

Wilderness in Southeastern Alaska: A History

John Sisk

Today, Southeastern Alaska (Southeast) is well known as a place of great scenic beauty, abundant wildlife and fisheries, and coastal wilderness. Vast expanses of wild, generally undeveloped rainforest and productive coastal ecosystems are the foundation of the region's abundance (Fig 1). To many Southeast Alaskans, wilderness means undisturbed fish and wildlife habitat, which in turn translates into food, employment, and business. These wilderness values are realized in subsistence, sport and commercial fisheries, and many facets of tourism and outdoor recreation. To Americans more broadly, wilderness takes on a less utilitarian value and is often described in terms of its aesthetic or spiritual significance.



FIG 1. LeConte Bay in the Stikine-LeConte Wilderness located on the Southeast mainland southeast of Petersburg. (John Schoen)

WILDERNESS DEFINED

There is little dispute about whether the Tongass National Forest has wilderness values. Its size and

remoteness make it wild in the most definitive sense. The Tongass encompasses 109 inventoried roadless areas covering 9.6 million acres (3.9 million hectares), and Congress has designated 5.8 million acres (2.3 million hectares) of wilderness in the nation's largest (16.8 million acre [6.8 million hectare]) national forest (U.S. Forest Service [USFS] 2003).

The Wilderness Act of 1964 provides a legal definition for wilderness. As an indicator of wild character, the act has ensured the preservation of federal lands displaying wilderness qualities important to recreation, science, ecosystem integrity, spiritual values, opportunities for solitude, and wildlife needs. Section 2(c) of the Wilderness Act captures the essence of wilderness by identifying specific qualities that make it unique. The provisions suggest wilderness is an area or region characterized by the following conditions (USFS 2002):

Section 2(c)(1) ...generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

Section 2(c)(2) ...has outstanding opportunities for solitude or a primitive and unconfined type of recreation;

Section 2(c)(3) ...has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition;

Section 2(c)(4) ...may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

Qualities aligned with those identified in the Wilderness Act are exhibited in much of the Tongass National Forest. These qualities are the reason why many people continue to support additional wilderness designations there.

HISTORICAL PERSPECTIVE

Glacier Bay and the Birth of Wilderness Preservation in Southeastern Alaska

Wilderness may have defined the Southeast region for millennia, yet interest in preserving wilderness did not begin until John Muir first visited Glacier Bay in 1879 and during the Harriman Alaska Expedition of 1899. Some of the nation's most prominent scientists, conservationists, and artists in the nation participated in the Harriman Expedition, including John Muir, John Burroughs, George Bird Grinnell, Louis Fuertes, and Edward S. Curtis. During the ensuing mining booms and the expansion of the salmon industry, a wilderness preservation movement also began to develop.

Ecologist William S. Cooper further investigated Muir's initial explorations of Glacier Bay, making research expeditions in 1916 and 1921. Cooper recruited the support of the Ecological Society of America in petitioning President Calvin Coolidge to designate Glacier Bay as a national park or monument. In 1924, Coolidge withdrew most of the area from public entry and the following year designated much of the withdrawal as a national monument.

President Franklin Roosevelt added to Glacier Bay National Monument in 1939 in response to a campaign to protect Alaska coastal brown bears. Bear advocates, such as outdoor writer and hunter John Holzworth, campaigned hard for protection of Admiralty Island as well. By that time, however, the USFS had plans to log Admiralty as part of its effort to develop the timber resources of the Tongass National Forest. The expansion of Glacier Bay National Monument was a compromise measure; it protected additional scenery and wildlife habitat without interfering with USFS plans for the Tongass.

Early Tongass Conservation Efforts Take Hold

In 1902, the Alexander Archipelago Forest Reserve was established by President Theodore Roosevelt by presidential proclamation. President Roosevelt expanded the reserve and renamed it the Tongass National Forest in 1907, and further designations expanded the Tongass to 15 million acres (6 million hectares) by 1909 (Rakestraw 1981).

