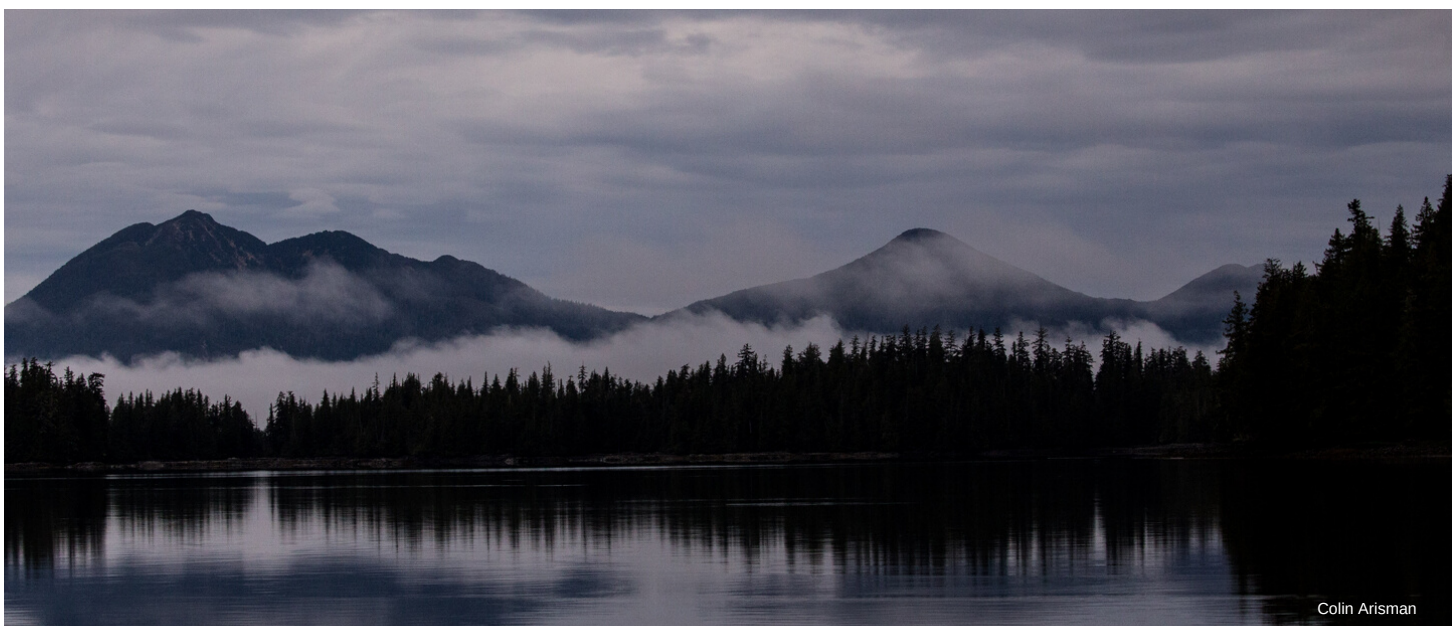


ALASKA RAINFOREST DEFENDERS

DECEMBER 2019 NEWSLETTER



WHAT WE STAND FOR

Alaska Rainforest Defenders is the region's strongest voice for protecting Southeast Alaska's forests and the fish and wildlife habitat and subsistence opportunities they harbor.

We believe that an effective environmental organization must: **be a strong advocate**; be **unafraid to take stances that are controversial and even unpopular**; and **avoid deal-making exercises** that may compromise habitat and other environmental values.

Individual donors allow us to remain uncompromising and independent. Please read on for a list of our accomplishments in 2019, and we hope that you will make a donation to allow us to continue this work in the new year.

BECOME A MEMBER

<https://alaskarainforest.org/donate>





2019 ACCOMPLISHMENTS AND TIMELINE



Gleb Mikhalev

During the federal government shutdown we were tipped-off that work was illegally happening toward implementing the POWLLA project.

