don Pegus
Sitka Trail Works, Deborah Lyons	Colleen Pellett
Patrick Barker, Sr.	Kelly, Crysti, Rose, and Cyleena Pellet
Robert J. Bell	Warren Pellet
Gary Bernhardt	Margaret Peterson
Jamey Cagle	Ron, Emily, and Justin Pratt
Clarissa Fisher	Guy Puckett
Kieth, Linda, and Karli Fredrickson	Lane Quintin
Trevor, Tracie, Brady, Grace, and Justin Harang	Brian Rezek
Charles Horan	Cynthia Roman
Joshua Horan	Jimmie C. Rosenbruch
Walter Jack	Caprice Scarano
Michael LaGuire	Linda Shaw
Robert P. Lihou	Libby Stortz
Robert T. Lihou	David Wallen
Frank Loucks	Amy Werner
Carolyn Ludlow	Larry White
Dan Martin	James M. Wileman
	Richard Williams
	Leslie A. Young

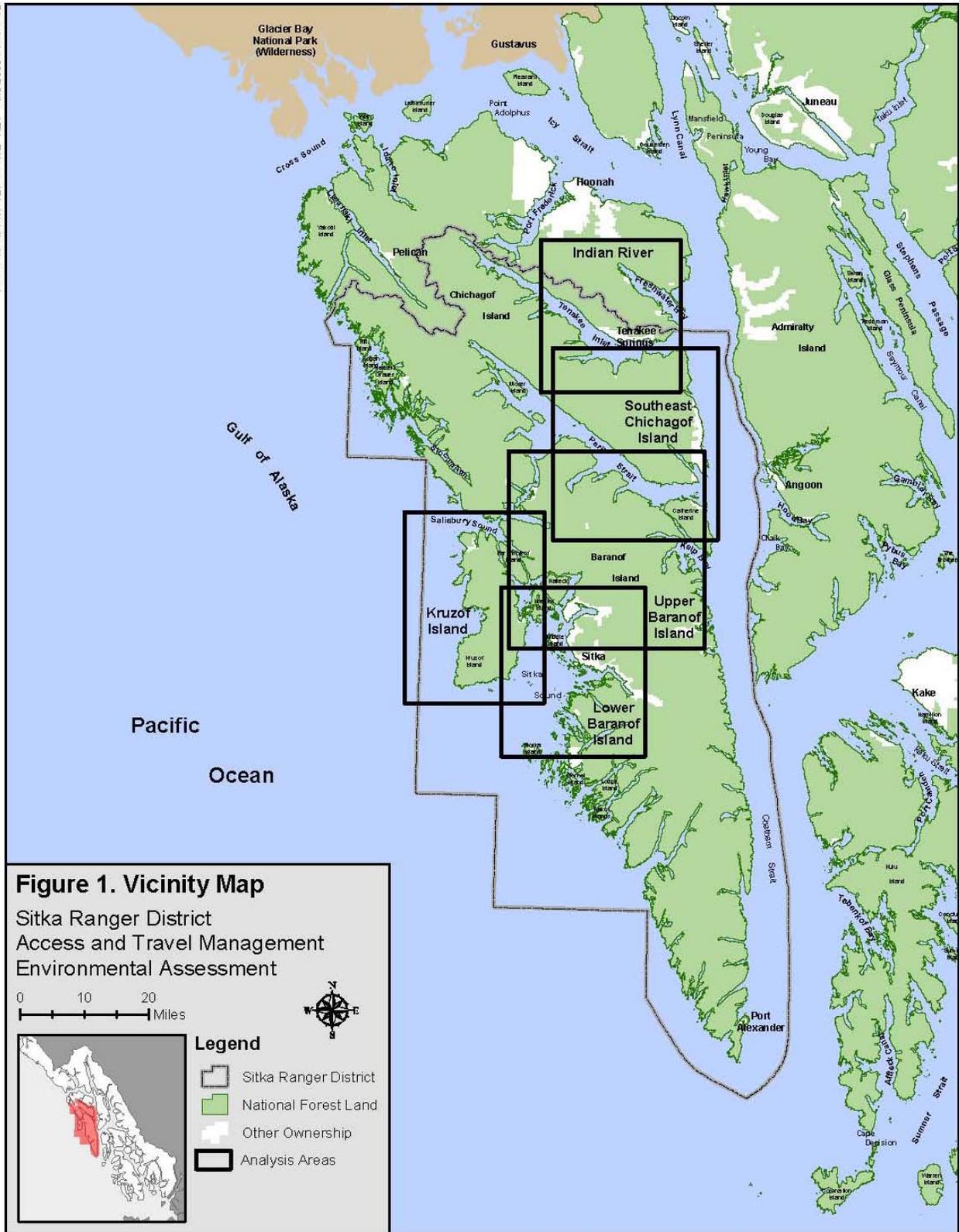


Figure 2. Indian River Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for Passenger and High-Clearance Vehicle Access



**Indian River
Analysis Area
Sitka Ranger District**



0 0.5 1 2 3 4 Miles

**Selected Alternative
Passenger and High Clearance Vehicles**

- Closed (Storage)
- High Clearance Vehicles
- Decommission
- Non-Forest Service Road
- Class I, II and III Streams
- Ranger District Boundary

Land Use Designations

- LUD II
- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Scenic Viewshed
- Semi-Remote Recreation
- Timber Production

Figure 4. Upper Baranof Island Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for Passenger and High-Clearance Vehicle Access



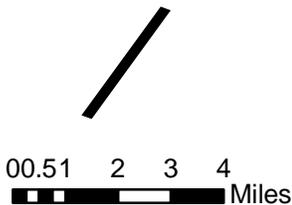
**Upper Baranof Island
Analysis Area
Sitka Ranger District**

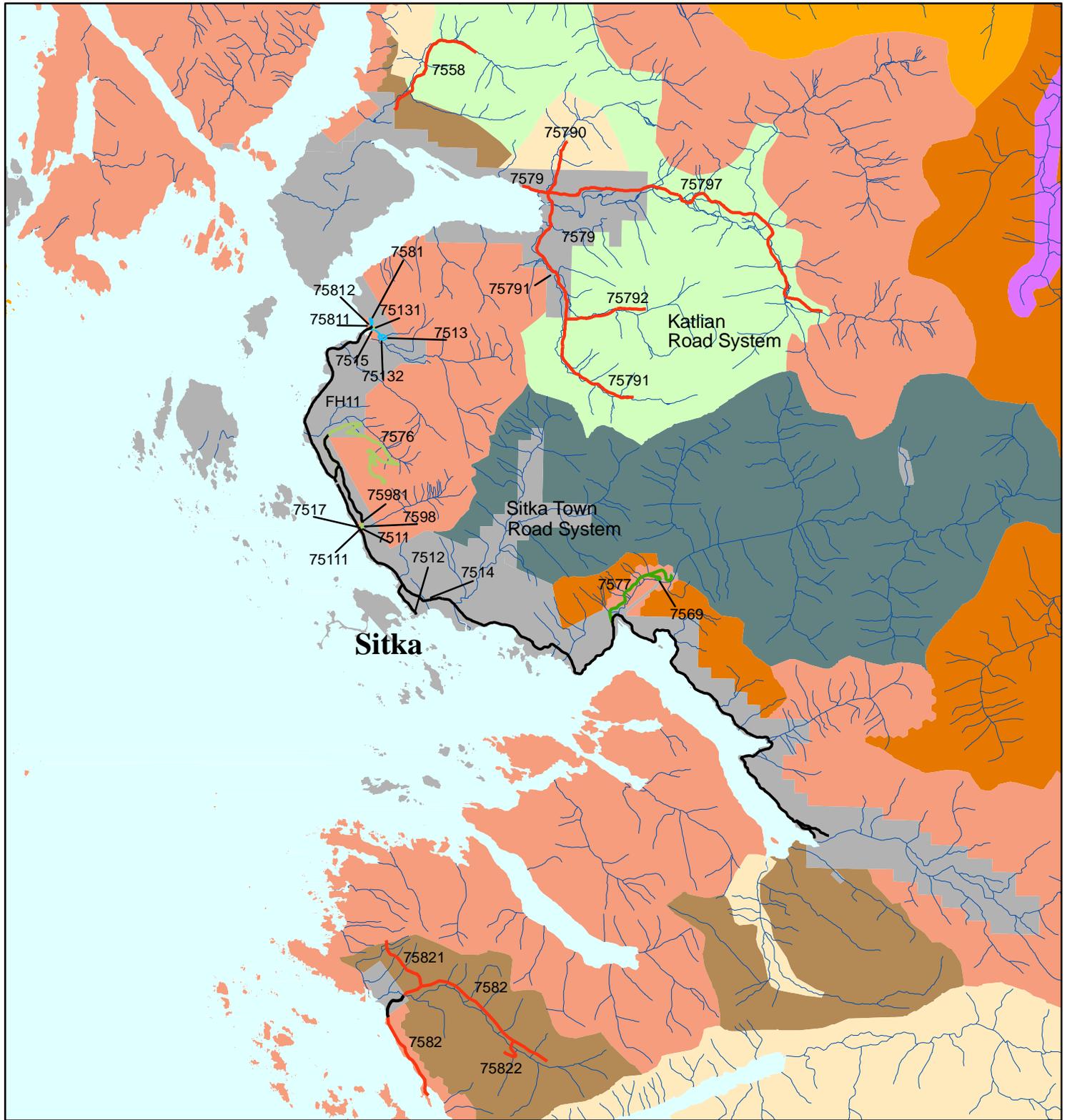
**Selected Alternative
Passenger and High Clearance Vehicles**

- Closed (Storage)
- High Clearance Vehicles
- Decommission
- Proposed Rodman Road (State)
- Class I, II and III Streams

Land Use Designations

- LUD II
- LUD Research Natural Area
- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Remote Recreation
- Scenic Viewshed
- Semi-Remote Recreation
- Special Interest Area
- Timber Production
- Wild River





**Lower Baranof Island
 Analysis Area
 Sitka Ranger District**

**Selected Alternative
 Passenger and High Clearance Vehicles**

- Closed (Storage)
- High Clearance Vehicles
- Passenger Vehicle, rough surface
- Passenger Vehicle, smooth surface
- Non-Forest Service Road
- Class I, II and III Streams

Land Use Designations

- Enacted Municipal Watershed
- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Remote Recreation
- Semi-Remote Recreation
- Special Interest Area
- Timber Production
- Wild River

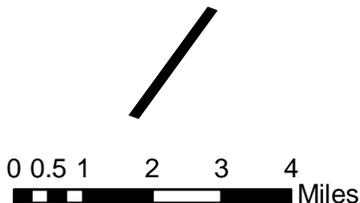


Figure 6. Kruzof Island Analysis Area: SRD ATM Decision Notice/FONFI - Selected Alternative for Passenger and High-Clearance Vehicle Access



**Kruzof Island
Analysis Area
Sitka Ranger District**



**Selected Alternative
Passenger and High Clearance Vehicles**

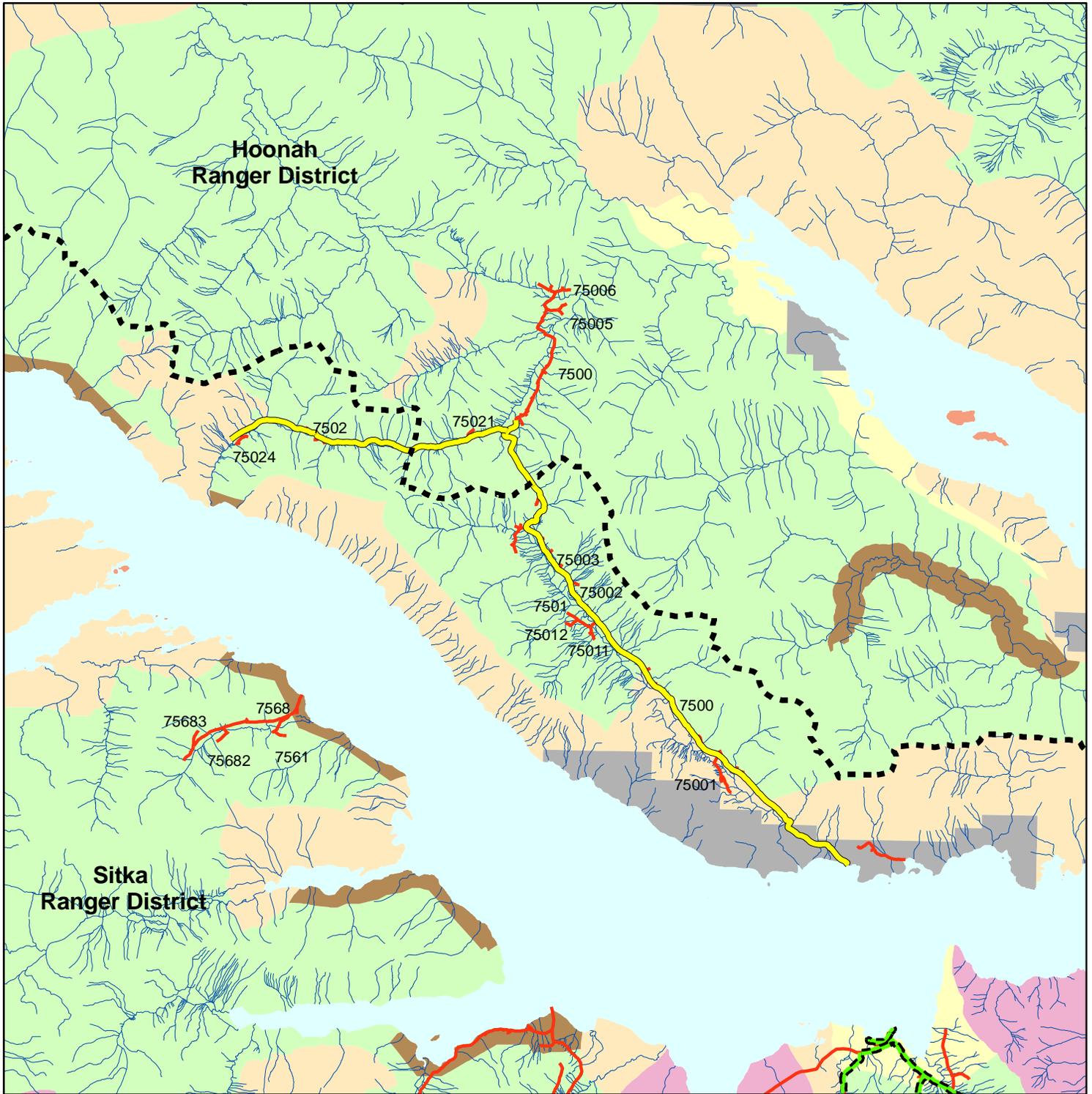
- Closed (Storage)
- Decommission
- Class I, II and III Streams

Land Use Designations

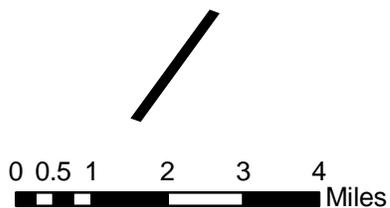
- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Scenic Viewshed
- Semi-Remote Recreation
- Special Interest Area
- Timber Production

0 0.5 1 2 3 4 Miles

Figure 7. Indian River Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for OHV Access



**Indian River
Analysis Area
Sitka Ranger District**



Selected Alternative

OHV Access

-  Both (HCV/OHV)
-  Potential OHV Trails
-  Closed (Storage)
-  Class I, II and III Streams
-  Ranger District Boundary

Land Use Designations

-  LUD II
-  Modified Landscape
-  Non-National Forest
-  Old Growth Habitat
-  Scenic Viewshed
-  Semi-Remote Recreation
-  Timber Production

Figure 8. Southeast Chichagof Island Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for OHV Access



**SE Chichagof Island
Analysis Area
Sitka Ranger District**

**Selected Alternative
OHV Access**

- Both (HCV/OHV)
- Off Highway Vehicles (OHV)
- Potential OHV Trails
- Closed (Storage)
- Class I, II and III Streams

Land Use Designations

- LUD II
- LUD II Wild River
- LUD Research Natural Area
- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Scenic Viewshed
- Semi-Remote Recreation
- Timber Production

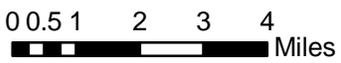


Figure 9. Upper Baranof Island Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for OHV Access



**Upper Baranof Island
Analysis Area
Sitka Ranger District**

**Selected Alternative
OHV Access**

- Both (HCV/OHV)
- Off Highway Vehicles (OHV)
- Potential OHV Trails
- Closed (Storage)
- Class I, II and III Streams

Land Use Designations

- LUD II
- LUD Research Natural Area
- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Remote Recreation
- Scenic Viewshed
- Semi-Remote Recreation
- Special Interest Area
- Timber Production
- Wild River