In 1947, Congress passed the Tongass Timber Act, which postponed settlement of Native Tlingit and Haida land claims to the Tongass National Forest, and authorized the USFS to proceed with timber and pulp mill development plans. For the next 20 years, the new timber program grew in economic importance. The program expanded its mark on the forest as clearcut logging began to occur not just near logging camps and pulp mills, but also in places local residents had never expected to be logged. Some logging reached into bays and watersheds used by bear hunters, and their concern about habitat loss was reflected in national sporting magazines like *Field and Stream*. When the government engaged in a contract to log much of Admiralty Island, known to the Tlingit Indians as "Kootznoowoo" or Fortress of the Bears, hunters began to speak out and organize. Local concerns were piqued by the USFS 1964 Tongass Timber Management Plan, which called for eventual clearcutting of more than 90% of the commercial forest land in the region. In the late 1960s, John Muir's Sierra Club had a chapter in Juneau, and by 1970, the stage was set for an expanded and intensified effort to preserve wilderness lands in the Tongass National Forest.

Several forces converged and contributed to the monumental conservation effort that followed. Nationally, a strong environmental movement was actively engaged in federal politics. Inspired by the writings of Aldo Leopold, Rachel Carson, and others, and horrified by images such as the Cuyahoga River in flames after pollutants caught fire, the movement picked up steam. Among the emerging priorities were the conservation and preservation of wilderness on public lands. This effort led to the passage of the Wilderness Act in 1964, which provided the framework for congressional designation of wilderness areas to be preserved in their natural state in perpetuity.

A second force was the reaction of local Southeast Alaskans to a timber industry that was expanding beyond their expectations and threatened to clearcut much of the natural, old-growth forest. This local movement was less of a campaign for congressional wilderness areas than it was a call for leaving important hunting, fishing, and recreation areas alone. Resident conservationists discovered quickly that federal conservation designations such as wilderness or national monument were the primary available means for protecting their established and traditional uses of the forest.

A third force was the political power that Native land claims assumed after statehood, particularly after discovery of oil at Prudhoe Bay on the North Slope. A pipeline was needed from Prudhoe Bay to an ice-free harbor in southern Alaska, and the pipeline route crossed land claimed by many Native Inupiat and Athabascan people. Alaska Natives combined their forces and pressed for an equitable settlement of aboriginal land claims before they would allow the pipeline to cross their land. In 1947, the Tlingit and Haida Indians were unable to secure land claims in the face of USFS timber development in the Tongass. In 1971, however, united advocacy by Alaska Native people statewide culminated in passage of the Alaska Native Claims Settlement Act (ANCSA). The primary purpose was to establish village and regional Native corporations, which could select land from the federal domain in Alaska. Two sections, known popularly as “d(1)” and “d(2),” provided the following:

The Secretary [of Interior] shall review the public lands in Alaska and determine whether any portion of these lands should be withdrawn under authority provided for in existing law to insure that the public interest in these lands is properly protected [d(1)];

The Secretary [of Interior]... is directed to withdraw from all forms of appropriation under the public land laws... up to, but not to exceed, eighty million acres of unreserved public lands in the State of Alaska, including previously classified lands, which the Secretary deems are suitable for addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems [d(2)].

In 1972, Interior Secretary Rogers Morton withdrew 45 million and nearly 80 million acres (18 million and 32 million hectares) of federal land in Alaska from state selection and development under ANCSA Sections d(1) and d(2), respectively. Thus initiated a debate in Alaska, and across the nation, about how much of the federal land in Alaska should be protected by law. In Southeast, the issues revolved around logging, and a network of local-community conservation groups combined their efforts with sportsmen, fishermen, and national environmental organizations. In 1975, a group of fishermen on Prince

of Wales Island filed a lawsuit that successfully extended the Monongahela Decision (which challenged the practice of clearcutting on the Monongahela National Forest in Pennsylvania) to the Tongass National Forest, and clearcutting was temporarily halted in their area. By the mid-1970s, after years of litigation, Champion International Company dropped plans to log Admiralty Island.

THE ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT OF 1980

By 1978, Congress was debating conservation legislation that became known as the Alaska National Interest Lands Conservation Act (ANILCA), an effort to designate the lands withdrawn by Morton as permanent additions to the national parks, wilderness, and wildlife refuge systems. Champions of Alaska conservation included President Jimmy Carter and many members of Congress.