JANUARY 2019

- ARD assessed the 15 formal objections filed by organizations and individuals over the FEIS and draft decision on the Prince of Wales Landscape Level Assessment (POWLLA), which were filed the month before. ARD is also an objector to this massive logging project.
- We tracked the Vallenar Timber Sale Re-offer which was put out to bid on January 2 & 3. It is a 16 million board foot so-called Good Neighbor Authority sale, including federal and non-federal (University and Alaska Mental Health Trust) forestlands.
- ARD continued to track the Forest Service's 2016 Washington Office Activity Review (WOAR) of the Tonka and Big Thorne timber sales, and the agency's failure to respond to Borough of Petersburg's related request for more information on measures to rectify failures of timber sale administration.
- During the federal government shutdown, agencies were required to suspend all activities except emergency services. We were tipped-off that work was illegally happening toward implementing the POWLLA project, and also skewing the agency's objection review process. This was the only Tongass work happening during the shutdown. On behalf of ARD other objector environmental groups, EarthJustice complained to the Forest Service. We were unable to block further POWLLA implementation work.

February 2019

- The POWLLA Objection Resolution meeting was held in Klawock. EarthJustice represented ARD and seven other groups; ARD observed the meeting by phone. As expected, no resolution was possible, making litigation the next step for stopping the project's timber sales. (ARD and other objectors had no objection to POWLLA's recreational and stream restoration portions, which are minor parts of the project that the Forest Service used in trying to mask the project's real purpose – logging.)
- In the on-going litigation over the Forest Service's Kuiu Island Timber Sale, EarthJustice filed a reply brief on behalf of ARD and other co-plaintiffs, the final substantive brief in this case.

March 2019

- In the Kuiu litigation the judge ordered supplemental briefing by April 12 on whether the plaintiffs' had standing to sue.
- Disappointment on our Shelter Cove Road lawsuit: In 2016 we sued the Corps of Engineers and the Forest Service, to stop construction of this road, which is east of Ketchikan on the same island. The State of Alaska concurrently filed a Southeast-wide suit encompassing this road, and other roads which were granted easements in a bill Don Young got passed in 2005. The State prevailed in its lawsuit, mooted ours, widening the easement corridors beyond the line width on the legislation's map. An Order Granting Voluntary Dismissal was issued in March.
- ARD investigated a glaring irregularity with the 16 million board foot Vallenar Timber Sale on Gravina Island, which the State awarded to sole bidder Alcan Timber – a round-log exporter. It is a sale of federal Tongass NF timber and non-federal (university and Mental Health Trust) timber, with the federal timber included under the so-called Good Neighbor Authority. This was a re-offer of a sale that got no bids. We found from the two bid advertisements that the appraised value of the timber had dropped 42% for the re-offer, even though there was only a minor reduction in the timber volume. That sounds like monkey business. So ARD sent a public records request to the state Division of Forestry to get both the state's and the Forest Service's appraisals for the two offerings. The response included numerous redactions which made meaningful evaluation by ARD impossible.



April 2019

- **Watchdog:** ARD wrote a letter to the FS Wrangell Ranger District questioning their authority to approve (April 1) of the Wrangell Island AOP Culvert Replacements project decision. While the project appeared to be beneficial, ARD was concerned that it may also be a blank check (so to speak) for other undisclosed work on Wrangell Island. We filed this challenge reluctantly because we support fixing red pipes and other improvements to fish passage; however, a larger matter regarding the decision is that not providing adequate public notice of CE processes (projects the Forest Service decides are "categorically excluded" from doing a NEPA environmental assessment or EIS) and details on the projects is dangerous resource management practice that needs to be nipped in the bud.

May 2019

- ARD, along with seven other conservation groups, filed a Complaint in federal court, initiating our lawsuit to halt the Forest Service's massive Tongass POWLLA timber project (the so-called Prince of Wales Landscape Level Assessment). If approved, it would be the largest in the country in more than 25 years. The Forest Service failed to provide anything close to sufficient information for informed public comment, avoided doing a real analysis of impacts, and the alternatives provided no real choice.
- In defiance of the POWLLA litigation, the Forest Service solicited comments to the POWLLA "Out-year Plan," which is a list of activities it intends for implementation. In response, on behalf of the litigants, EarthJustice asked the Forest Service to: withdraw those portions of the project's Record of Decision that would authorize logging and road construction; immediately stop implementing them; and prepare a site-specific EIS with a new record of decision before proceeding with any Vegetation Management Activities or new roads. (At issue in the lawsuit is that the POWLLA EIS is not a bona fide EIS, yet the agency has no intention of preparing EISs for the individual sales to be made under the project.)