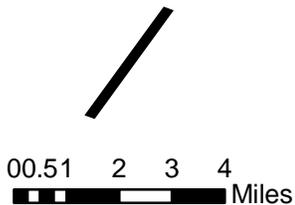
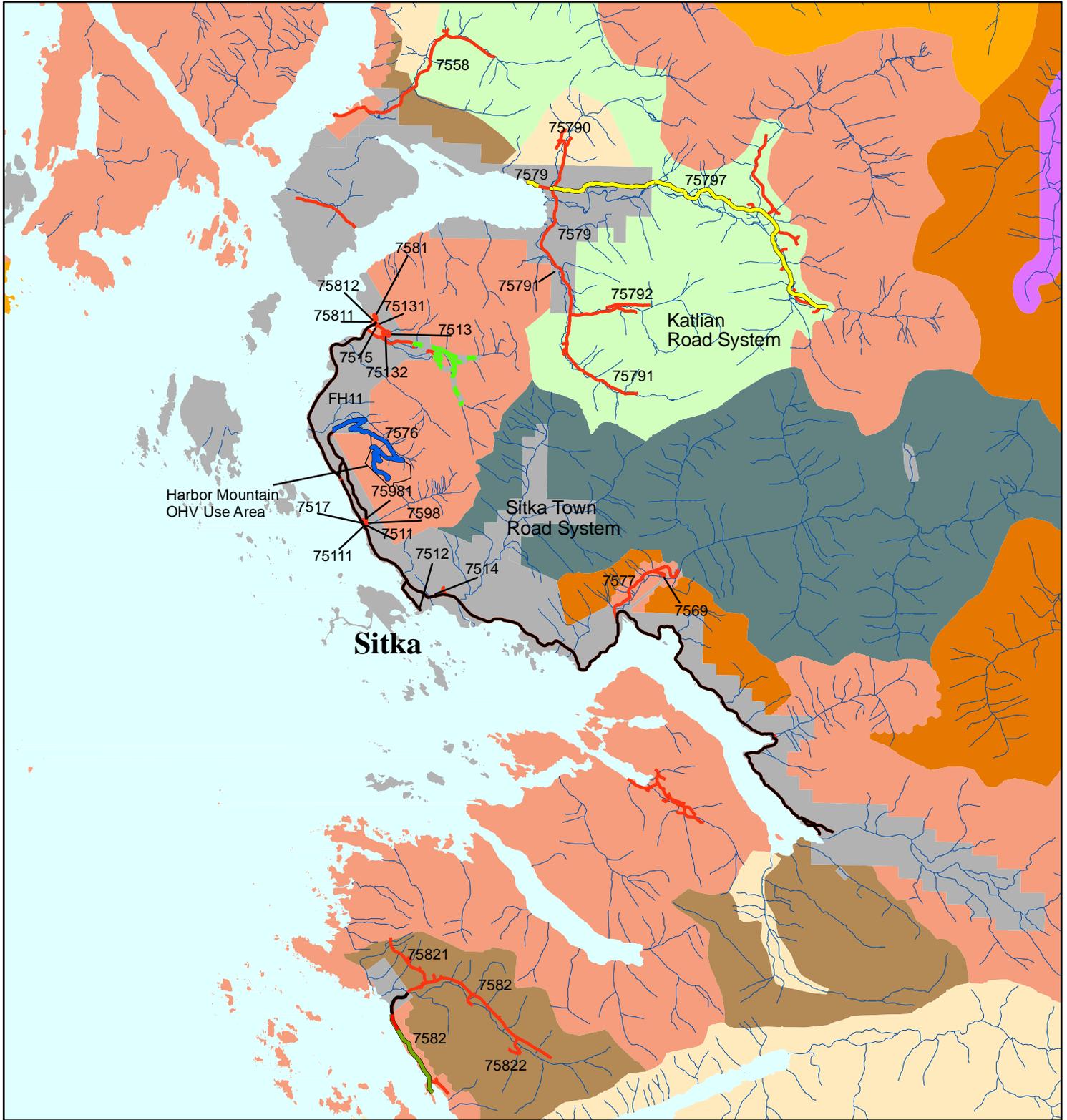


Figure 10. Lower Baranof Island Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for OHV Access



**Lower Baranof Island
Analysis Area
Sitka Ranger District**

**Selected Alternative
OHV Access**

-  Off Highway Vehicles (OHV)
-  Passenger Car/Seasonal OHV
-  Potential OHV Trails
-  Existing Motorized Trails
-  Non-Forest Service Road
-  Closed (Storage)
-  Class I, II and III Streams

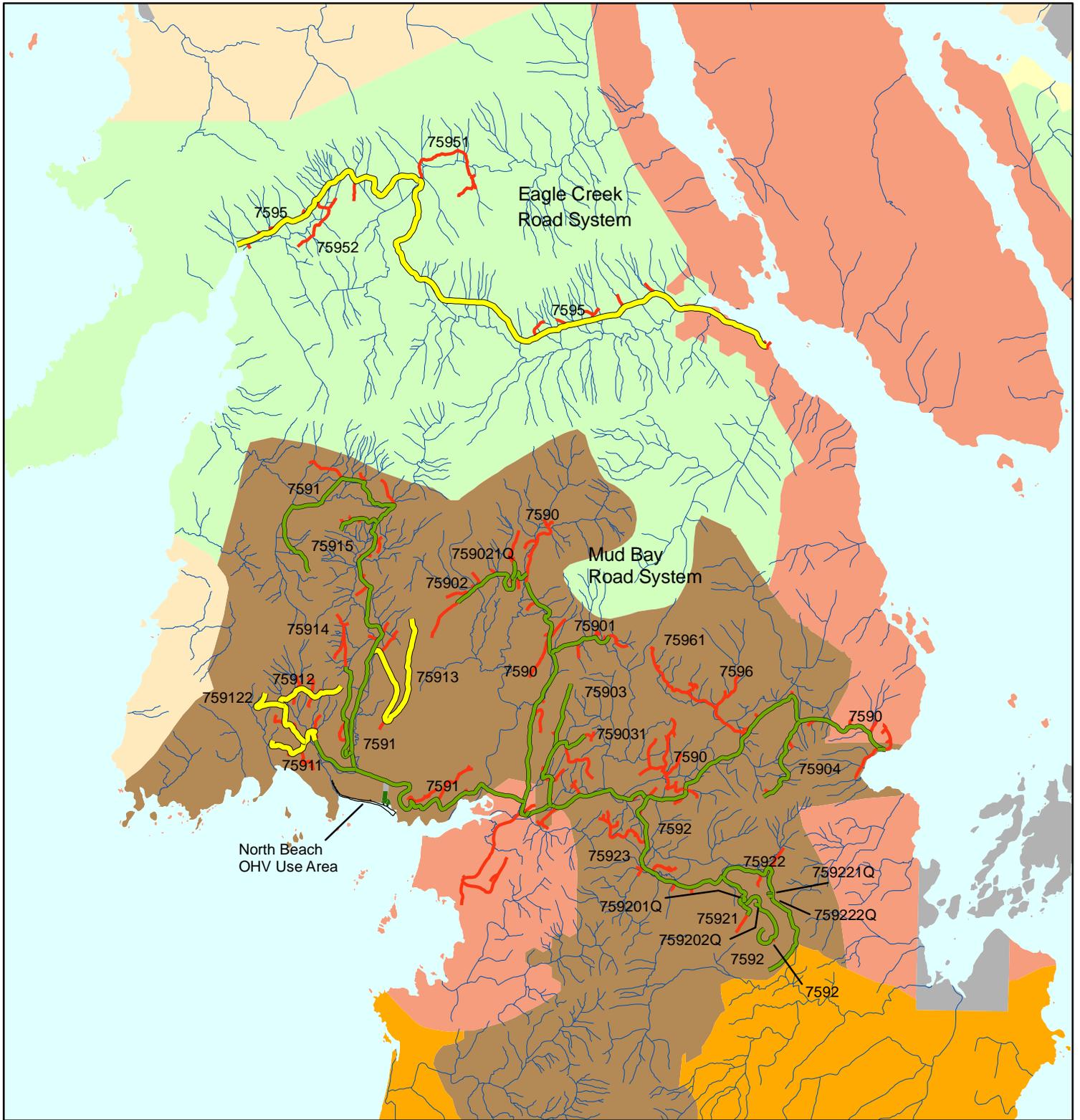
Land Use Designations

-  Enacted Municipal Watershed
-  Modified Landscape
-  Non-National Forest
-  Old Growth Habitat
-  Remote Recreation
-  Semi-Remote Recreation
-  Special Interest Area
-  Timber Production
-  Wild River

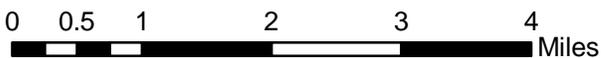


0 0.5 1 2 3 4
Miles

Figure 11. Kruzof Island Analysis Area: SRD ATM Decision Notice/FONSI - Selected Alternative for OHV Access



**Kruzof Island
Analysis Area
Sitka Ranger District**



**Selected Alternative
OHV Access**

- Off Highway Vehicles (OHV)
- Potential OHV Trails
- Existing Motorized Trails
- Closed (Storage)
- Class I, II and III Streams

Land Use Designations

- Modified Landscape
- Non-National Forest
- Old Growth Habitat
- Scenic Viewshed
- Semi-Remote Recreation
- Special Interest Area
- Timber Production

Figure 12. Designated OHV Use Area(s)

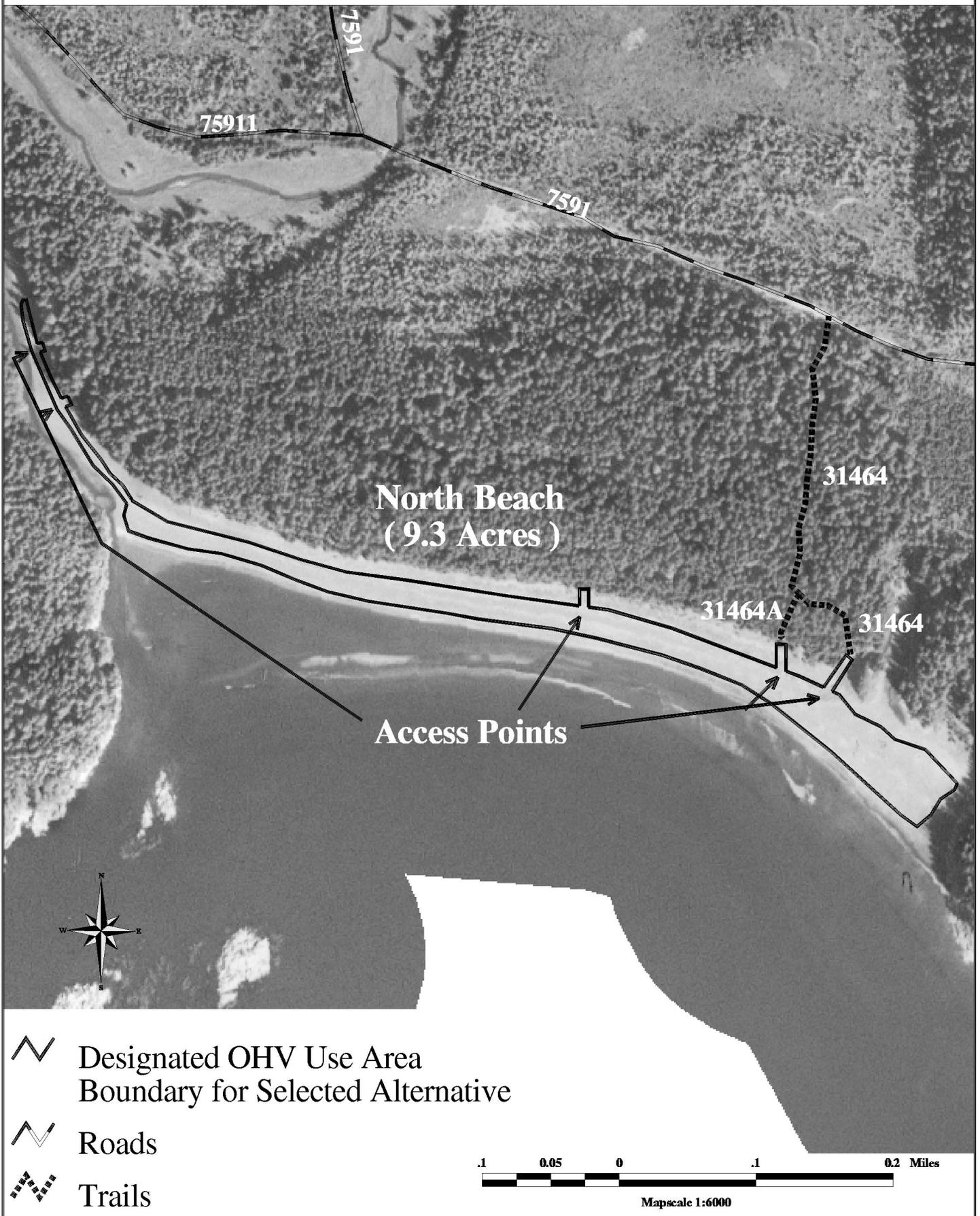


Figure 13. Designated OHV Use Area(s)

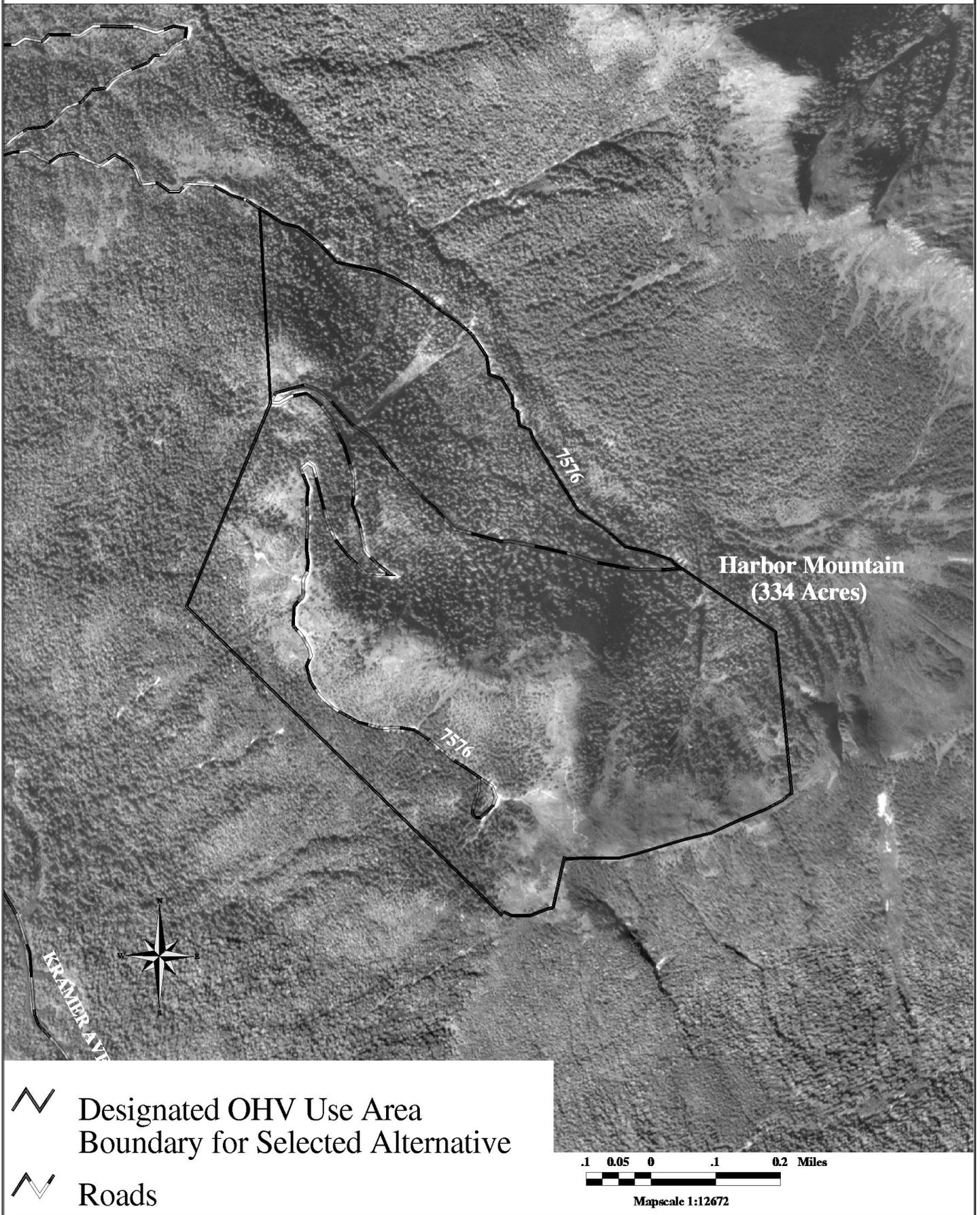
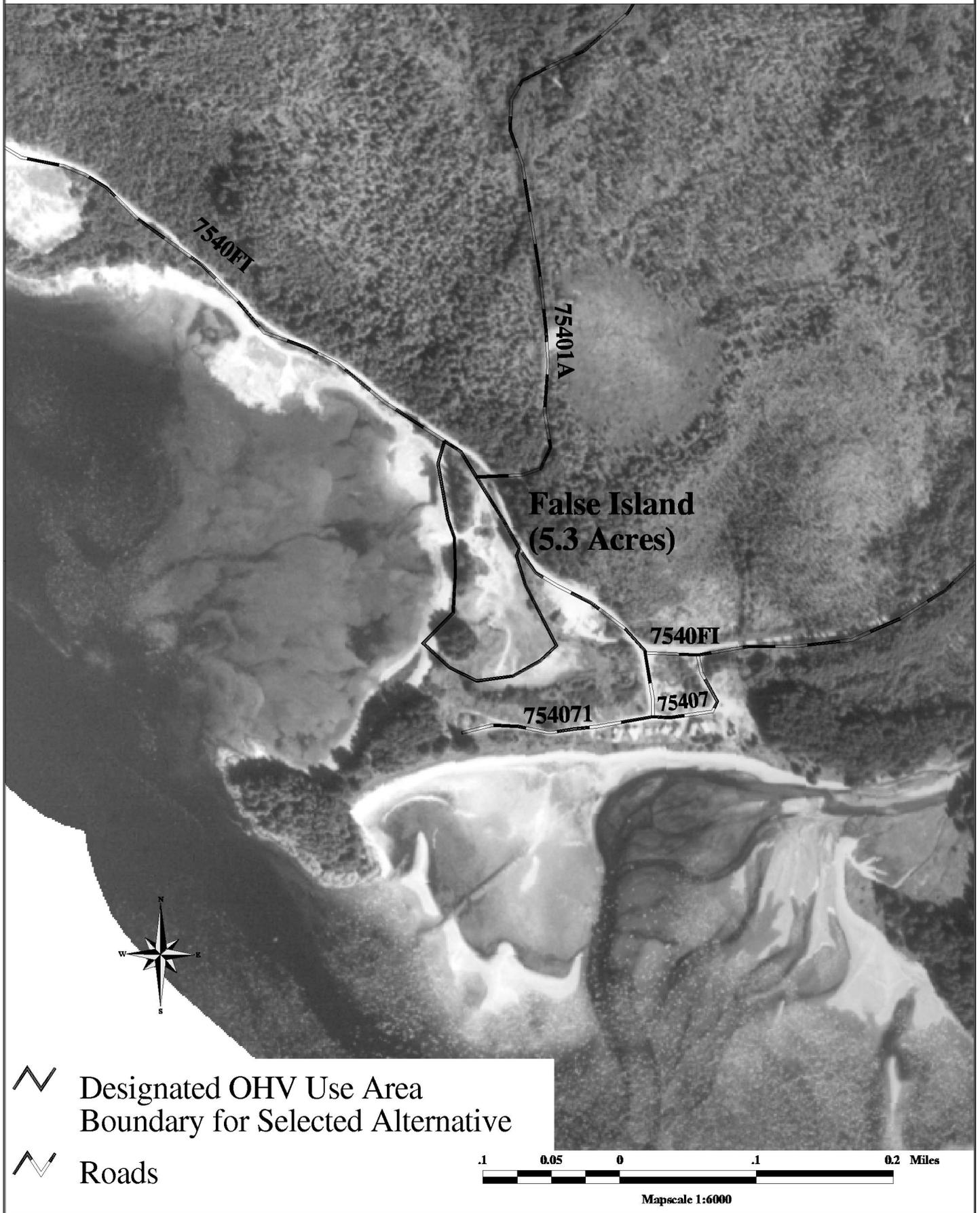


