



To Whom It May Concern:

This cover letter is designed to introduce the Alaska State Snowmobile Association's authority to comment on the Decision of Record concerning the Chugach National Forest Revised Forest Plan. This appeal is pursuant to 36 CFR part 217, page 46 in the Record of Decision.

The Alaska State Snowmobile Association is the umbrella organization speaking for over 2500 active snowmobilers, 45 businesses and 18 clubs statewide. There are approximately 40,000 snowmobilers in the State of Alaska, many of which look to the ASSA for protection of access rights in Alaska.

ASSA has been involved in the public process of this revised land management plan from the onset. As a matter of fact, we are a charter member of the ad hoc committee discussing the user conflicts since 1999. Forest Service employee Jack Moseby facilitated these meetings, which included the Alaska Center for the Environment, Nordic Ski Association, the Alaska Quiet Right Coalition as well as the Anchorage Snowmobile Club.

We have submitted written comments at every opportunity as well as serving on the IDT team for the entire process. Hundreds of personal hours were dedicated to participation. As an entirely volunteer organization, members were forced to take time away from their personal jobs and took these hours as vacation hours.

The ASSA has major objections that are listed in the text of the appeal. For the purpose of brevity we have focused on the gaps in the Public Process as well as the obvious violations of ANILCA. Due to the lack of inclusion of many of the agreed upon alternatives, our constituency feels that an inordinate amount of closures were instituted based solely on social issues. Social issues have no standing in the law and should never be the basis of Forest Service Decisions.

Regards,

Kevin Hite

President

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October 23, 2002

This letter is a Notice of Appeal filed pursuant to 363 CFR, part 217, page 46 in the Record of Decision.

The Decision that the ASSA is appealing is the Preferred Alternative as described in the FEIS and the resulting Revised Forest Plan, specifically areas that are available for motorized and non-motorized winter activities, with the modifications as further described in the Record of Decision, as stated on page 3 of the ROD.

The document containing the decision for appeal is contained in the Revised Land and Resource Management Plan of the Chugach National Forest Record of Decision, R10 MB-480b. The decision date was May 31, 2002 and the deciding officer is Regional Forester Dennis E. Bschor.

The specific portions of the decision document that we object to are as follows:

- **Public Process.**
 - While the entire Decision referenced the public input process that was followed throughout the public comment periods, the published Preferred Alternative was never one of the alternatives presented to the Forest Service by either the IDT team or any of the other working groups involved in this 36-month process. It concerns us that, although the published public comment period was technically a 90 day period beginning Sept 14, 2000 (reference the ROD, Issues and Alternatives Considered, page 27) the process of determining closures and prescription changes to existing land use in the Chugach Forest were begun in 1999. We refer to the letter dated May 18, 1999 from Forest Supervisor Dave Gibbons addressed to Senator Frank Murkowski giving his status report on the planning process for the revision of the Chugach National Forest Plan. In that letter Supervisor Gibbons makes it very clear and states “it is necessary to restrict or prohibit motorized uses in some areas in order to provide for the interests of people who want quiet recreation experiences or wilderness conditions maintained”. It is obvious from the language in this document that the Forest Service had made pre-determined decisions that would not be affected by public input.
 - The Forest Service created an ad-hoc committee in 1999 to address user conflicts between motorized and non-motorized users. As a part of that committee, the ASSA combined with the Alaska Center for the Environment, the Nordic Ski Association, the Anchorage Snowmobile Club and the Quiet Rights Coalition of Alaska to promote and assist the Forest Service in development of standardized proposals to satisfy the concerns of constituents on each side of the issue of motorized-nonmotorized conflicts. While this committee was certainly an unofficial group and was decidedly outside of the later public process, they nevertheless developed several scenarios that satisfied the access and conflict issues brought to the table by each of the groups listed. While these proposals satisfied the constituents of both motorized and non-motorized users involved, the Forest Service declined to propose these solutions in any of the preferred alternatives, even in light of inclusion of several of these proposals in the IDT team recommendations such as temporal zoning of areas in which conflicts were identified.
 - While the Forest Service held public comment forums in several of the larger communities, those most directly affected were not included. The final EIS Chapter 6, page 2, top paragraph states: “Follow-up meetings: As a follow-up the Interdisciplinary Team (IDT) held a meeting in each of the communities on the Kenai Peninsula. Meetings were conducted in Anchorage, Girdwood, Seward, Soldotna and Hope in March 2001”. One of the most affected communities, Moose Pass, was not on the list of follow-up meetings, even though one of the closures would isolate the Crescent/Carter Lake communities.

- In taking this last point a bit further, consider 36 CFR (Code of Federal Regulation) 219.12 Collaboration and Cooperatively Developed Landscape Goals. This federal regulation states: “The responsible official must provide early and frequent opportunities for people to participate openly and meaningfully in planning, taking into account the diverse roles, jurisdictions and responsibilities on interested and affected organizations, groups and individuals.” Key phrase in this federal section is the reference to **“meaningful participation”**. Regardless of the opposition to these changes to the Forest Plan by individuals as well as local governments, the Preferred Alternative has been presented as the Forest Services’ preference. Local governmental opposition can be noted in EIS Appendix K, Comment 22331, City of Soldotna, Mayor Ken Lancaster in letters to the Forest Service and addressed to Senator Ted Stevens.
- It is evident in the EIS Appendix K, that the State of Alaska also does not agree with the proposed limitations on motorized recreation. They state in page 6 of their comments that although they recognize the difficulty of management of conflicting user demands, that more work is necessary, and more options explored, to craft acceptable solutions at Lost Lake and the Twentymile River areas. The State of Alaska also stated concerns that “motorized access restrictions under the Preferred Alternative could displace and concentrate motorized use. An example of an area where this might affect State Management activities is use displaced from the Lost Lake area to the Resurrection Trail area, which supports the Kenai Mountains Caribou Herd, a moderate density of moose, and sheep and goats in limited numbers. In comparison, the Lost Lake area has no caribou or sheep and only a low density of moose below timberline”. EIS Appendix K, page 13 of the State of Alaska comments.
- One final objection that the Alaska State Snowmobile Association has is the deviation from the Forest Service’s own interpretation of the ANILCA Section 1110a provisions for snowmobile use in Forest Units. EIS Appendix K-14, the Forest Service’s own response to Comment 07, Access Management Section, states: “Section 1110(a) of ANILCA Permits....”the use of snowmachines (during periods of adequate snow cover, or frozen river conditions in the case of Wild and Scenic Rivers), motorboats, airplanes and non-motorized surface transportation methods for traditional activities...” on Wilderness, Wilderness Study Areas and other Conservation Units unless”...the Secretary finds such uses would be detrimental to the resource values of the Unit or Area.” As the Forest Service is well aware, no such resource detriment has been determined to meet the justification they themselves detail in this section.

In closing, the Alaska State Snowmobile Association would like to offer the following recommendations.

- Selection of the "No Action" Alternative.

- Modification of the Preferred Alternative in the areas of motorized closures to encompass the working group's recommendations including Temporal Sharing, increased Access for both motorized and non-motorized users as well as designated non-motorized corridors along the road system. This last recommendation would include access corridors for motorized recreationists that allow passage to the backcountry and would require increased infrastructure in both the non-motorized as well as motorized areas to enhance access to Chugach National Forest lands.

Regards,



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