Click [here](#) to listen to KFSK Petersburg radio interview with Universal Wildlands founder Joshua Wright.

June 2019

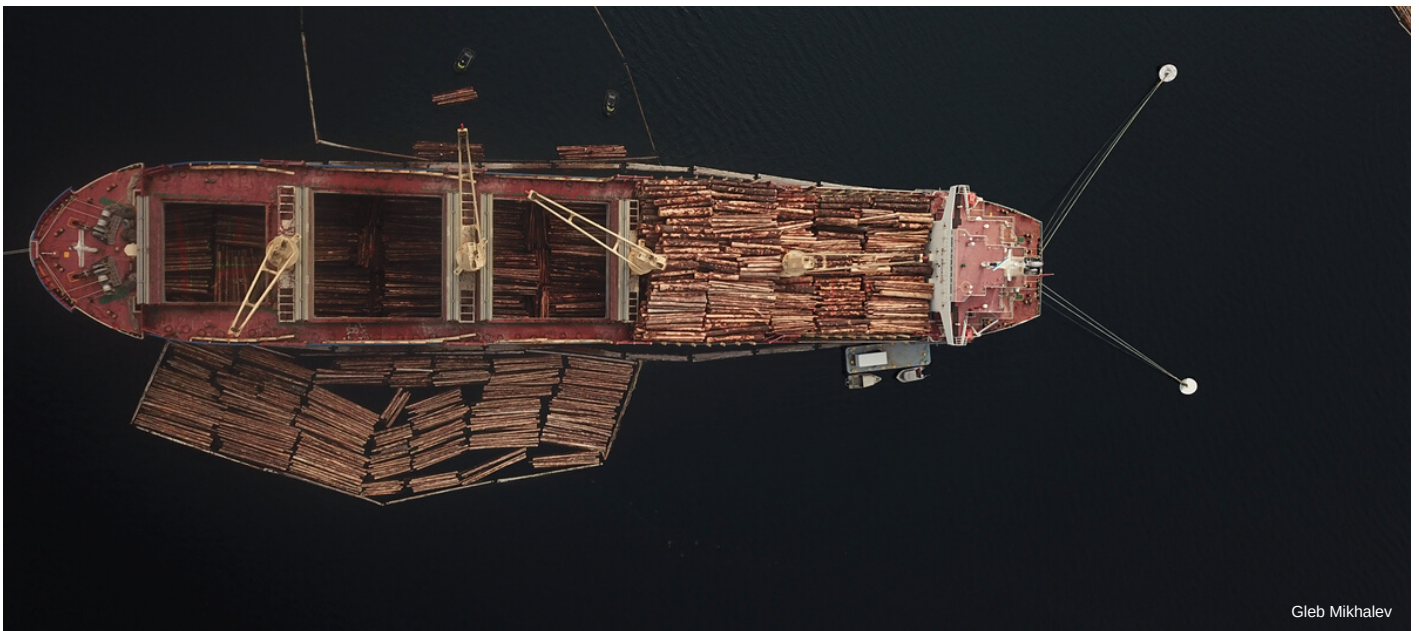
- An ARD representative met with Ted Turner and his Foundation representatives in Petersburg to discuss SE Alaska and Tongass forest issues.

July 2019

- Several ARD Board members and other members hosted reporters interested in the Tongass, including Universal Wildlands, and others. We led a two-day ground-truthing at the Tonka Timber sale area on the Lindenberg Peninsula of Kupreanof Island with Universal Wildlands and showed intact forestland near Sitka. The Tonka area is one of two federal timber sale areas where, according to the Forest Service's own internal review (the WOAR, above), 18 formal findings of maladministration were disclosed that amount to at least \$2 million in lost timber revenues. Those timber receipts were to be in the form of promised stewardship and restoration jobs.
- EarthJustice filed the opening brief in the POWLLA lawsuit, on behalf of ARD and other plaintiffs.