Figure 14. Designated OHV Use Area(s)



Appendix A

Comments and Responses

Sitka Revised ATM EA Public Comment Summary and Forest Service Response

<u>Name</u>	<u>Organization</u>	<u>Code</u>
Sadie Wright (101)	State of Alaska, ACMP Specialist (now Division of Coastal Ocean Management)	AK
Jamey Cagle (102)		JC
Michael LaGuire (103)		ML
Trevor Harang (104)		TH
Robert T. Lihou (105)		RL
Jeremy Twaddle (106)		JT
Diana Twaddle (107)		DT
Leslie Young (108)		LY
Frank Loucks (109)		FL
Andrew Thoms (110)	Sitka Conservation Society	SCS
Charlie Clark (111)		CC
Coyne VanderJack (112)	Shee Atika, Inc.	SA
Warren Pellet (113)		WP
Caprice Scarano (114)		CS
Ron Pratt (115)		RP
Emily Pratt (116)		EP
Justin Pratt (117)		JP
Colleen Pellett (118)		CP
Andrew Swanson (119)		AS
Eric Morrison (120)		EM
Guy Puckett (121)		GP
James Wileman (122)		JW
Richard Williams (123)		RW
Kelly Pellett (124)		KP
Marlene Campbell (125)	Coastal Management Coordinator	CMC
Larry White (126)		LW
Lawrence Widmark (127)	Sitka Tribe of Alaska	STA
David Hawes (128)	State of Alaska, DOT	DOT

Sitka ATM Revised EA, Response to Comments

(Letter 101-1 to 52 responds to State of Alaska letter 9/24/07)

Comment (101-1): We appreciate the difficulties by the Sitka District in managing its road system with increasing resource concerns and reduced funding for maintenance. We understand that some closures will be necessary to maintain the integrity of the remaining road system. AK,

Response: Thank you, we are trying to keep as many roads open as possible by using partnership help to assist us in maintaining our roads and trails and this approach seems to be working, at least on some of our more popular roads and trails.

Comment (101-2): We are not convinced, however, that the District has taken sufficient measures to keep as many roads as possible open and available for continuing public use. AK, CMC,

Response: The District proposes to keep roads and trails open beyond the allocated budget. \$ 106,000 is estimated for roads and \$ 110,200 estimated for trails annually (Revised EA Page 3-22). The District is dependent on partnerships with local residents along with allocated dollars to keep roads and trails open.

Comment (101-3): Unfortunately we have little ability to comment on specific road closers because the criteria used to prioritize the closures is not apparent in either the original or the revised EA. AK

Response: Because there is so little money available for roads and trails, the District took the opportunity to keep as many ML2 roads open for high clearance vehicles and OHVs. Priorities were considered based on local use. (EA Appendix A, page A7) describes the factors used to develop a priority work list.

Comment (101-4): The EA contains a tremendous amount of detail about the nature of the proposed action, but little about how the decisions were made. AK

Response: The project files such as the road analysis, landscape analysis, environmental impact statements, road condition surveys (EA page 5-2) provided details on which roads to keep open, put into storage or decommission.

Comment (101-5): The 30 day review period for this revised Environmental Assessment (EA) does not provide adequate time to request, disseminate, and sort through internal decision records. AK

Response: The National Environmental Policy Act provides for a 30 day comment period for Environmental Assessments. This direction is found in the Code of Federal Regulations, 36 CFR 215.6(a). The Code in 36 CFR 215.6(a)(iv) further states that, "The time period for the opportunity to comment on environmental assessments shall not be extended."

Comment (101-6): To the extent that the revision does not address our comments, we incorporate them herein by reference. AK

Response: We have prepared responses to all comments received from the first EA and those responses are incorporated by reference in this response. A copy of the first summary, Sitka ATM Public comment summary is enclosed.

Comment (101-7): If the new alternative better responds to anticipated reductions to the District's maintenance budget, then we question why a more costly alternative with fewer road closures remains the preferred alternative. The intent to retain a reportedly unattainable alternative seems misleadingAK

Response: Although Alternative 2 is the proposed action it is not necessarily the preferred alternative. Alternative 4 was developed due to expected budget projections on roads and is the preferred alternative. The Forest Service is required to meet standards for roads and trails if they are open to the public. Alternative 4 is a modification of Alternative 2.

Comment (101-8): The revised EA still does not address ANILCA Section 811 subsistence access requirements for rulemaking. We are raising this concern with the Regional Forester because we recognize some of the specific issues and their solutions are likely beyond the scope of the Sitka District's decision-making authority. AK, CMC

Response: We responded to this question in the response to public comment summary, copy enclosed.

Sec 811 (a) states, "The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands." Under Alternative 4 about 105 miles of road would be open to OHVs once adequate stream crossings are provided or are determined to be present, unsafe bridges are repaired or removed. As stated on page 3-12 in the Revised EA, "Because all of the main OHV access routes for the most popular road systems such as Kruzof Island, False Island and Corner Bay remain accessible under Alternative 4 the ability of most people to access subsistence resources will not be significantly restricted. We believe this is reasonable access.

Sec 811 (b) also discusses access for subsistence purposes by local residents, subject to reasonable regulations. The Sitka Ranger District held informational meetings and subsistence hearings in Sitka, Angoon and Tenakee Springs to provide information on the proposed project and to receive testimony from individuals, agencies, and organizations on the activities proposed in the EA and how the proposed activities may potentially affect users of subsistence resources from these communities. The results of the subsistence hearings are as follows:

Tenakee Springs, Alaska – the meeting and hearing was held September 5, 2007 and a total of 11 people signed in. Three people testified from Tenakee Springs with one individual favoring alternative #4 and wanting to help the Sitka District open and maintain the Indian River road. The other two folks wanted to close the Kadashan road system with one person also favoring Alternative 4 but also stating that she favors the alternative with the least amount of roads

available.

Angoon, Alaska – the meeting and hearing was held on September 5, 2007. The Mayor of Angoon called the District Ranger on September 4th and said there might be a couple of people at the hearing because most of the community is out fishing or hunting. The Mayor was not planning to attend. Attendance was 0.

Sitka, Alaska – the meeting and hearing in Sitka was held on September 6, 2007 and 18 people signed in. Three people testified with one person stating that, “any closure to any of the roads is going to jeopardize my providing for my family.” Another individual wanted to meet with Carol, the District Ranger, privately and the third person had no comments about subsistence but did want roads open for OHV use.

Comment (101-9): As you know, the nationwide Travel Management rule established a process by which all routes that are not designated for motorized use will automatically be closed to motorized access. In contrast, ANILCA Section 811 (b) says federal managers “shall permit” access for subsistence purposes, “subject to reasonable regulation.” Thus the national direction amounts to a “closed unless open” approach, while ANILCA is premised on an “open until closed” approach, with rulemaking as the tool for implementing closures. AK, CMC

Response: The Sitka Ranger District held subsistence hearings and received very few comments related to how our proposed implementation of Alternative 4 will adversely affect subsistence opportunities.

Comment (101-10): The revised ATM Plan still does not recognize the regulatory closure process required in ANILCA Section 811(b). AK

Response: This issue is outside the scope of this project.

Comment (101-11): Some creative thinking is necessary to come up with regulatory closure process for the Forest Service. Given our extensive background with other federal agencies on rulemaking, we desire to work with the Forest Service on appropriate regulations. AK

Response: This issue is outside the scope of this project.

Comment (101-12): We suspect the Forest Service considers the national Travel Management rule as adequate authority for proposed closures. This may be adequate for general public access, but not for subsistence access. AK

Response: Although this issue is beyond the scope of the project the Sitka Ranger District did hold subsistence hearings in Tenakee Springs, Angoon, and Sitka and only 5 people testified in all of the communities combined.

Comment (101-13): Section 811 remains an exception to the national Travel Management regulations, but precedents are not yet in place to define this relationship. AK

Response: This issue is beyond the scope of this project.

Comment (101-14): Without regulations, any Forest Service closures for subsistence access will ultimately be unenforceable, and proactive wholesale efforts to make these routes unusable will not have an adequate basis in law. Again, we do not dispute the need for selected road closures, but we must draw attention to the lack of a legal closure process. AK

Response: As described on page 1-7 of the Revised EA, when the Travel Management Rule, our Forest Service regulations, is adopted on the Sitka Ranger District, the Motor Vehicle Use Map will identify which OHV routes will be open. This map will be made available for all forest users at our office and on-line and will be updated annually. The Sitka Ranger District has one law enforcement officer, and two Forest Protection Officers, assigned to the District who will patrol the roads and trails and enforce the closures. We disagree with your statement and do believe we have legal closures.

Comment (101-15): A determination that a given road was not used before 1980, however, is not adequate justification to conclude or imply that Section 811(b) rulemaking requirements do not apply to post-ANILCA use of such road. ANILCA legislative history clearly shows that Congress understands that subsistence was an evolving activity and purposely chose not to establish a pre-existing use test. AK, CMC

Response: The survey you mention is briefly discussed on Revised EA page 3-11. I do not see in the EA where it states that this survey is the basis or the justification for selecting Alternative 4 as the preferred alternative. The Revised EA describes several significant and non-significant issues that all contribute to the reasons for selecting one alternative over another.

Comment (101-16): If subsistence activities were occurring in the general area prior to 1980, and if use of ORVs was part of the mix of access methods, then closure regulations would be needed to restrict that use throughout the area, even if the Forest Service has no direct evidence of pre-ANILCA ORV use on a given route. AK

Response: There was very little documented ORV use on the Sitka Ranger District prior to 1980. Where ORV use is documented, and even in most areas where it is not documented, we are not proposing to preclude ORV use “throughout the area”. See response to 101-8 above.

Comment (101-17): The last paragraph on page 3-11 states that “apart from a few exceptions, the mainline roads that were identified during this survey are currently open for OHV use or will be open pending repair or replacement of bridges and/or acceptable stream crossing in all alternatives.” This statement downplays the fact that numerous spur roads off the mainline routes will be closed. AK

Response: I would not call this statement a down play but you are correct, Alternative 4 does close numerous spur roads off the mainline roads. The reasons for this are documented in the Revised EA. We felt that allowing access by road/trail into the area on the mainline roads and closing the short spurs was a reasonable alternative for the majority of users.

Comment (101-18): It also does not recognize that a road that “will be open pending repair” is in fact a closure – either temporary or permanent depending on funding. The EA readily admits that funding will be insufficient to undertake many of the hoped repairs. Therefore the intent to repair and open a road is hardly a guarantee the road will be open and available for use. AK, CMC, DOT

Response: The Revised EA does recognize that roads pending repair are closed and this is well documented on page 1-7. You are right; the intent to repair and open a road is hardly a guarantee the road will be open and available for use. We clearly state this in the EA, “Regardless of which alternative is selected, there is no guarantee that funds will be available to fully implement the chosen alternative.” We are, however, making a concerted effort to address all the “closed until repairs are made” roads by 2009 (page 1-7). We are also working with individuals and groups who will repair and maintain some of these roads so they can be opened as soon as possible; the Indian River road out of Tenakee Springs possibly this fall. There are some roads, such as the Eagle River road, that has a major bridge failure, that will likely not be able to be opened in the near future because of the expense of replacing this bridge. This is a safety issue and they are discussed on pages 1-5 and 3- 20 & 21, in the Revised EA.

Comment (101-19): This misleading representation, taken together with other statements in this section that 1) most current subsistence use is by motorboat, and 2) the large majority of subsistence users would not be affected by the closures, seems to say that additional statutory responsibilities toward subsistence users are minimal. AK

Response: Although we have found that some of the data we received from ADF&G about hunting from boat versus OHV is misleading, and is discussed in further detail later in this document, we still rely on information received during the subsistence hearings, and our own findings in the EA and revised EA, that subsistence users would not be greatly affected by the proposed closures.

Comment (101-20): The Forest Service still has an obligation to follow ANILCA closure procedures. AK

Response: This issue is beyond the scope of this project.

Comment (101-21): We seek a more complete and forthcoming account of the impacts of the proposed closures along with a commitment to develop appropriate regulations. AK

Response: We feel we have provided an adequate accounting of the impacts of the proposed closures and developing regulations is beyond the scope of this project.

Comment (101-22): We understand that the national rule asks Districts to designate all roads or trails that will or may be opened in the future, even if funding to keep them physically open is currently inadequate and they will be effectively closed in the meantime. We appreciate that the Service is trying to provide flexibility for future road openings under appropriate circumstances. Under the national rule, the alternative is to permanently close all routes with any sort of management challenge, which would be the least desirable approach of all. AK

Response: I am not certain your last sentence is correct, but the Motor Vehicle Use Map (MVUM) will be updated and printed yearly which gives us the flexibility to open and close roads on an annual basis when conditions warrant. This is why the Revised EA has yellow roads, which will be open once the respective resource concerns are mitigated such as through hardened stream crossings, removal of stream obstructions, removal of slide materials, or where field-verification identifies fish crossings as having limited or no impact on anadromous fish (page 2-4).

Comment (101-23): We appreciated that the district has had discussions with the Alaska Department of Natural Resources (DNR), Office of Habitat Management and Permitting (OHMP) on the Service's options under the State's Title 41 authority for repairing inadequate crossings on anadromous streams. Through that consultation, OHMP presented the Service with less expensive acceptable alternatives. Unfortunately, however, the EA does not clearly indicate which, if any of those options were incorporated in the ATM Plan, or how they affected decisions to close or store specific roads or trails. Our interest, of course, is maximizing the number of accessible roads that can be managed effectively within a limited budget. AK, CMC

Response: The EA identifies approximately 60 miles of operation maintenance level 1 roads that will be open to OHVs when crossings & repairs are completed. These roads/trails are shown as yellow roads on the EA maps. We have done this as an attempt to maximize the available roads/trails potentially open for OHV use.

Comment (101-24): The EA does include a significant amount of information regarding the Service's proposed alternatives. However, as noted in our general comments, the information provided speaks more to the outcomes identified in the alternatives than to the decision process or any specifics about why certain roads were selected for a specific action. For example, while Appendix A in the original EA lists out the criteria for prioritizing road actions, there is still no discussion in the revised EA that helps discern how the District reached its conclusions. This is especially important in the context of the revised EA with additional proposed closures in the new alternative. AK

Response: The Revised EA did not repeat any information that was contained in the original EA

Comment (101-25): The first paragraph includes a lengthy list of closures without accompanying justification, simply noting "resource issues and lack of access." The second paragraph lists numerous closures with no justification at all. In contrast, the third paragraph concerning the Crab Bay road system does include at least superficial rationale. AK

Response: Priorities and closures are based on page 5-2.

Comment (101-26): We are aware the revised EA indicates decision records are available upon request; however, the paucity of such background information in the EA makes specific comments difficult at best. As a result, we cannot tell if the following considerations have already been factored into your previous deliberations. To the extent they have not been addressed, we include them for your continued consideration. AK

Response: The comment is correct; the NEPA process does not require us to place all supporting documentation in the Environmental Assessment. The NEPA process does, however, require us to keep all information related to the EA in the project records. According to 36 CFR 215.6(a)(1)(iv), there is a 30 day required comment period. Within the 30-day comment period there is ample time to request information from the decision records located at the Sitka Ranger District.

Comment (101-27): Many roads are proposed for closure pending replacement or repair of stream crossing structures or bridges; however, blanket closures of entire roads may not be necessary. For example, OHV use could possibly be allowed on segments of roads unaffected by inadequate crossings. AK

Response: We have done as you suggest, the Kizhuchia road system for example, is open for the first 1.5 miles until access is denied because of private property. We encourage OHV users to visit the Sitka Ranger District to discuss any roads they may want open in the future to OHV use. The OHV map will be updated annually; comments and suggestions for individual roads will be reviewed.

Comment (101-28): Certain bridges have been labeled “failed” since they are no longer able to carry fully loaded log trucks; however, they may still be able to carry lighter vehicles, such as ORVs, and may not need to be closed or stored. AK, DOT

Response: There are several road systems (Appleton, Katlian, Mud Bay, and Indian River), which will remain open to OHVs with bridges that would no longer support a loaded log truck. We are in the process of inspecting these types of bridges for further OHV use on other systems.

Comment (101-29): Many roads that begin near the beach may provide upstream access for fishing without stream crossings or bridges to maintain. Since access to many of these remote roads is by boat, these more remote routes get relatively little use and consequently, maintenance needs would be minimal. AK

Response: Please refer to Comment and Response 101-27

Comment (101-30): Incremental culvert maintenance or “storm proofing” for some ML 2 roads may be preferable to more costly culvert repair or replacement. AK

Response: This is a true statement; we will take it under advisement.

Comment (101-31): The “non-Significant Issues” section beginning on page 1-4 includes, among others, “Road Maintenance Costs” and “Funding for Proposals.” These are highly significant issues, and as noted in the EA, form the basis for the whole EA and for the new alternative in particular. We recommend re-titling this section to something like “Issues beyond the scope of the plan” or “Responses to comments regarding issues that are beyond the scope of the plan.” AK

Response: Your comments make sense but we do not prepare draft EAs so these changes will not be incorporated.

Comment (101-32): Clearly, funding is a significant issue that deserves more attention at all levels of ATM planning. AK

Response: While funding is an issue, there are opportunities to work in partnership with locals who already spend their time and money brushing roads for OHV use. An attempt was made to keep more roads and trails open anticipating local assistance.

Comment (101-33): The Fisheries/Water Quality section on page 1-4 notes removal of bridges and culverts for habitat protection. These actions will, by definition, physically block motorized access. We support this approach where habitat is indeed threatened. In contrast, the “Enforcement of Closures” section on page 1-7 says that enforcement efforts are limited and the public will be “expected to adhere to the law by only riding on routes designated as open on the map.” AK

Response: This Comment is Correct, OHV users will have to familiarize themselves with the current Motor Vehicle Use Map and adhere to it.

Comment (101-34): This second discussion implies that many or most closed routes will not be physically blocked. Where habitat damage is a major concern, we request that some sort of physical barrier support the road closures. Again, based on the limited information in the EA, we are unable to comment on specific routes. AK

Response: At this time we are not planning to physically block roads unless there is a safety hazard and it is necessary. OHV users will be responsible for obtaining a copy of the Motor Vehicle Use Map and driving on designated open roads, trails and areas.

Comment (101-35): Page 1-2, revised definition of “Wilderness.” Although we appreciate the effort to revise this definition in response to our previous comment the new version now refers to “...traditional activities that are legal” without explanation. The Service has determined that “traditional activities include, but are not limited to, recreation activities such as fishing, hunting, boating, sightseeing, and hiking” on all conservation system units, including designated wilderness. (USFS Region 10 Supplement No. R-10 2300-2003-2, specifically 2326.1-Conditions Under Which Use May Be Approved). We urge replacing the phrase “that are legal” with the explanation from the R-10 Supplement. Without a regulatory definition of “traditional activities,” the Forest Service has no basis for implying that certain uses may not be traditional. AK

Response: The phrase “that are legal” is derived from the Forest Service Manual 2300, Chapter 2320, Section 2326.1, “Traditional activities, which are legal, shall be allowed to continue in wildernesses where such use has occurred, and no proof of pre-existing use will be required in order to use a snow machine, motorboat, or airplane.”

Comment (101-36): The definition also references “ANILCA, Section 1110 and Wilderness and

Rec & Tourism Sections.” Other than Section 1110, we have no idea what this reference means. Please provide more specific citations, if any, or delete the remaining general references. We are not aware of other sections of ANILCA that speak specifically to the corrected language. AK

Response: You are right that the reference is unclear. It should read ANILCA, Section 1110, and FSM 2300-2003-2, Chapter 2320, Section 2326.1.

Comment (101-37): What is the nature and purpose of the subsistence hearings mentioned in the second paragraph? AK

Response: The subsistence hearings were intended to meet subsistence evaluation requirements outlined in Section 810, ANILCA. The hearings were held in Sitka, Angoon, and Tenakee Springs and were designed to receive testimony from individuals, agencies, and organizations on the activities proposed in the Access and Travel Management Revised Environmental Assessment located on the Sitka Ranger District and how the activities proposed may potentially affect users of subsistence resources within the project area.

Comment (101-38): Page 1-3, Consultation with Other Agencies. The EA indicates that no “permits” are required for implementation of this plan. The EA does not address Addendum One of the Memorandum of Understanding (MOU) between the Forest Service and DNR/OHMP that requires the Service to obtain a “Concurrence” for any work below ordinary high water in anadromous water bodies. AK

Response: The Forest Service is aware of the Memorandum of Understanding between the Forest Service and the DNR/OHMP. The Sitka ATM is a planning document and no permits are required for this plan, however all appropriate permits will be obtained during the implementation of the ATM should they be needed for specific projects. The Forest Service is currently in the process of putting together stream concurrence packets to allow OHV crossing on both anadromous and resident fish streams for three different road systems and will continue to work closely with DNR/OHMP in the future.

Comment (101-39): Our previous comment letter also requested the Service acknowledge that any work below ordinary high water in navigable waters would also require an authorization for DNR, Division of Mining, Land and Water. AK

Response: The term “below ordinary high water in navigable waters” is the same as “Waters of the United States” and includes wetlands, streams (including intermittent streams), lakes, mudflats, sloughs, wet meadows, natural ponds, etc. The Forest Service understands that the DNR, Division of Mining, Land and Water need to be notified along with the DNR-OHMP and ACOE before any instream work can be completed on any of these road systems.

Comment (101-40): In light of the concurrence requirement, the statement that Service personnel determined “no permits, licenses, and/or certifications from federal or state agencies are needed for this project” is at best misleading. Given the amount of work affecting culverts and other stream crossings referenced in the EA, it seems unlikely that none of that work will occur in anadromous and /or navigable waterways that would require some type of authorization

from DNR or similarly, from the US Army Corps of Engineers for work in or affecting navigable waters under their jurisdiction. AK

Response: If funding opportunities arise and crossing structures are replaced or removed, permits from the DNR/OHMP and US Army Corps of Engineers would be obtained before the project initiation.

Comment (101-41): We request the final decision document acknowledge the District's intention to follow the procedures agreed to the Addendum One of the MOU, which is not directly referenced but inferred by the following statement in the EA: "...60 miles would be closed (to ORV use) until consultation with the State of Alaska occurs, and repairs are made if needed." (page 3-12) and "Clearance work done by resource specialists and with the State of Alaska to allow OHV use on some roads ; closed pending repairs'...(Appendix B-1) AK

Response: The final decision notice will acknowledge the district's intention to follow procedures agreed upon to the Addendum One of the MOU.

Comment (101-42): Page 2-3, Off-Road Access for Dispersed Camping. The first sentence of this section, "OHV use off of designated open roads and trails for the purposes of dispersed camping is permitted for up to 100 feet on closed roadbeds year-round." Is confusing and needs to be re-written for clarification. If correct in our assumption about the intended meaning, we suggest revising the sentence as follows: "For the purposes of dispersed camping, OHV access is allowed on up to 100 feet of closed roadbeds year-round." AK

Response: You are correct in your assumption of the intended meaning and we appreciate the clarified language. We will consider your suggested wording.

Response 11/07: Forest wide wording has been developed and reads as follows: Motor vehicle use off of designated routes up to 100 feet from the center line, is allowed for the purpose of dispersed camping as long as the vehicle remains on a hardened surface.

Comment (101-43): Page 2-5, Off-Highway Vehicle (OHV) Access. OHVs are defined as "...any motor vehicle that is designed or retrofitted primarily for recreational use..." It is unclear why this distinction is included in the definition when the EA recognizes that OHVs are also used for subsistence purposes. We recommend deleting the distinction in the definition unless the Service has a different definition of OHVs used for subsistence purposes. AK

Response: This definition of OHVs does not discriminate between recreational and subsistence use. The distinction is made to differentiate between OHVs and High-Clearance Passenger Vehicles, which may also be used for both recreation and subsistence activities.

Comment (101-44): This section indicates that the subject road is being closed until "repairs or mitigation of failed bridges is completed." However, according to the 2005 Indian River Roads Analysis Process, the first 11.8 miles of Road 7500 and all of road 7502 have bridges that can carry loaded log trucks. Unless new information is available subsequent to the 2005 report, the EA is incorrect. AK, DOT

Response: The EA is correct, in 2006 the first bridge on the Indian River road failed and bridge inspections in 2006 also confirmed that most of the other existing bridges on this road are not capable of supporting log trucks. Most of the bridges will likely be capable of supporting OHVs and we plan to inspect these bridges and run a load analysis on them this fall.

Comment (101-45): We request the second paragraph reference the specific EIS process that did not allow any roads or trails on the Hanus Bay road system. AK

Response: The document is the Alaska Pulp Corporation Long-Term Timber Sale Contract Kelp Bay Environmental Impact Statement Record of Decision dated February 1992. The decision states on page 4, "I will prohibit motor vehicle use on Catherine Island (following harvest operations). I further authorize installation of a physical barrier (i.e. road gate) if unauthorized use of the road system becomes evident following harvest operations." Page 10 item 6 states: To manage for subsistence resources, those measures which protect fish and game resources also generally serve to protect the availability of subsistence resources...General public all terrain vehicle (ATV) use will be prohibited on all roads in the Catherine Island and Portage Arm area. Gates, or other appropriate devices, will be installed where necessary to limit vehicle access.

Comment (101-46): Page 3-6, Environmental Effects, Hunting and Fishing. The second paragraph states that due to road closures and removal or repair of road crossing "...these improvements would likely have positive effects on fish populations and could result in a small, but positive effect to recreational fishing." However, the alternatives that close roads (2, 3 and 4) will in many cases limit access to fishing by motorized vehicles of all types. The analysis does not address how road closures will limit recreational fishing opportunity (a negative effect). For example, closure of Eagle Creek Road on Kruzof Island would limit access to both Eagle Creek and Sukoi Lake on North Kruzof Island. AK

Response: Recreational and Subsistence fishing activities in Freshwater streams and lakes make up a very small portion of use in the project area. According to our subsistence biologist, most of the recreation and subsistence fishing activities take place in saltwater. Therefore, a small number of users would have limited access to some fresh water fishing spots. Thus, creating a negative impact to a small number of recreational fishers. Katlian and Nakwasina are the primary freshwater fishing areas in the project area. Most people hike from saltwater, fish their way upstream and walk back to their boat. Other historically used freshwater systems, like Eagle River road, which accesses Sukoi Lake on North Kruzof Island, could reopen if funding opportunities arise in the future to repair/replace dilapidated bridge and culvert structures over anadromous and resident fish streams.

Comment (101-47): The last sentence says "ANILCA regulations apply to all alternatives and all locations considered in this EA." To our knowledge, the Forest Service has no applicable ANILCA regulations. AK

Response: The Forest Service must comply with all applicable Federal laws and regulations. Although ANILCA is not a Forest Service law, it is Federal Public Law 96-487 and we try to meet the intent of this law to the best of our ability. I realize that the State of Alaska does not

believe that we are interpreting this law correctly but we feel have met the intent of ANILCA.

Comment (101-48): Page 3-9, Environmental Effects, Table 17, Documented Deer Harvest by Road System and WAA, 1995 to 2003. The table appears to be either incorrect or unclear in several aspects. 1) Lisa Creek is listed in Lower Baranof Island and Nakwasina is listed in Upper Baranof Island. Under Lisa Creek, Katlian, Starrigavan Bay, Harbor Mountain, Sitka Local and Blue Lake are listed as subheadings, but Lisa Creek actually drains into Nakwasina sound. 2) The WAA and number of Deer Harvested are the same for both listings. 3) Some of the column totals are incorrect. AK

Response: Thanks for pointing out the error in the table associated with Lisa Creek. Lisa Creek should be located under the heading Upper Baranof Island in Table 17.

- 1) The Wildlife Analysis Area (WAA) is a division of land used by ADF&G for wildlife analysis. Both, Nakwasina and Lisa Creek are located in the same WAA therefore giving them the same totals.
- 2) The column totals are accurate. For Example Nakwasina and Lisa Creek are located in the same WAA; therefore the deer harvested column is only counted once for these areas. The same applies for Eagle River and the northern portion of Mud Bay road system.

Comment (101-49): Page 3-11, Access to Resources, first paragraph. Providing data from GMU 4 as an indicator of use in the “project area” is not entirely accurate. While somewhat similar, the areas do differ in available road access resulting in different access and methods. AK

Response: Sitka residents have access to more remote road systems than other communities in GMU 4 (Hoonah, Pelican, Elfin Cove, and Angoon). Tenakee Springs is the other community comparable to Sitka with access to remote road systems (Indian River and Corner Bay) and Hoonah has an extensive road system connected to town. Your comment is correct and was taken into consideration in the Sitka Access and Travel Management revised Environmental Assessment.

Comment (101-50): This same paragraph indicates that most hunting is accessed by boat or airplane. The EA does not acknowledge or address that sometimes people use a boat to haul their OHVs to remotely accessible road segments. Would this be characterized as primary boat access? If so, then existing use of OHVs may be under represented. AK

Response: The information referenced is from AFF&G Deer Management Report of survey-inventory activities, July 1, 2000 to June 30, 2002. After further contacting ADF&G specialists we found that the data in the report is skewed. According to ADF&G, remote road systems accessed by boat with OHVs on board are tallied as boat access and the OHV portion is omitted. Please also see 101-51 response below.

Comment (101-51): Page 3-13, fourth paragraph. This paragraph appropriately notes the potential for displacement of users groups from closed areas, thereby potentially increasing use in adjacent areas; however such displacement is not addressed for other areas. Given the large number of closures (including stored and pending repairs) it appears the potential impacts of such displacement have not been adequately considered. Additional use/users may also

necessitate increased regulatory action (e.g. harvest levels) to prevent impacts to resources. AK

Response: Although some roads will be closed in all alternatives, the main road and trail systems on Kruzof Island, False Island, and Corner Bay will mostly be open for motorized use. The existing use on the roads to be closed is low and we do not anticipate that these closures will significantly increase OHV traffic on these roads or trail systems. The Revised EA, under environmental effects, discusses this issue in several places. Page 3-4, paragraph 3, “The road system provides access to a low number of users due to the distance from communities and remoteness; some motorized recreation users will be impacted by road management changes in all action alternatives, including Alternative 4. Due to attempts to keep open, or open in the future, the most highly used or desired roads; the impacts are expected to be minimal.” Page 3-13, last paragraph, “Closure of the roads on Fish Bay and Katlian might lead to the displacement of a limited number of motorized hunters and gatherers, who would likely begin to rely on resources accessible through other nearby systems. Overall, this number would be minimal and would not be expected to result in measurable depletion of resources in other sites across the Ranger District, or in increased competition for the users of other nearby localities.”

Comment (101-52): We look forward to further consultation as you make continued progress toward a final decision document. AK

Reply: Thank you very much for your in-depth input. Continued communication is the key to addressing motor vehicle access on Sitka Ranger District.

End responses to State comments

The following are summarized comments and responses to the remaining letters

Comment: (1) Several comments asked for all roads to be kept open to OHV use and that no roads should be closed to OHV use. Excerpts from letters: The roads in all of the existing areas should remain open for use by my family and many others; keep remote road systems open for ATV use; keep all subsistence and recreational options available...we are against closing any of the road systems; I am writing in support of keeping the current ATV road system open and maintained; maintain and provide more access to the Southeast road systems for all users including off road vehicles; keep public roads open for ATV use; [you should have included an alternative that said:] No logging roads on the Sitka Ranger District will be closed, however the ATV activity of traveling off the logging roads and other designated ATV trails is not allowed and will be enforced.”; keep all forest roads and trails open; Please don’t close the roads [at Kruzof] and the majority of Sitka’s favorite places to quad; ...keep the roads open to the use of all terrain vehicles to assist me in my recreational and subsistence needs; ...roads [should be] left as they are as unmaintained trails. JC, ML, TH, JT, DT, LY, FL, WP, CS, RP, EP, JP, CP, AS, JW, KP, LW, CMC, DOT

Response: We recognize that recreational riding as well as OHV use for subsistence access are important uses of roads in the project area. We designed Alternative 3 in response to scoping comments from OHV riders requesting that all roads remain open; under Alternative 3, nearly all roads would be open for OHV once safety issues are dealt with, adequate stream crossings are

provided, and/or legal access across private land is obtained. Alternative 3 would provide public access on nearly all roads by repairing roads and stream crossings rather than closing roads permanently (refer to the 2006 EA Chapter 2, Alternative 3). However, due to limited funding and current budget limitations, Alternative 4 was developed to provide roads for OHV and other motorized uses, while trying to meet current budget limitations. We consider every road important for public access. However, lack of adequate funding prevents every road from being kept open for OHV use. The criteria used for prioritizing which roads to keep open (to passenger vehicle and OHVs) are: administrative use needs, future timber sale needs, and public access. The ATM EA alternatives were designed to respond to the purpose and need for the project while taking public comments on the effects of road closures into account and while responding to changing budget conditions. The public's input will be part of the consideration, along with safety, budget, access needs, and resource considerations when the decision on access travel management is made. Alternative 4 roads that are temporarily closed (yellow roads) will still need partners to open the roads/trails. Forest Service funding alone will take years to complete the repairs if repairs are needed.

Although roads will be closed to OHVs in each alternative, no recreation areas will be closed or denied access. Alternative forms of access include float plane, boat, bicycle, helicopter (outside of wilderness), and walking. See Chapter 3, effects related to Issues 1 and 2 for further discussion.