August 2019

- Petersburg radio station KFSK interviewed an ARD representative on the proposed Central Tongass Project - a massive 230 Million board foot, 15-year timber sale on up to 13,500 acres. For this story, the FS refused to participate except via email, to a set of prepared questions.
- ARD produced a two-part radio commentary on the Central Tongass Project Draft EIS, aired on Petersburg's KFSK.
- ARD submitted comments on a proposed TLMP amendment by the Forest Service that would drastically weaken protections for moderate vulnerability karst from the impacts of logging and roading. ARD concluded for several reasons that the proposed amendment was a heavy-handed and unjustified timber grab, and exposed it. We asked that the amendment proposal be withdrawn from further consideration.
- A University of Oregon researcher working on socio-economic monitoring of Tongass National Forest management interviewed ARD board president Larry Edwards.
- On August 12 the Forest Service filed its opposing brief in the POWLLA lawsuit. On August 15, plaintiffs, including ARD, filed a motion for preliminary injunction, to block implementation of planning or contracting for any of the project's logging and roading. We asked for a decision from the judge by September 25, the date the Forest Service was planning to award a timber sale contract. On August 23 plaintiffs filed their response to the Forest Service's brief, the final substantive brief for the case.
- ARD issued an action alert for the public comment period on the Central Tongass Project DEIS. This massive proposed timber sale encompasses the Wrangell and Petersburg Ranger Districts.
- Forest Service issued a Pre-advertisement legal notice in the Ketchikan Daily News for the Twin Mountain Sale near Nakuti, Whale Pass, and Coffman Cove – the first POWLLA timber project. Our above motion for a preliminary injunction, intended to block this sale and other actions on the project, was still under consideration by the judge at this time. The sale is for 25 million board feet from 62 cutting units totaling over 1,100 acres, and it includes 10.5 miles of new “temporary” roads, as well as many additional miles of reconstruction and reconditioning.



September 2019

- EarthJustice, on behalf of the POWLLA plaintiffs, filed a brief arguing for the Preliminary Injunction, asking the judge for a decision on the preliminary injunction by September 23, if possible.
- POWLLA preliminary injunction granted! On September 23, Judge Sharon Gleason of the U.S. District Court for Alaska, ordered a broad preliminary injunction halting any actions on the POWLLA project's timber and roading components, including Twin Mountain timber sale. The order prohibits the Forest Service from opening bids, awarding the contract, cutting trees, building roads, or conducting any other ground-disturbing activities. If not for this court decision, USFS would have opened timber industry bids on these ancient stands of trees on September 24. The sale's ground-disturbing activities would have begun as early as September 27. The injunction is in place until March 31, a date before which the court intends to make a final decision on the lawsuit.
- ARD submitted 73 pages of detailed comments on the Central Tongass Project DEIS, in support of the no-action alternative. If approved, the Central Tongass Project would remove nearly a quarter of a billion board feet of federal timber over the next fifteen years construct/reconstruct 175 miles of temporary and permanent system roads, at large economic and ecological costs.

October 2019

- Disappointment: The Department of Interior-Fish and Wildlife Service announced findings that 12 species including for Alaska Yellow Cedar (AYC) are not warranted for listing as endangered or threatened species under the Endangered Species Act. In June 2014, ARD (formerly GSACC) filed a joint petition (a detailed scientific and legal argument) for the US Fish and Wildlife Service to list Yellow cedar in Southeast Alaska as a threatened or endangered species. In 2015 we had achieved a preliminary finding of "may be warranted" for listing, and leading the agency to do further analysis.



To support another year of uncompromising advocacy, please consider becoming a member of Alaska Rainforest Defenders.

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November 2019

- EarthJustice, on behalf of ARD and seven other co-plaintiffs, wrote a letter to the Forest Service regarding the “Fall 2019 POWLLA Project Public Workshop” to be held on November 9 in Klawock. The letter stated that the Forest Service should not proceed with any activities for planning or implementing the portions of the ROD authorizing logging and road building, given that we recently received a preliminary injunction on the project.
- ARD issued an action alert to members and others in opposition to the proposed Tongass exemption to the Roadless Rule and in support of the NO ACTION alternative. ARD also encouraged attending one of the public hearings around Southeast on the proposed exemption.

December 2019

- ARD president Larry Edwards testified for ARD at the Forest Service’s subsistence hearing in Sitka on the agency’s proposed exclusion of the Tongass from the Roadless Rule.
- ARD submitted 45 pages of detailed comments on the Forest Services proposed exclusion of the Tongass from the Roadless Rule. In addition, we co-signed another large comments submission prepared by EarthJustice for a number of environmental organizations. Work on our comments was supported by a grant from the Fund for Wild Nature, for which we are very grateful.