Comment: (2) Several people commented that they (and their family and kids) have enjoyed riding OHVs on Sitka Ranger District roads in the past and that the alternative/s would limit their use and access of the Forest in the future for recreation, sightseeing, hunting (including subsistence hunting), trapping, etc. Several comments indicate that closing the roads would take away their right to recreate/subsist in Forest (using an OHV). Excerpts from letters: With these road closures it will greatly limit the amount of time we can spend riding ATVs in areas we have enjoyed using in the past; ...rode mini-bikes at Kruzof and False Island in the mid '80's...As a family of 5, we have 5 ATVs and all go out and recreate, hunt and fish on many local old logging roads in the Sitka system...it is disheartening to lose these opportunities to subsistence and recreate; I have used every possible resource here both for pleasure and subsistence food gathering...my first trip to the Mud Bay road system (1990)...everywhere was open...as it should be; I along with my friends and family members have enjoyed recreational activities on the Sitka ATV road system...it saddens me that our local Forest Service is not standing up to promote this type of recreational activity; We have frequently utilized the road systems at Kruzof and False Island over many years...these road systems are now a needed and popular recreation outlet for the ORV community as well as for wildlife, bicycles, and hikers...I would like to express my distress over limited access to the Off Road Vehicle use roads in the Sitka and Southeast areas; local roads in the area of Catherine Island, False Island, Appleton Cove, and Kruzof...serve the local population...[use ATVs for] recreation...transportation for hunting...and transportation during the trapping season; Catherine Island/Hanus Bay is an important system [for my] subsistence gathering of berries, hunting, and fishing off the road system. Not having this road system open will affect his subsistence and ability to use the National Forest; My family spends a major portion of its free time using existing USFS roads and trails in the SRD...but those opportunities will be lost with each and every road/trail closure...without the aid of motorized transportation, that ability [for all to enjoy the forest]

would be all but stolen from those who do not have the luxury of excess free time on their hands; My family and I have been using the Kruzof road system for the last few years...We could not share these experiences with our children if the roads and trails had not been kept open...I cannot venture as far as False Island for recreational riding; It is my belief you will negatively impact the rights of today's and future generations by closing off access (roads); ...think of how much enjoyment we get from this form of recreation and the subsistence lifestyle...and explain to my children why you want to take it away from them. JC, TH, JT, DT, LY, FL, CC, CS, RP, CP, AS, KP, LW, CMC

Response: Please see response to Comment 1.

Comment: (3) If there is any negative impact on the environment [of ATV use] I would suggest it is minimal and of no long term consequence; ...not a lot of the environment is being destroyed [by quad use on Kruzof]. ML, EP

Response: ATV use on the Sitka Ranger District has not resulted in extensive areas of environmental damage. Damage that has occurred, however, can be long lasting. Our approach has, and will continue to be, that of preventing damage before it occurs.

Comment: (4) Several responders felt that comments in opposition to closing roads are not being heard and/or considered. Excerpts from letters: It appears that regardless of the comments or meetings in opposition to closing more of the roads in the Sitka Ranger District, we continue to lose roads, trails and subsistence opportunities with ATVs; ...all of these comments and concerns [in support of ATV access on the Forest Service road system] have been completely ignored; I believe I'm not being treated equally and that the USFS is playing unfair. TH, RL, AS, GP, KP, CMC

Response: All comments to the 2006 Sitka Ranger District ATM EA and to the 2007 Revised EA have been read and responded to by the IDT and the District Ranger. The responses to comments on the 2006 EA are filed in the project record. We have decided to publish this document as an appendix to the Decision Notice/FONSI to provide respondents with the comments and responses to comments related to the Revised EA.

While all the comments we received were read and considered, the main reason for closing roads remains the lack of funding to maintain the roads in a safe manner. Where possible, roads are being converted to OHV trails due to the input from OHV riders. Even though there is no money to keep new trails open on the District the District Ranger is taking a risk converting roads to trails with no future funding. We will be asking for partners to help keep trails open while meeting Forest Service standards.

Comment: (5) One commenter asked questions about and commented on rare plants. Excerpts from letters: The EA points out the presence of a "rare plant" and what is expected of OHVs around this "rare plant"...I would be inclined to put the "rare plant" (dune tansy) on the invasive species list for the SRD. The commenter could not find data on dune tansy or *Tanacetum bipennatum* on the internet and asked how the plant got to Kruzof Island. RL

Response: Regrettably, the scientific name of the plant was misspelled in the ATM report and the multiple common names caused confusion about the identity of this rare plant. In the ATM report the name was misspelled as *Tanacetum bipennatum* ssp. *Huronense* (*bipennatum* should be spelled *bipinnatum*). Eric Hulten recognized the plant as *Chrysanthemum bipinnatum* subsp. *huronense* in his *Flora of Alaska and Neighboring Territories* (1968). More recently, botanists recognize the plant as being in the genus *Tanacetum* rather than *Chrysanthemum*. In *Flora of North America*, Watson (2006) is ambiguous about the status of *Tanacetum bipennatum* ssp. *huronense* showing it as a synonym of *T. bipinnatum*, and acknowledging the morphological distinction of the subspecies. The USDA Plants Database recognizes the morphologically distinct ssp. *huronense*. Multiple names for a species are called synonyms, these synonyms can be confusing, since various people may use references with various synonyms, and people may not have access to current taxonomic literature.

Common names can also be confusing since various references may use several common names for the same species, such as dune tansy (Pojar & Mackinnon, 1994; Douglas et al., 1998, 2002) or Lake Huron tansy (USDA PLANTS database¹). Most floras² did not give a common name for the plant (Calder & Taylor, 1968; Cody, 1966; Hulten, 1968; Watson, 2006; Welsh, 1974).

Tanacetum bipinnatum subsp. *huronense* was found by Sitka Ranger District Biologist, Brad Kriekhaus on North Beach on August 12, 2003. It was identified by Mary Stensvold, Regional Botanist. A voucher specimen is at the University of Alaska Fairbanks, Museum of the North herbarium (ALA), accession number V145283. The collection was notable because it was the first collection of *Tanacetum bipinnatum* in southeastern Alaska. The nearest known collections are from the Anchorage area, near Dawson, Yukon Territory and on the coast of Graham Island in the Queen Charlotte Islands of British Columbia. *Tanacetum bipinnatum* ssp. *huronense* is on the Alaska Natural Heritage Program tracking list, found at: http://aknhp.uaa.alaska.edu/botany/Botany_tracking_page.htm. It is listed as an S3, meaning the plant is “rare or uncommon” in Alaska.

The population at North Beach is the only known population on the Tongass National Forest. At least 50 populations of *Tanacetum bipinnatum* have been reported in Alaska, scattered across most of the state except for the Aleutians and southeastern Alaska. According to *Flora of North America* this plant’s distribution includes California, Maine, Michigan, Oregon, Washington and Wisconsin, and adjacent Canada. Because only one population is known to occur in southeastern Alaska, on National Forest System lands, and in a rare habitat (sandy upper beach meadow and sand dunes (Calder & Taylor, 1968)) the plant is of management concern for the Forest Service. Based on the plant’s habitat and distribution, it is very doubtful that this plant was introduced through agriculture. *Tanacetum bipinnatum* is well within its natural range and the rarity and isolation of this population in southeastern Alaska make it noteworthy.

The law and policy direction for the Forest Service concerning rare plant management follows:

1. The National Forest Management Act of 1976 (NFMA) states that forest planning must “provide for the diversity of plant and animal communities based on the suitability and capability

¹Botanists do use popular internet sources for investigating plant identifications and distributions, however the bulk of their work relies on taxonomic information from floras, monographs and scientific papers

²Technical plant identification books.

of the specific land area.”(USDA 1976)

2. USDA Departmental Regulations 9500-004 states that the National Forest will provide habitats for all existing native and desired non-native plants, fish and wildlife species to maintain at least a viable population of such species (USDA 1983)

3. 36 CFR 219.19 “For planning purposes, a viable population shall be regarded as one which has the estimated numbers and distribution of reproductive individuals to insure its continued existence is well distributed in the planning area. In order to insure that viable populations will be maintained, habitat must be provided to support, at least, a minimum number of reproductive individuals and that habitat must be well distributed so that those individuals can interact with others in the planning area. “

4. The Tongass Land Management Plan requires that the Forest Service identify and consider the conservation of representative rare plant communities during project planning (TLMP 1997). The revised final Tongass Forest Plan has more direction on the management of rare plant populations.

Comment: (6) Provide real science proving the fish stocks are being harmed by sediment coming from ATVs crossing streams (heavy rain does more to change riparian areas and introduces more sediment than ATV use); some of the most productive rivers in Alaska are full of sediment, e.g. Copper River, Alek, Taku, Stikine [and the salmon are fine in those rivers]; Why are the facts not included as to alleged river bed damage?. TH, WP, KP

Response: We must be cautious when permitting the crossing of streams and rivers by motorized vehicles. Maintaining healthy stream and riparian areas is important so that in the event a system experiences heavy rain, stream banks do not completely erode thus leading to much greater sediment loads than would have occurred in the absence of damaged habitat. Indeed, large mainland and glacially influenced river systems do carry sediment loads much larger and more frequently than those on the Sitka Ranger District. Salmon spawning and rearing in these systems have adapted to these conditions over thousands of years whereas salmon in this area have adapted to stream and river systems that, for much of the year, are largely free of sediment.

Comment: (7) Several people commented that using the roads should not be made illegal. Excerpts from letters: We are against closing any of the road systems and making users into criminals for doing what we have done for many, many years; If a person is being destructive and belligerent in causing damage to the environment, I believe it is justified to fine him, but not just for using an existing road for subsistence access; the roads are in place, they were supposed to be maintained and will remain open if users stay on them. That is my intention. TH, RL, JW

Response: While the Sitka Ranger District understands the desire to keep all roads open, once a decision is made, the roads determined to be closed will be illegal to access with a motorized vehicle. When the Travel Management Rule is adopted on the Sitka Ranger District, the Motor Vehicle Use Map will identify which OHV routes will be open. This map will be made available for all forest users at our offices and on-line and will be updated annually. OHV users will be expected to adhere to the law by only riding on routes designated as open on this map. Additionally, Alaska State law (AS 41.14.870) prohibits driving any motorized vehicles across anadromous fish streams without adequate crossings whether that use is frequent or infrequent.

While the state law is in effect, we must abide by the law. Therefore we must prohibit the use of these crossings by any and all motorized vehicles until crossings are fixed or the Sitka Ranger District receives concurrence from the State on crossings.

Comment: (8) Respondents felt the views of OHV riders should be considered equally with the views of others related to OHV use on the Sitka Ranger District. Excerpts from letters: It [the EA] is a flawed document, biased against certain Tongass Forest users and taxpayers. It bothers me...when something I have enjoyed for years could be impacted by somebody else...Their organizations are more powerful, more organized, more public, and more influential than say, Sitka Recreational Riders, Inc...who is going to have a louder voice and be heard; As time has gone on special interest groups have received preference and slowly but surely the ATV riders have lost their freedoms; I do not understand the concern...is it a local use entity that may get annoyed at the noise of people [using ATVs]?; I certainly hope the USFS gives more weight to the testimony of actual, repeated users of the road system rather than someone who may have had a bad experience...; The environmental group within the Sitka Ranger District is so strong and they tend to promote their personal agendas and ignore my concerns; RL, JT, FL, RP, KP, LW, CMC

Response: The purpose and need for the project was driven by internal and external items such as budget, need for roads for future resource management, resource conditions, and safe public access. The Purpose and Need is discussed in Chapter 1. The purpose of this project is to provide sustainable, efficient, and safe access to the forest resources and recreational opportunities on the District. The need for this project is to reduce the number of non-maintained or inadequately maintained roads to better match the level of funding available for road maintenance and to eliminate or reduce risks of adverse environmental impacts and threats to public safety. The road management strategies analyzed in this EA are guided by the Forest Plan (USDA Forest Service 1997a). Forest Plan goals include providing reasonable public access to the Forest while minimizing effects on natural resources and operating within the budget provided to the Forest Service. Providing for public safety is an integral part of these goals.

While all the comments we received were read and considered, the main reason for closing roads remains the lack of funding to maintain the roads in a safe manner. Where possible, roads are being converted to OHV trails; this conversion of roads to OHV trails, rather than closure or road decommissioning, is due to the input from OHV riders. Most comments the SRD received were from OHV riders asking for roads to remain open. However, it is important to recognize that while comments are considered as a decision is being made, comments for or against a project or a portion of a project are not tallied into a "vote." A decision to close roads will likely be based far more on external drivers, particularly the lack of funding to maintain roads in a safe manner, than on any internal drivers or comments made on the EA.

As to the short term closure of roads until crossings can be fixed or concurred upon, Alaska State law (AS 41.14.870) prohibits driving any motorized vehicles across anadromous fish streams without adequate crossings whether that use is frequent or infrequent. While the state law is in effect, we must abide by the law. Therefore we must prohibit the use of these crossings by any and all motorized vehicles until crossings are fixed or the Sitka Ranger District receives concurrence from the State on crossings.

Comment: (9) An individual stated that other Tongass National Forest Districts do not appear to be closing roads/doing ATM analysis, so why is the Sitka Ranger district doing this; where are other Ranger Districts in Southeast with this program? Are they done? RL

Response: Access Travel Management is being analyzed on all Tongass National Forest districts. The Wrangell Ranger District signed their decision notice in early August 2007. The alternative implemented by the Wrangell Ranger District opens 147 miles of road to OHVs, places 134 miles of road in ML1 (closed road), and decommissions 185 miles of road. The Yakutat, Hoonah, Petersburg, and Prince of Wales Island ATM analyses, along with the Sitka Ranger District ATM EA are all in the October 2007 SOPA. Decisions on these analyses are expected over the next year or two. By 2009 every district on the Tongass National Forest should have completed their Access and Travel Management environmental document which is a requirement by the Chief of the Forest Service.

Comment: (10) Several individuals questioned that lack of funding is driving the need to close roads. Excerpts from letters: Several times in the ATM you cite that future funding shortfalls as reasons to close roads to users. How did you come up with money to do an extensive project [analysis] like this? If the road has not been maintained up to USFS standards in the past, how do you propose to fix them in the future? ...money [used to do the EA] could have been better spent...on actual maintenance; The reason [for closing roads] I am told by the USFS is due to the lack of funding for road maintenance. This confuses me...because the Forest Service...admitted they have done little if anything to maintain the roads themselves; I have not seen written documentation on why the issue is in question. The idea of closing any of the logging roads in the Sitka Ranger District due to money is a heavy smoke stream. The Chief of the Forest Service did not talk about money, she talked about the National Forests and Grasslands resource damage. RL, JT, FL, WP, CMC, DOT

Response: The response to this comment requires discussion of several points. The budget for engineering, as well as for the Forest Service as a whole, is dropping as a result of many factors beyond our control, such as the budget deficit and national priorities set by Congress, and reduced federal agency budgets are a current recognized national trend. The District identifies the funding needed to maintain roads each year but, unlike the public, the Forest Service is forbidden by law from lobbying Congress for additional funds. The entire Tongass National Forest is faced with reduced funding for road maintenance. In fiscal year 2007 the Sitka Ranger District's engineering funding level was approximately 50% of what it was a few years ago. For fiscal year 2008, which starts October 1, 2007, another 33% drop in engineering funding, Forest wide is anticipated. To address funding issues and the requirements of the Travel Management Rule, the other Ranger Districts are also completing access travel management analyses. Because of the reduced budget, in combination with the 2005 Travel Management Rule, changes to access and travel management were anticipated. NEPA analysis is required to make any change in land management decisions; thus the Sitka Ranger District is obligated to complete NEPA analysis.

When money is allocated to the Forest Service it is allocated to certain projects and specific types of work. For example, money to maintain roads comes earmarked for road maintenance

and it comes with targets of miles maintained attached. We can not take money for road maintenance and use for trail maintenance or ATM planning. The same is true in reverse.

As for future maintenance, Appendix A in the 2006 EA and Appendix B in the 2007 EA display the priorities relative to Alternative 3 for opening roads to OHVs that are “closed pending repair.” Note that in Alternative 4, some of these roads are open due to clearance/concurrence work done by resource specialists with the State of Alaska to allow OHV use on some roads “closed pending repairs” between the 2006 EA and this Revised EA. Maintenance funds are applied to the mainline roads on a rotation schedule, predominately at False Island, Corner Bay, Kruzof, etc. The District plans to request adequate amounts of funding but in reality, partnerships, volunteers, and adopt-a-road programs will need to be considered to support the amount of open roads and potential designated trails under Alternatives 3 and 4. The Sitka Ranger District has a due date of December 2007 to produce a map that displays roads, trails, and areas open to OHVs. The goal is to address all the “closed until repairs are made” roads by 2009. We will utilize funding available, and in some cases volunteers, to implement the chosen alternative. Regardless of which alternative is selected, there is no guarantee that funds or partners will be available to fully implement the chosen alternative.

Comment: (11) One individual did not feel that the discussion on safety in the Revised EA was appropriate. Excerpts from letter: Under public safety the ATM gives a simple lesson in physics...and tries to explain safety standards and liability. It tries to explain that the F.S. could be liable for allowing an ATV rider to crash into rock and earth deposited on the road...what happens if a hiker is hiking on the trail at Sea Lion Cove and they slip and turn their ankle, is the F.S. liable because the ground was unstable? RL

Response: The safety discussion in the Revised EA was supplemented with additional information based on several comments/questions posed during the EA comment period. Safety standards are set by Forest Service policy. Because of laws, and our policies and procedures regarding public safety, we must protect public safety; therefore we cannot allow motorized vehicles to use identified unsafe roads, bridges, and trails. “Ride at your own risk” signage, which was suggested during the EA comment period, would not absolve us of responsibility or liability for allowing use on unsafe roads or trails. If a Forest Service trail was not adequately maintained, and we allowed use of the trail, we would bare some responsibility for the hiker’s injury. In other words, we would need to close trails if we could not keep them adequately maintained for their intended use.

The Forest Service is liable for all users of National Forest System lands. Facilities, including trails and structures, must be maintained to standards that are set at the national level. If a facility is substandard, and a user is injured because of that, then the FS can be held liable. So, if a hiker turns their ankle on uneven ground on a primitive trail then the FS is not liable, but if a hiker falls through a rotten board on a bridge, then the FS is potentially liable.

Comment: (12) Forest Service has admitted to taking funds from ATV tour business on the Kruzof road system, and putting it towards funding for hiking trails. JT

Response: It is true that the Recreation Fee Program is used to fund a variety of projects and

programs. Currently there are approximately 275 Outfitter & Guides permitted on the Tongass National Forest, including the local ATV tour operator. All fees collected from these permits are part of the Recreation Fee Program. These funds are allocated throughout the Forest. First, funds for recreation fee sites are taken out, such as cabins and campgrounds, and allocated to operations of those sites. Then the remaining funds, those collected from Outfitter & Guides is divided up three ways, 50% program administration, 30% planning, and 20% enhancement. A trail analysis will be completed on each commercially used trail. When repairs or reconstruction is needed on a trail fee dollars will be requested for the NEPA analysis and trail work.

Comment: (13) Come up with options to keep roads open. Work with local community members to create a plan to keep roads open. JT, DT, WP, CS, CMC, DOT

Response: We are trying to keep as many roads open as possible by using partnership help to assist us in maintaining our roads and trails. This approach seems to be working, at least on some of our more popular roads and trails.

We are making a concerted effort to address all the “closed until repairs are made” roads by 2009 (page 1-7). Note that in Alternative 4, some of these roads are open due to clearance/concurrence work done by resource specialists with the State of Alaska to allow OHV use on some roads “closed pending repairs” between the 2006 EA and the Revised EA. We are also working with individuals and groups who will repair and maintain some of these roads so they can be opened as soon as possible; the Indian River road out of Tenakee Springs could possibly be available this fall. There are some roads with major bridge failures, such as the Eagle River road, that will likely not be able to be opened in the near future because of the expense of replacing the bridge/s. This is a safety issue and they are discussed on pages 1-5 and 3- 20 & 21, in the Revised EA

The EA identifies approximately 60 miles of operation maintenance level 1 roads that will be open to OHVs when crossings & repairs are completed. These roads/trails are shown as yellow roads on the EA maps. We are working with DNR to clear these crossings and working on needed repairs to maximize the available roads/trails potentially open for OHV use.

Comment: (14) OHV users and other users can coexist. DT

Response: We agree with this comment.

Comment: (15) Need more roads, if more roads accessible there would be less appeal to go off the road system. LY

Response: As mentioned above we are trying to keep as many roads open as possible. Human nature being what it is, I wonder if any amount of additional roads would keep some riders from going off the road system.

Comment: (16) Roads will be needed in the future to provide access for a second harvest of timber. FL

Response: This is a correct statement and is part of the ATM process. Documents in the project files, such as the road analysis, landscape assessments, environmental impact statements, and road condition surveys (EA page 5-2) provide details on which roads to keep open, put into storage or decommission partially based on future resource management needs.

Comment: (17) The Sitka Conservation Society provided written comments on the Sitka Access and Travel Management EA published in June 2006. Those same comments, which are attached, serve as our comments on the revised EA published August 2007, with the following additions.
SCS

Response: Sitka Conservation Society (these are essentially the same responses provided to the June 2006 comments)

Comment: We are disappointed in the range of alternatives. Alternatives that address protection of sensitive resources and focus on restoration and a reduction in motorized and non-motorized user conflicts should be included. CB

Response: The alternatives included in the EA reflect the significant issues generated in the scoping process for this EA. Additional significant issues were not generated by scoping comments or by comments on the 2006 EA, in part, because protection of sensitive resources drove the design of all the action alternatives. Alternatives 2, 3, and 4 would result in a reduction in user conflicts and effects of roads on resources by decommissioning or storing roads, and reducing motorized use. These alternatives would result in protection of sensitive resources, such as water quality, fish habitat, and wildlife habitat, and restoration by removing culverts that block fish passage, removing bridges that may collapse and block a stream, reducing sediment input and delivery into streams and wetlands, and reducing disturbance and fragmentation of wildlife habitat.

Comment: The EA includes two significant issues: motorized access for recreation and motorized access for subsistence. The issues of fisheries and water quality should be given more careful analysis, given that the Forest Service has few resources to enforce the Alaska statute.
CB

Response: The Sitka Ranger District is very concerned about fisheries and water quality. Those concerns drove the design of all the action alternatives, especially the need to make repairs to fish crossings before opening roads to OHVs. These issues of fisheries and water quality were given considerable attention in the analysis (refer to the resource reports included in the planning record). All action alternatives would close roads without legal access across streams until proper access can be provided. All action alternatives would close most roads within old-growth reserves.

Comment: The management of nearby private lands should be included in the cumulative effects analysis. Further, numerous timber projects on the planning schedule such as NW Baranof Timber Sale and the Ushk Bay Timber Sale should be included. CB

Response: Management on private land has little effect on motorized access for recreation and

motorized access for subsistence other than those instances where access across private land is not available. The issue of public access across private land is discussed in the EA. The four roads analysis that were the basis of this ATM, did account for future resource activities by the identification of adding forest roads in some areas or by placing existing forest roads in storage in other areas with the anticipation of utilizing them in the future. Timber sales that may or may not be prepared for sale in the future are not considered reasonably foreseeable actions and this type of disclosure is outside the scope of this EA.

Comment: The EA has mapped all roads but has ignored the unofficial “ghost roads”. By not acknowledging and closing these areas, illegal riding will continue, as will resource damage. CB

Response: When the Motor Vehicle Use Map is issued on the Sitka District, any person with a motor vehicle traveling on a road, trail, or area not delineated on the current Motor Vehicle Use Map will be in violation and will be cited.

Comment: The Forest Service has no quantitative data on dispersed recreation use within the district. This is needed to establish any need for change. CB

Response: This is correct, the District does not have the level of information on dispersed recreational use that it would like to have. The District is faced with a situation where funds are not available to adequately maintain the road system. Also, many roads do not have adequate stream crossings, fish passage, or safe bridges. Given this situation, documented by the roads analyses that have been completed for the road system, the Forest Service must decide how to manage the roads. The Forest Service developed a proposed action and informed the public about which roads it proposed to close, decommission, or convert to trails. The public responded with scoping comments. In response to these scoping comments, Alternative 3 was developed. Part of this alternative includes a monitoring plan to help the District better understand recreational use on the District. Acquiring this information will take time. In the meantime, unsafe roads and roads without legal stream crossings must be dealt with. The two action alternatives present different methods of doing that. In addition, the Sitka District began developing an OHV Capacity Analysis for the roads on Kruzof Island starting in 2006.

Comment: The EA all but dismisses the impact of noise pollution on wildlife. CB

Response: No new roads are proposed and road use by motorized vehicles would be reduced under both action alternatives. Also, roads in old-growth reserves open to passenger and high clearance vehicles would be reduced by from 7.7 miles to 2.1, 1.6 or 1 miles, respectively, if either Alternative 2, 3, or 4 is approved. Roads in old-growth reserves that are open to OHVs would be reduced by approximately 60 percent under Alternative 2 and would also be reduced in the short term under Alternative 3 (until repairs are made), and reduced by approximately 98 percent under Alternative 4. Refer to the discussion of Roads in Old-Growth Habitat Land Use Designations (LUDs) and to the MIS Resource Report and the BE. Roads would be closed in other wildlife habitat also. Therefore, both action alternatives are expected to reduce noise disturbance to wildlife compared to current conditions.

Comment: We take issue with the EA concluding that the proposed action will not have a

negative impact on sensitive plants when no surveys for such plants have been performed. CB

Response: The intensity of the biological evaluation (which informs the EA) should be commensurate with the risk associated with the project and the susceptibility of the species involved. While surveys for sensitive and rare plants are conducted for most ground disturbing projects on the Sitka Ranger District, in some cases the habitat involved does not justify the cost of plant surveys. Most of the habitat under consideration is roaded or otherwise filled and/or disturbed. One exception to this is North Beach on Kruzof Island, which has large areas of upper beach meadow that are mostly intact. This habitat was addressed in the planning record with a short report from a botanist. Measures were taken to protect this habitat, which was considered the most vulnerable habitat under consideration and which could sustain sensitive and rare plants.

Comment: SCS is very concerned about air and water pollution resulting from concentrated OHV use in some areas. CB

Response: Pollution from OHVs was not considered a significant issue for this analysis. Given the low OHV use levels in Southeast Alaska, it is unlikely that pollution would exceed levels considered safe by the EPA.

Comment: The EA fails to discuss that the Forest Service does not have the resources to adequately patrol OHV use currently. Until adequate resources are available, the District should not consider opening new systems roads to OHV use. CB

Response: The action alternatives would close between 37 and 68 miles of road to passenger and high clearance vehicles and close nearly 200 miles of road, either permanently or until repairs are made. No new roads are proposed to be opened in this analysis.

The Sitka Ranger District has one law enforcement officer, and two Forest Protection Officers, assigned to the District. The District recognizes the need for an increased level of law enforcement; however, just as there is not enough money in the budget to maintain all of the roads, there is not enough money in the budget to provide additional law enforcement personnel. When the Travel Management Rule is adopted on the Sitka Ranger District, the Motor Vehicle Use Map will identify which motorized routes will be open. This map will be made available for all forest users at our offices and on-line and will be updated annually. OHV users will be expected to adhere to the law by only riding on routes designated as open on this map. The public can assist the Forest Service in law enforcement by reporting the location of closed areas being used and the time/date of that use to the local Forest Service office. This information can help us in future law enforcement activities.

Comment: Carol Goularte's response to the question: "Once the ATM EA is signed are the roads closed?" was "NO, you will still be able to continue to ride on District roads as long as you are not causing resource damage and adhering to State law regarding fish streams" We are very confused, are the roads closed or not? We do not have a problem with the "closed until repairs are made" status but these roads should be considered closed to avoid confusion. CB

Response: Under the current Forest Plan the forest roads are considered **open** unless designated

as closed. With the issuance of the Motor Vehicle Use Map planned for December 2007, the new Travel Management Rule will be implemented on the Sitka Ranger District. All areas and roads will be closed unless they are identified or designated on the map as open for a specific vehicle type. Currently, the remainder of the Tongass is scheduled to implement the Travel Management Rule by 2009; therefore, what Carol said is correct and the public will still be able to continue to ride on District roads as long as there is no resource damage occurring and drivers are adhering to State law regarding fish streams until the issuance of the Motor Vehicle Use Map. It is the District's intent to repair as many of the roads that are labeled "closed pending repairs" prior to 2009. The Motor Vehicle Use Map is the map of record that closes all of Sitka Ranger District unless designated open on the map. The map will be revised annually.

Comment: The EA fails to address how roads will be closed. Gates and other closure devices do not work. CB

Response: When the Travel Management Rule is implemented on the Tongass, the Motor Vehicle Use Map will only display those roads or OHV routes that are open for each specific vehicle type. No other routes will be legally available for motorized travel. Some roads will have culverts and/or bridges pulled physically closing the road. Some roads will be closed but still accessible to OHV use. It is the responsibility of the Forest Service to monitor these closed roads and take appropriate action to preclude this use if it continues on closed roads. Options for controlling unauthorized use includes: gates, physical barriers, signs, and increased law enforcement patrols.

Comment: To insure that OHVs operate in a safe and responsible manner the Forest Service should require users to register and clearly display a vehicle number on their machines. CB

Response: The State regulates standard passenger and high clearance vehicles registrations at this time. The state has been approached about registration of OHVs but has not required registration of OHVs as of the signing of this document. There are no plans to require that OHVs using Forest roads register at this time.

Comment: The EA fails to disclose taxpayer cost associated with law enforcement, emergency repairs, mitigation, monitoring, and rehabilitation of critical resources associated with OHV use. CB

Response: This type of disclosure is outside the scope of this EA.

Comment: SCS is glad that roads in the old-growth reserves will be closed. We request that all roads in the old-growth reserves be closed. CB

Response: Roads in old-growth reserves open to passenger and high clearance vehicles would be reduced by from 7.7 miles to 2.1, 1.6, or 1 miles, respectively, if either Alternative 2, 3, or 4 is approved. Refer to the discussion of Roads in Old-Growth Habitat Land Use Designations (LUDs) and to the MIS Resource Report and the BE. Some roads are needed in the old-growth reserves for administrative purposes, such as habitat enhancement activities, or because there are no other routes that access adjacent LUDs.

Comment: Impacts to soil and vegetation have not been adequately analyzed. CB

Response: Refer to the resource report and Biological Evaluation in the Planning Record for detailed analysis of the effects on soils and water quality and plants. Unrestricted OHV use is the primary cause of damage to soil, vegetation and other resources. By reducing and regulating areas for OHV use, this plan will address some existing impacts to soil and vegetation. The upper beach meadow at North Beach was considered the most vulnerable habitat and was addressed in a report.

Comment: The EA lists mitigation measures to be employed by contractors doing restoration work or maintenance work to reduce the spread of invasive plants but fails to address the spread of such plants via passenger vehicles. CB

Response: Although the Forest Service is concerned about the spread of invasive plants and we are working on treatment projects, it is not the function of the ATM to address this issue.

Comment: The EA fails to recognize that OHVs are built for speed and when operated in an unsafe manner can pose a threat to the riders and to others. The Forest Service must consider costs to the government associated with additional emergency response, negligence claims against the Forest Service, efforts to prevent injury and liability, and other costs associated with OHV-related injuries and safety programs. CB

Response: The Forest Service cooperates with OHV user groups, as well as merchants that sell OHVs, that promote safe OHV use. However, developing an OHV safety program and analyzing all the legal costs associated with allowing OHV use on Forest roads is beyond the scope of this analysis.

Comment: The Forest Service must seek to minimize conflicts between OHV users and non-motorized recreational use. CB

Response: While reducing user conflicts is important, it is beyond the scope of this analysis.

Response 11/07: While your comments did bring up some areas of concern for potential user conflicts, we did not see user conflicts as a significant concern. We realize that mixed use is occurring and we will monitor this use. If issues arise from mixed use it will be addressed in a separate analysis.

Comment: There are many problems with access to and use of Shelikof south beach and the surrounding area. For example, we continue to hear reports that more than 100 OHV riders were present in the Shelikof area over New Year's 2005 holiday creating a chaotic and unsafe environment. To remedy the situation, we suggest that the Forest Service create a separate access trail for non-motorized users and do an analysis of the appropriate level of motorized use for the road system and north beach area. CB

Response: There already is a non-motorized trail to the Shelikof Cabin at South Beach. Other state and federal closures exist which prohibit motorized use on South Beach. The Motor Vehicle Use Map will not show the South Beach as open, thus continuing that closure. Consequently this situation does tend to concentrate motorized use on the existing roads and beach in the North Beach area. As for reports of numerous OHVs during the New Years Holiday, Law Enforcement did not receive reports of any conflicts, problems, or injuries due to the alleged event. Regulations already exist that require a permit for any event or gathering that exceeds 75 people in number. Some type of carrying capacity for the North Beach area would be beneficial but is outside the scope of this EA. In an attempt to remedy the situation, OHVs will only be allowed in the mapped portion of the North Beach area, and signs will be posted to help protect the beach grass area.

Comment: SCS is concerned that the proposed alternative will result in heavy concentrated use by OHVs on the Kruzof and False Island road systems. The EA fails to analyze how this may affect the natural environment and the experience of other non-motorized and motorized users. CB

Response: Because the Forest Service has received applications for motorized commercial use on the Kruzof road system, a capacity analysis for motorized use will be completed in the near future. This will determine the level of use acceptable in the area based on recreation and resource values. Although some roads will be closed in alternatives 2, 3, and 4, the main road and trail systems on Kruzof Island, False Island, and Corner Bay will mostly be open for motorized use. The existing use on the roads to be closed is low and we do not anticipate that these closures will significantly increase OHV traffic on these roads and/or trail systems.

Comment: SCS is concerned with OHV use on the False Island road system. One researcher was able to hear OHV noise from a quarter mile away and documented inappropriate use, such as riders driving tight circles in the sedge where bears had been feeding only hours before (see the attached photos). Also, an unsafe bridge is still receiving substantial OHV use. We recommend placing a permanent barrier as noted on the attached map. Also, some OHV riders are causing resource damage and interfering with bears. CB

Response: The EA considers a variety of options for OHV use of the False Island road system (see Appendix B of the Revised EA). The unsafe bridge located on road #7545 and the road would be decommissioned under Alternatives 2 and 4, (see Revised EA Appendix B). The bridge at mile point 0.8, as well as four existing culverts before the bridge, would be removed to effect this decommissioning. Once decommissioned, this road would not be available for motorized travel and will not be displayed on the Motor Vehicle Use Map when the Travel Management Rule is implemented.

(End June 2006 SCS responses)

Comment: (18) OHV use can potentially damage streams, soils, vegetation, and fish and wildlife habitat. SCS

Response: The Sitka Ranger District is very concerned about fisheries and water quality. Those

concerns drove the design of all the action alternatives, especially the need to make repairs to fish crossings before opening roads to OHVs. These issues of fisheries and water quality were given considerable attention in the analysis (refer to the resource reports included in the planning record). All action alternatives would close roads without legal access across streams until proper access can be provided. All action alternatives would close most roads within old-growth reserves.

Comment: (19) OHV use can conflict with other users/uses. SCS

Response: While your comments did bring up some areas of concern for potential user conflicts, we did not see user conflicts as a significant concern. We realize that mixed use is occurring and we will monitor this use. If issues arise from mixed use it will be addressed in a separate analysis.

Comment: (20) Concern with public safety. SCS

Response: The EA identifies roads that have resource problems and/or roads that the Forest Service cannot afford to maintain in a safe condition. All roads that are currently unsafe or have resource-related problems would be closed on a temporary basis until repaired. The priority for making these repairs is listed in Table A-2 in the Appendix. The Forest Service has not completed the site-specific engineering studies needed for an estimate of the cost of repairing each road, therefore, no cost estimates were included in the EA. The EA documents the fact that the Forest does not have sufficient funds to maintain all the existing roads, nor does it have the ability to immediately fix all the road problems identified by the road condition surveys. Not having these estimates does not alter the Forest Service's obligation to manage roads in a safe condition and meet legal requirements; therefore, the Forest Service is proposing closing problem roads until the problems can be corrected.

Comment: (21) Concerned with the inability of law enforcement to address the concerns and ensure compliance with MVUM. SCS

Response: When the Travel Management Rule is implemented on the Tongass, the Motor Vehicle Use Map will only display those roads or OHV routes that are open for each specific vehicle type. This map will be made available for all forest users at our offices and on-line and will be updated annually. No other routes will be legally available for motorized travel. Some roads will have culverts and/or bridges pulled physically closing the road. Some roads will be closed but still accessible to OHV use. It is the responsibility of the Forest Service to monitor these closed roads and take appropriate action to preclude this use if it continues on closed roads. Options for controlling unauthorized use includes: gates, physical barriers, signs, and increased law enforcement patrols.

The Sitka Ranger District has one law enforcement officer, and two Forest Protection Officers, assigned to the District. The District recognizes the need for an increased level of law enforcement; however, just as there is not enough money in the budget to maintain all of the roads, there is not enough money in the budget to provide additional law enforcement personnel. OHV users will be expected to adhere to the law by only riding on routes designated as open on

the MVUM. The public can assist the Forest Service in law enforcement by reporting the location of closed areas being used and the time/date of that use to the local Forest Service office. This information can help us in future law enforcement activities

Comment: (22) Close roads until stream crossings are established with state and compliance can be assured. SCS

Response: The EA identifies approximately 60 miles of operation maintenance level 1 roads that will be open to OHVs when crossings & repairs are completed. These roads/trails are shown as yellow roads (potential OHV trail/closed until repairs are made) on the EA maps. We are working with DNR to clear these crossings and working on needed repairs to maximize the available roads/trails potentially open for OHV use. We will not open any road or trail until the State has concurred with our stream crossings.

Comment: (23) Older person cannot get around like they used to, ATV provides transportation. CC

Response: The Forest Services recognizes the importance of motorized access. Alternative 3 was developed in response to public scoping comments. Under Alternative 3, nearly all roads would be open to OHVs following repairs. Under all alternatives, some level of OHV use is allowed for all people, providing varying levels of recreation and subsistence access.

Comment: (24) Would like roads on Catherine Island open. CC, CMC

Response: The Catherine Island road system is closed because of a decision in the 1992 Kelp Bay Environmental Impact Statement. In order for this road system to be opened for motorized vehicles a new wildlife analysis will have to be completed along with the public process. DR told this individual that Sitka Ranger District will make it a priority to work on the analysis of the Catherine Island area in 2008.

Comment: (25) Would like to keep road #75790 (Katlian) open to OHV use for subsistence hunting and for 4-wheeler tours. Road has no unsafe bridges and is in usable condition. SA

Response: The Coxe River, which crosses the Katlian road #7579, has changed course. In doing so it has washed out a bridge and it has been flowing down approximately 1,000 feet of the road. The entire Katlian road system will be closed until repairs can be made or an easement in a new location can be secured from the landowner.

Comment: (26) Does not believe that ATVs cause resource damage to roads or have any impact on fish and wildlife resources. Does not believe mud in creeks will kill fish, as he was told it will. WP

Response: As stated in the Environmental Assessment, we do not believe any of the alternatives are expected to affect the distribution or abundance of wildlife species (pg 3-11). Motorized vehicle use of un-maintained roads simply increases the likelihood that potholes and ruts will become chronic sources of sediment to streams. With respect to “mud in creeks” we do know

that sediment in riverbeds is known to impair growth and survival of juvenile trout and salmon. For this reason, we evaluate each stream crossing to determine how best to accommodate motorized access across the stream to eliminate or minimize additional sediment inputs created by motorized use. In several instances, we have determined that ATV crossings of the stream without a bridge or culvert will not add additional sediment in quantities large enough to affect the survival of juvenile salmon and trout. In other cases there is no choice other than to repair or install a bridge or culvert. This effort is ongoing.

Comment: (27) Use Memorandum of Agreement to allow stream crossings. WP

Response: Please see response to Comment 13.

Comment: (28) I have heard that the cost to maintain “roads” versus “trails” to USFS standards is much greater. However, if it is no more than a matter of re-designating “roads” to “trails” to save on maintenance costs while allowing the continued use of them by hikers, bikers and ATV users, then by all means re-designate them to trails. CS

Response: Response: Keeping roads and trails maintained is expensive no matter what we call it. Through the ATM process we are trying to either close roads that are no longer needed for logging purposes or convert roads to trails that are being used as trails by OHVs. Other constraints were considered when closing or converting roads, such as budget, resource damage, and access to private lands.

Comment: (29) Many people have invested a lot of money in OHVs and related equipment so they do not want roads closed; reduced OHV access will lead to economic downturn. RL, LY, RP, EP, KP

Response: The EA identifies roads that have resource problems and/or roads that the Forest Service cannot afford to maintain in a safe condition. Alternatives 2 and 4 would close some roads to all vehicle motor traffic until roads can be repaired and would decommission other roads or convert them to trails. In response to public scoping comments, Alternative 3 was developed. Under Alternative 3, no roads would be decommissioned or converted to trails. All roads that are currently unsafe or have resource-related problems would be closed on a temporary basis until repaired. The priority for making these repairs is listed in Table A-2 in the Appendix. The Forest Service does not have accurate information on how the temporary closure of some roads would affect recreational spending in Sitka. Riders may choose to ride the roads and trails that remain open, rather than choose not to ride. If this were the case, there would be little effect on recreational spending. As roads are repaired, the miles available for OHV use would expand. The EA documents the fact that the Forest does not have sufficient funds to maintain all the existing roads, nor does it have the ability to immediately fix all the road problems identified by the road condition surveys. Not having these estimates does not alter the Forest Service’s obligation to manage roads in a safe condition and meet legal requirements; therefore, the Forest Service is proposing closing problem roads until the problems can be corrected.

Since the majority of the largest road systems, Kruzof, False Island, and Corner Bay, will still be open to OHV use we do not believe that Alternative 4 or the other alternatives would have a

significant effect on local recreation spending.

Comment: (30) Disagree with impacts to subsistence in Chapter 2 and 3; closing roads will reduce access to subsistence gathering, force users to concentrate in fewer open areas (increase hunters/competition in remaining open roads), leading to reduced harvest/resources in these areas. AS, MC, CMC, DOT

Response: The Sitka Ranger District recognizes that subsistence is an important use of the roads in the project area. Over 100 miles of the road system would remain open for motorized access under all alternatives (refer to Table 1 in the EA).

Under Alternative 4 about 105 miles of road would be open to OHVs once adequate stream crossings are provided or are determined to be present, unsafe bridges are repaired or removed. As stated on page 3-12 in the Revised EA, “Because all of the main OHV access routes for the most popular road systems such as Kruzof Island, False Island and Corner Bay remain accessible under Alternative 4 the ability of most people to access subsistence resources will not be significantly restricted.

The Sitka Ranger District held informational meetings and subsistence hearings in Sitka, Angoon and Tenakee Springs to provide information on the proposed project and to receive testimony from individuals, agencies, and organizations on the activities proposed in the EA and how the proposed activities may potentially affect users of subsistence resources from these communities. The results of the subsistence hearings are as follows:

Tenakee Springs, Alaska – the meeting and hearing was held September 5, 2007 and 11 people signed in. Three people testified from Tenakee Springs with one individual favoring Alternative 4 and wanting to help the Sitka District open and maintain the Indian River road. The other two people wanted to close the Kadashan road system with one person also favoring Alternative 4 but also stating that she favors the alternative with the least amount of roads available.

Angoon, Alaska – the meeting and hearing was held on September 5, 2007. The Mayor of Angoon called the District Ranger on September 4 and said there might be a couple of people at the hearing because most of the community is out fishing or hunting. The Mayor was not planning to attend. No one attended the meeting or hearing.

Sitka, Alaska – the meeting and hearing in Sitka was held on September 6, 2007 and 18 people signed in. Three people testified with one person stating that, “any closure to any of the roads is going to jeopardize my providing for my family.” Another individual wanted to meet with Carol, the District Ranger, privately and the third person had no comments about subsistence but did want roads open for OHV use.

Comment: (31) Concerned that a simple written document indicating all road closure notices may not be adequate to ensure that trespass activities will not occur on native allotments. We believe that because of USFS past activities, St. John the Baptist Bay native allotment, it is incumbent on the USFS to take whatever steps necessary to dissuade the public from trespassing on these allotments. USFS should at the very least post closed roads in the Forest, and make

regular patrols to dissuade the public from utilizing the closed roads. EM, RW, STA, CMC, DOT

Response: Open roads will be displayed on a Motor Vehicle Use Map (MVUM) that will be published yearly. Only open roads will be displayed on this map and all other roads and areas, if not displayed, will be closed to motor vehicles. Unless the Forest Service has an easement or written agreement to access roads and/or trails through private property they will not be shown on the Motor Vehicle Use Map.

The Forest Service is not planning on posting signs on closed roads. It is the owner's responsibility to dissuade the public from trespassing on their private property. The owners of these allotments can post their property and make existing roads on their lands totally impassible to discourage use if they desire to do so.

Where there are portions of roads open for public access that are near private property (within 1/2 mile) the Forest Service will post signs indicating no public access beyond this point. The District Ranger encourages land owners to post their property to educate people that they are on private property.

Comment: (31 cont) The road from Kidney Cove to the Kizhuchia Creek allotment should not be open, road 7582, it simply encourages trespass. STA, RW

Response: Road 7582 is approximately 2 miles long. The first 1 ½ mile of this road will be open for public access. The last ½ mile, before the Native allotment private property line, will be closed. Because this closure will be difficult to identify on the ground we will consider posting signs or installing a physical barrier to make it clear that the road is closed beyond this point.

Comment: (32) Since there are more people and the population is growing, there should be more opportunities for OHVs, we should not be closing roads. LY, KP

Response: The comment about not closing roads is discussed under response to Comments 1 and 15. The comment about growing populations and more opportunities for OHVs is beyond the scope of this EA.

Comments: (33) Supposedly an old law was uncovered, but that law couldn't have ever related to All Terrain Vehicles (ATVs). (Why are the facts not included as to alleged river bed damage?) KP

Response: If the responder is referring to AS 41.14.870 (pg 1- 6), this statute addresses use of wheeled equipment in the bed of a river, lake or stream specified as important spawning, rearing, or migration habitat of anadromous fish. The FS believes protection of streams is paramount in this Access and Travel Management Plan with AS 41.14.870 serving as a statement of the importance the State of Alaska also places on fish and fish habitat. The USFS has and will continue to work closely with both ADFG and ADNR when seeking to work within streams or allow motorized access. Our approach has and will be to prevent damage to river, lake and

stream habitat rather than commit time and resources to repairing damage after the damage has been done.

Comment: (34) Why allow mountain bikes and not ATVs? We both have tires and weight displacement. KP

Response: Response: The difference between motorized and non-motorized use is a well defined, long standing difference. OHVs fall under motorized use and typically weigh about 500 pounds or more. Mountain bikes are a non-motorized use and typically weigh 20 pounds. The differences also include operation speed, noise, amount of distance that can be covered, and impacts to other users.

Comment: (35) Roads were not being called a problem when logging trucks, etc. were using them. (How could OHVs be causing more damage?) KP, LW

Response: There is no intent to imply that OHVs cause more damage than logging trucks. No roads are being closed or proposed for closure because of damage, real or perceived, by OHVs. Roads with less than adequate stream crossings are being closed because we do not meet State of Alaska laws. For this reason we are working with the State DNR to gain approval of crossings or find out what needs to be done to get approval.

Comment: (36) You have taken one beach away from us already and now you are trying to cut the one and only beach we have in half. Doesn't it make more sense to provide us with more area than to take more away? KP

Response: Large sandy beaches are a limited resource on the Sitka Ranger District. Shelikof Beach was restricted from ATV use to protect Iris meadows from further ATV caused ecological damage, to protect wildlife habitat and solitude, and to provide a better balance in multiple use opportunities on the District. In the case of North Beach, a recent rare plant discovery and subsequent analysis of Kruzof Island beach habitat led to a decision to protect the relatively rare upper beach meadow habitat found there and the rare plant population. More information about this rare plant can be found in response #5.

Comment: (37) Please confirm that Alternative 4 will be implemented, (Revised EA says Alternative 2 is "recommended". STA, CMC

Response: Although Alternative 2 is the proposed action it is not necessarily the preferred alternative. With the addition of Alternative 4, I am likely to select this as my preferred alternative. Alternative 4 is a modification of Alternative 2.

Comment: (38) Maps did not show streams and correct road alignment, making evaluation of roads difficult. Please create maps with streams and correct road alignment. STA

Response: Updated maps showing streams will be included with the Decision Notice/FONSI.

Comment: (39) The map does not delineate the three approved native allotments in the

Nakwasina area. There are two (2) native allotments near Lisa Creek that appear on the maps as USFS land. This is not correct. The allotment just south of Nakwasina River also does not appear. These omitted allotments should be corrected. STA

Response: We are aware of the three allotments you reference. However, until the Bureau of Land Management conveys the land, we have been directed by our Regional Office staff to not reflect them as private lands on the maps. Forest Service policy guides us to treat these as encumbered lands and we will not show the road as open if we do not hold an easement.

Comment: (40) STA, like you, has concerns that many of the roads and/or trails have damaged salmon streams, wetlands, and caused erosion. STA would like to work with the ISFS and take an opportunity to utilize Forest Service grants available for Indian lands within Forest Service forests to repair some of the damage that has occurred. STA

Response: We are very interested in working with STA on this but it is outside the scope of this ATM.

Comment: (41) In accordance with ANILCA Sec. 811(b) access to subsistence resources is subject to “reasonable regulation.” We request that the USFS clarify that any road closures or limitations resulting from this EA will require subsequent rulemaking involving additional public review. STA

Response: ANILCA Sec 811 (a) states, “The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands.” Under Alternative 4 about 105 miles of road would be open to OHVs once adequate stream crossings are provided or are determined to be present, unsafe bridges are repaired or removed. As stated on page 3-12 in the Revised EA, “Because all of the main OHV access routes for the most popular road systems such as Kruzof Island, False Island and Corner Bay remain accessible under Alternative 4 the ability of most people to access subsistence resources will not be significantly restricted. We believe this is reasonable access.

ANILCA Sec 811 (b) also discusses access for subsistence purposes by local residents, subject to reasonable regulations. The Sitka Ranger District held informational meetings and subsistence hearings in Sitka, Angoon and Tenakee Springs to provide information on the proposed project and to receive testimony from individuals, agencies, and organizations on the activities proposed in the EA and how the proposed activities may potentially affect users of subsistence resources from these communities. The results of the subsistence hearings are as follows:

Tenakee Springs, Alaska – the meeting and hearing was held September 5, 2007 and 11 people signed in. Three people testified from Tenakee Springs with one individual favoring Alternative 4 and wanting to help the Sitka District open and maintain the Indian River road. The other two folks wanted to close the Kadashan road system with one person also favoring Alternative 4 but also stating that she favors the alternative with the least amount of roads available.

Angoon, Alaska – the meeting and hearing was held on September 5, 2007. The Mayor of Angoon called the District Ranger on September 4 and said there might be a couple of people at

the hearing because most of the community is out fishing or hunting. The Mayor was not planning to attend. Attendance was 0.

Sitka, Alaska – the meeting and hearing in Sitka was held on September 6, 2007 and 18 people signed in. Three people testified with one person stating that, “any closure to any of the roads is going to jeopardize my providing for my family.” Another individual wanted to meet with Carol, the District Ranger, privately and the third person had no comments about subsistence but did want roads open for OHV use.

The issue of “rulemaking” is outside the scope of this project.

Comment: (42) Due to OPMP not involving Sitka Coastal District in coastal consistency review, comments were discussed in email and sent later upon agreement with District Ranger. CMC

Response: We will accept comments any time but in order to have standing for appeals comments must be received with the timelines designated by law.

Comment: (43) Federal agency activities having effects on the coastal zone must be undertaken in a manner consistent to the maximum extent practicable with the enforceable policies of the federally approved Alaska Coastal Management Program. CMC

Response: On March 6, 2006 the Sitka Access and Travel Management Environmental Assessment was reviewed for consistency with the Alaska Coastal Management Program (ACMP) and a final determination concurring with our consistency certification was issued (State I.D. No AK0602-05J). In August 2007 a Revised Sitka Access and Travel Management Environmental Assessment (EA) was prepared. This revised EA discloses the direct, indirect, and cumulative impacts that would result from the new Alternative 4, and from additions to the other action alternatives, Alternatives 2 and 3.

The Forest Service has determined that implementation of any of the action alternatives (Alternative 2, 3, or 4) in the EA project has only limited or indirect impacts on the coastal zone and that the Forest Plan standards and guidelines and site specific mitigation measures applicable to the project meet or exceed the enforceable policies of the Alaska Forest Resources and Practices Act and its implementing regulations. As such, this project is consistent to the maximum extent practicable with the Alaska Coastal Management Program.

On October 5, 2007 we again requested, from the State of Alaska DNR, a consistency determination for the Revised Environmental Assessment Sitka Access and Travel Management Plan.

Comment: (44) Maps lack location identifiers, making it hard to correlate roads/road numbers with specific locations. CMC

Response: With the small scale of the maps we did the best we could with location identifiers. We have prepared a new set of maps for the preferred alternative that includes streams and they will be included with the DN/FONSI. Everyone is always welcome to visit the District office

where we have a complete set of maps in a larger scale.

Comment: (45) Feels that SRD is not doing everything it can to keep roads open for public use and that maximum coastal access to uplands is being maintained (except where significant resource damage is occurring). CMC

Response: We recognize that recreational riding as well as OHV use for subsistence access are important uses of roads in the project area. We designed Alternative 3 in response to scoping comments from OHV riders requesting that all roads remain open; under Alternative 3, nearly all roads would be open for OHV once safety issues are dealt with, adequate stream crossings are provided, and/or legal access across private land is obtained. Alternative 3 would provide public access on nearly all roads by repairing roads and stream crossings rather than closing roads permanently (refer to the 2006 EA Chapter 2, Alternative 3). However, due to limited funding and current budget limitations, Alternative 4 was developed to provide roads for OHV and other motorized uses, while trying to meet current budget limitations. We consider every road important for public access. However, lack of adequate funding prevents every road from being kept open for OHV use. The criteria used for prioritizing which roads to keep open (to passenger vehicle and OHVs) are: administrative use needs, future timber sale needs, and public access. The ATM EA alternatives were designed to respond to the purpose and need for the project while taking public comments on the effects of road closures into account and while responding to changing budget conditions. The public's input will be part of the consideration, along with safety, budget, access needs, and resource considerations when the decision on access travel management is made.

Although roads will be closed to OHVs in each alternative, no recreation areas will be closed or denied access. Alternative forms of access include float plane, boat, bicycle, helicopter (outside of wilderness), and walking. See Chapter 3, effects related to Issues 1 and 2 for further discussion.

Comment: (46) I support the closure of the road 7545 proposed to be decommissioned on the west side of Sitkoh Bay, due to adverse habitat impacts to wildlife. I also have concerns about the extensive remaining road system 7540FI and 7546, due to the great importance of the Sitkoh Bay area for fish and wildlife habitat and resources, including as a bear rearing and transit area. CMC

Response: As stated in the Environmental Assessment, we do not believe any of the alternatives are expected to affect the distribution or abundance of wildlife species (pg 3-11). Specifically, because roads 7540FI, 75403, 75404, 7546 and 7544 are the only roads remaining open to motorized traffic between Sitkoh Bay and False Island, we believe fish and wildlife resources in the Sitkoh Bay area will benefit from reduced open road miles.

Comment: (47) I urge the Forest Service to seek right of way access through these lands (Native allotments in Lisa Cr. and Kizhuchia) to the upper National Forest road systems if possible. CMC

Response: The Forest Service has been working with the land owners on a potential right-of-

way for the Kizhuchia road access and will continue to do so. Once the Lisa Creek allotment is conveyed the Forest Service will approach the land owner to see if they would consider public access through their property.

Comment: (48) There is a big inconsistency between the Alternative 4 Passenger and High Clearance Vehicles maps, which show Storage in red lines, and Decommission in bold red lines, and the OHV Access maps, where the red lines are stated “closed” with no explanation as to whether this is Storage, Decommission, or some other status. Cross-referencing with the narratives in various places mentions “closed until...” in several places but gives no idea when or if those “until’s” are ever planned to be met. CMC

Response: The “Passenger and High-Clearance Vehicle Access” maps and “OHV Access” maps were designed to be different. The “Passenger” maps identify how the road system will be managed for high clearance vehicle by showing which roads are open (green), which roads will be decommissioned (brown), and which roads will be placed in storage (red). The OHV maps shows which trails will be open (green), which will be closed (red), and which roads are currently closed but will be open when certain repairs and/or stream crossings are completed (yellow), and what will be decommissioned in brown. We are making a concerted effort to address all the “closed until repairs are made” roads by 2009 (page 1-7).

Comment: (49) In Table B-2c, almost all roads listed under Alternative 4 are listed as “Closed”. At least “Closed Pending Repairs” leads one to assume the Forest Service will eventually make those repairs. Suggests leaving them open if possible or setting a specific target date to reopen and request budget to complete work. CMC

Response: Please see response to 48 above.

Comment: (50) The information on various road systems proposed road status by alternative is very inadequate. The Noxon and Lisa Creek road systems are both in Nakwasina Sound, yet they are labeled as completely separate systems. CMC

Response: Although these roads are in the same Sound they are completely different road systems that start from different locations. There are different issues with each system and it did not make sense to us to combine them.

Comment: (51) Why was there not more public testimony on this issue? CMC

Response: We believe we made the effort to provide for adequate public testimony. We held a public meeting on March 14 in Tenakee Springs and on April 5, 2007 in Sitka to review the ATM and go over Alternative 4. The Sitka Ranger District also held informational meetings and subsistence hearings in Sitka, Angoon and Tenakee Springs on September 5 and 6, 2007 to provide information on the proposed project and to receive testimony from individuals, agencies, and organizations on the activities proposed in the EA and how the proposed activities may potentially affect users of subsistence resources from these communities. We also made an effort to call and discuss this project with interested individuals, as you are aware because we did this with you.

Comment: (52) Why can't the Sitka Ranger District pursue this less draconian policy by storm-proofing and permitting public use of roads rather than outright closure and then prioritizing the roads that must be closed and working diligently to budget for their repair as soon as possible? CMC

Response: Through the ATM process we prioritized which roads remain open and how we propose to manage our entire road system. The Sitka Ranger District has made every attempt to keep all roads open that meet FS standards within the projected road maintenance budget. ML2 roads that do not meet operational standards are scheduled to be closed. After considering public input on their uses of certain roads the District considered future budgets and developed a priority list based on need for future resource needs and public input. Stored ML1 roads were considered to be open for OHV use based on public input. These roads will be converted to trails and opened once standards are met. Other roads that ended up ML1 stored are closed because of resource issues, previous closure decisions, or are roads where we do not have an easement across private property, or due to low priority for staying open and lack of funding for maintenance. The Sitka Ranger District proposes to keep roads and trails open beyond expected future budgets anticipating local partners will help to keep trails open. OML2, high clearance vehicle roads that meet standards will be kept open and maintained. Storm proofing may work in some instances to keep roads open for high clearance vehicles or OHVs. However, storm proofing is primarily used to prevent resource damage when roads are to be closed. Storm proofing is normally done so that closed roads will not need further maintenance. Storm proofing does not fix the problem of illegal crossing of anadromous streams.

Comment: (53) I recall David Hawes, Department of Transportation and Public Facilities, commented as well, but his e-mail is not included. CMC

Response: David Hawes' letter was received by us on September 24, 2007. The response to his letter is in this document along with responses to all of the other letters received.

Comment: (54) The letter from Greg Overturf, former Forest Service Engineer, provided a particularly detailed analysis of the issues and existing Forest Service policies and regulations and questioned the Sitka Ranger District's deviation from objectives of the SRD defined in the Tongass Land Management Plan. I agree with Mr. Overturf's recommendation. I would appreciate receiving the Forest Service's response to this letter. CMC

Response: The response to Mr. Overturf's letter is included in "Sitka ATM EA Public comment summary". We would be happy to provide you a copy of this response.

Comment: (55) The Forest Service's past poor history of maintaining the Forest roads in the Sitka Ranger District, and then closing them when the bridges or culverts fail does not give the public assurance that the Forest Service will place higher priority on budgeting for and re-opening roads in the future. CMC

Response: Your point is well taken but beyond the scope of this EA.

Comment: (56) If the Forest Service does not have sufficient budget in FY'08 to enable roads to be kept open, then it should prioritize and budget for FY'09, FY'10, etc. CMC

Response: For FY 2008, 2009 and 2010 we anticipate that we will not have enough money to even maintain the roads proposed as open, much less budget money to open roads scheduled for closure. The budget for engineering, as well as for the Forest Service as a whole, is dropping as a result of many factors beyond our control, such as the budget deficit and national priorities set by Congress, and reduced federal agency budgets are a current recognized national trend. The District identifies the funding needed to maintain roads each year but, unlike the public, the Forest Service is forbidden by law from lobbying Congress for additional funds. The entire Tongass National Forest is faced with reduced funding for road maintenance. In fiscal year 2007 the Sitka Ranger District's engineering funding level was approximately 50% of what it was a few years ago. For fiscal year 2008, which starts October 1, 2007, another 33% drop in engineering funding, Forest wide is anticipated.

Comment: (57) The Forest Service does not appear to have responded to most of the comment letters to the EA in the Revised EA, including ANILCA and Sitka Coastal Management Program comments. CMC

Response: All comments were considered and responded to in a separate document that was included in the ATM EA project record. We used the comments to add to and change the Revised EA where additions and changes were recommended and warranted. We would be happy to provide you a copy of our responses to the EA and Revised EA.

Comment: (58) Would like to see the Eagle River road system kept open. CMC

Response: The Eagle River road, has a major bridge failure, that will likely not be able to be opened in the near future because of the expense of replacing this bridge. This is a safety issue and they are discussed on pages 1-5 and 3- 20 & 21, in the Revised EA. We are willing to work with users to help develop an acceptable crossing or finding some other way to open this road system.

Comment: (59) The spur road off road 7590 along the beach on the west side of Mud Bay is closed. Would like to see it open. CMC

Response: We can look into possibly opening this road in the future. There are heritage concerns with this trail as currently located.

Comment: (60) Fish Bay – This system has been allowed to become overgrown, but its repair could enable much better access to the hot springs and upper valley subsistence uses. CMC

Response: This road system is closed due to encroaching alder and it is in an old growth reserve.

Comment: (61) Would like to see the Hanus Bay and Appleton Cove road systems open. CMC

Response: The Catherine Island and Appleton road systems are closed because of a decision in the 1992 Kelp Bay EIS. In order for this road system to be opened for motorized vehicles a new wildlife analysis will have to be completed along with the public process. The DR has made it a priority that Sitka Ranger District will work on the analysis of the Catherine Island area in 2008.

Comment: (62) St. John the Baptist – It is hoped all of these roads, which do not have significant resource issues, can be reopened by January, 2008 except for 7584. CMC, DOT

Response: We are working with DNR to try and make this happen with the exception of road 75831 and a few short spur roads.

Comment: (63) Kizhuchia – would like to see this road system open by gaining an easement through private property or build an OHV trail around the property. CMC

Response: The first 1.5 miles of road along the shore will be open. The road will be closed ½ mile from the Native allotment private property line. The rest of the road is closed due to no public access through private property. The question about building a trail around the private property is beyond the scope of this project.

Comment: (64) Nakwasina – This is the most popular “dayboat” use area in all of Sitka Sound. Noxon has been allowed to overgrow. This would be a good candidate for storm-proofing and cooperative clearing. CMC

Response: The Noxon road system is shown as a yellow trail with temporary closure on the ATM maps. There are major resource issues. The road is becoming a fish stream in numerous places. It will take major work to open this road. If funding or partners become available we will work to open this trail. Storm proofing is not an option on this road system.

Comment: (65) What opportunities will be available to comment on roads listed in the MVUM map. CMC

Response: The ATM is the process for commenting on roads. The MVUM will be the result of this process. We will however update the MVUM each year and we will be able to make changes; in particular, roads shown currently as yellow would be added to the MVUM as they are repaired or consulted on. I will work with the public to make appropriate changes and updates depending on funding and the amount of help from OHV users in opening and maintaining our trails.

Comment: (66) It is hoped that the Forest Service can work with the ANILCA office to resolve remaining ANILCA issues, with Office of Habitat Management and Permitting to obtain concurrence on stream crossings, and with users to develop partnerships to assist reopening roads that are stored or closed for repairs and ensure that the Sitka Ranger District’s activities are consistent with the Tongass Land Management Plan. CMC

Response: We have been working with the State and partners as you suggest but the roads we are working on to open are the yellow trails as shown on our ATM maps. The red roads/trails

are closed for specific reasons already identified. These roads may be revisited if money, conditions, or partners come forward to assist in open and maintaining them. The proposed ATM plan is consistent with the Tongass Land Management Plan.

Comment: (67) To implement Alternative 4, an Environmental Impact Statement (EIS) is required. The state needs to go on record with its assertion that Alternative 4 has significant impacts, and thus can not be selected without preparation of an EIS. DOT

Response: We feel we have completed an adequate analysis of the project and no significant impacts to resources were identified. We do not believe that Alternative 4 has significant impacts and therefore believe an EIS is not required for this project. Although the state asserts that there are significant impacts to the human environment, none were brought forward or presented in their comments for us to consider.

Comment: (68) The revised EA indicates that another alternative is the proposed action, thus implying that Alternative 4 will not be selected. DOT

Response: Although Alternative 2 is the proposed action it is not necessarily the preferred alternative. Alternative 4 was developed due to expected budget projections on roads and is currently the preferred alternative. Alternative 4 is a modification of Alternative 2.

Comment: (69) This approach (ML 2 – Stormproofed (open to OHV) is a much better fit than closure to all motorized vehicles. There is no reason, with the possible exception of stream crossings; to close in a blanket manner these isolated systems to OHVs. This type of OHV use does not lead to the need for surface maintenance. DOT

Response: Storm-proofed, as defined in the Wrangell Ranger District ATM leaves most small drainage structures in place, but provides water bars, rolling dips, out slopes, and other features to ensure controlled runoff until use of the roadway is required. These roads are typically accessible to OHV use. This type of management is reasonable on roads and trails that we are identifying as yellow roads in our ATM. Please also refer to responses to comments 1 and 10 with regards why certain systems are open and closed.

Comment: (70) The need for storm proofing can be approached incrementally. The condition of many existing roads that are not "stormproofed" is tolerable. There is no need to rush into closing them because they are not perfect. There are many misunderstandings in this regard. For example, many "red" culverts still pass fish at least some of the time. While the long-term goal of removing all "red" culverts is laudable, on many routes the short-term impacts (of them remaining in place) are not major. Their presence does not provide sufficient justification for closing a road, especially when the problem culvert is not removed when the status of the road changes. ...an example of where this type of incremental approach could be employed: The majority of roads on the St. John the Baptist road system are identified as potential designated trails. Some stream crossing structures require replacement or permitted stream crossings before this system could be opened to OHV use. Until work is completed, this system would remain closed to OHV access. DOT

Response: The presence of “red” culverts on a road did not automatically result in that road being permanently closed or “closed until repairs are made” to OHV traffic. Most often the reason we have designated a road as closed is either because the existing bridges and/or culverts are structurally unsound or, these structures have been removed. Our intent is to incrementally open roads “closed until repairs are made” once we have evaluated each crossing structure to determine if it can safely pass OHVs and a concurrent determination on the type of crossing structure needed (if any) to cross fish streams. Once we determine how individual fish stream crossings should be addressed, we will forward our recommendations to Alaska Department of Natural Resources, Office of Habitat Management and Permitting (ADNR – OHMP) for their concurrence.

Since issuance of the EA for public review in 2006, we have changed the designation for roads 7544 (“Ocean Boulevard”), 7500 (Indian River), and 7722E (Appleton) from closed to open. Pending review by ADNR – OHMP, we anticipate that most of roads 7583 and 75832, and all of road 7585 (St. John The Baptist) will be designated as open.

Comment: (71) On page 2-6, the revised EA states, “Due to deteriorated conditions of all bridges in the Indian River system, all roads are closed to OHV traffic. Based on the Indian River Roads Analysis Process (2005), the first 11.8 miles of road 7500 and all of road 7502 have bridges that can still carry loaded trucks. Thus, there are no “failed bridges” on these segments (unless new information subsequent to the 2005 report is available), which means that the revised EA is in error and that this particular assertion is without justification. DOT

Response: The EA is correct, in 2006 the first bridge on the Indian River road failed, likely caused by heavy snow fall, and bridge inspections in 2006 also confirmed that most of the other existing bridges on this road are not capable of supporting log trucks. Most of the bridges will likely be capable of supporting OHVs and we plan to inspect these bridges and run a load analysis on them this fall.

Comment: (72) The continued deterioration of these bridges needs to be monitored by the Forest Service. DOT

Response: The Forest Service monitors all bridges on open road systems on at least a three year rotating basis.

Comment: (73) OHV use off of designated open roads and trails for the purpose of dispersed camping is permitted for up to 100 feet on closed roadbeds year-round. My sense is the above sentence combines too many points and conditions to be clear and understandable to all readers. Why can’t this sentence be expanded to a paragraph so that the framework and parameters are easily understandable? Is the OHV operator allowed to damage resources in an effort to reach a camping site within 100 feet of the closed roadbed? DOT

Response: We have changed the wording with the help of our legal department for forest wide use to be: Motor vehicle use off of designated routes up to 100 feet from the center line, is allowed for the purpose of dispersed camping as long as the vehicle remains on a hardened

surface. OHV operators are not allowed to damage resources in an effort to reach a camping site.

Comment: (74) Does the revised EA assert that impacts from Alternative 4 are not significant? Does it describe subsistence and recreation impacts in a way that supports the assertion of significance? DOT

Response: The Revised EA in Chapter 3, Affected Environment and Environmental Effects, pages 3-1 through 3-28, describe and analyze the project and no significant impacts to resources were identified. See also the responses to State of Alaska letter 9/24/07, and responses to comments, 1, 7, 30, and 41. When the Decision Notice and FONSI for this project are written, the question of significance will be further considered and analyzed based on the EA, Revised EA, and public input.