The Tongass National Forest was not included in early versions of ANILCA. A coalition of local Southeast grassroots organizations and some national environmental group affiliates organized as the Southeast Alaska Conservation Council (SEACC). SEACC began its own, independent, congressional advocacy campaign and garnered success sufficient to influence national conservation leaders to add Southeast to draft ANILCA legislation. SEACC developed a proposal for protection of 45 key fish, wildlife, scenic, and recreation areas in the Tongass, in which logging and logging roads would be disallowed. As the campaign evolved it became apparent that the only available mechanism for such protection was by designating the lands as wilderness areas. ANILCA became law in 1980. It established 5.4 million acres (2.2 million hectares) of designated wilderness areas in the Tongass, including establishment of Admiralty Island National Monument (Fig 2), the Kootznoowoo Wilderness, and the Misty Fjords National Monument Wilderness (Table 1). Twelve other wilderness areas were established, from the southern, storm-swept area of Prince of Wales Island (Fig 3), to the outer coasts of Chichagof and Yakobi islands (Fig 4), to Russell Fiord in Yakutat Bay.



FIG 2. Admiralty Cove in the Kootznoowoo Wilderness on northern Admiralty Island. (John Schoen)



FIG 3. The southwestern coast of Prince of Wales Island in the South Prince of Wales Wilderness. (John Schoen)



FIG 4. Northwestern Yakobi Island in the West Chichagof-Yakobi Wilderness with Cross Sound and Glacier Bay National Park in the distance. (John Schoen)

ANILCA conservation designations in the Tongass were crafted to protect areas from logging and development while honoring existing uses of those lands by Southeast residents. For example, Misty Fiords and Admiralty Island were designated national

monuments rather than national parks because hunting, an important use of both areas, would be allowed in monuments but not parks. In Tongass wilderness areas, hunting and fishing are also allowed, as are fishery management and enhancement activities, temporary camps and facilities for the harvest of fish and game, and traditional access, including established use of motorboats and fixed-wing airplanes. Of particular importance was Title VIII of ANILCA, which established subsistence harvest of fish, game, and plants as a priority use of all federal lands in Alaska, including conservation lands such as wilderness areas.

Although in many respects ANILCA succeeded in protecting some important Tongass wildlands in a manner that would sustain local uses of those areas, the bill also contained a troublesome provision extracted by the timber lobby as its price for passage. Section 705 of ANILCA mandated a 4.5 billion board foot per decade timber harvest on the Tongass, and provided an annual subsidy of at least \$40 million per year to guarantee the cutting. The upshot was that virtually every forested valley in the forest, not protected by wilderness, was destined for logging. Exacerbating the situation was the nature of the final wilderness package in ANILCA. The SEACC proposal had focused on habitat and recreation areas, but the final ANILCA designations (aside from Admiralty Island) emphasized scenic lands of glaciers, fiords, and rocky coastal areas. Therefore, while ANILCA protected many important areas, much of the most biologically productive forest land that local residents used regularly for hunting, fishing, and subsistence was still slated for timber production. As local communities, fishermen, and hunters became aware of that reality, momentum built for a second congressional act to correct what many saw as a significant flaw in ANILCA.

THE TONGASS TIMBER REFORM ACT OF 1990

Another decade of conservation advocacy culminated in 1990, in passage of the Tongass Timber Reform Act (TTRA). This law removed the timber harvest mandate and subsidy, and designated an additional 280,483 acres (113,508 hectares) of wilderness areas (Table 1). In addition, it established 727,762 acres (294,516 hectares) of designated roadless areas (Land Use Designation [LUD] II), wherein timber cutting was prohibited and roads were to be allowed only in rare situations (Table 1). The TTRA lands package featured specific, forest habitat

areas and local community use areas. It reflected the interests of salmon fishermen, hunters and sportsmen, subsistence harvesters, outdoor recreationists, and tourism companies. Although a number of the most

important Tongass habitats and wildlands were not protected, the additional conservation designations were significant and USFS management was no longer to be focused primarily on timber production.

TABLE 1. Congressionally protected areas in the Tongass National Forest

Protected area name	Acres	Hectares
Wilderness established December 2, 1980, by ANILCA		
Kootznoowoo Wilderness (Admiralty Island National Monument)	955,825	386,830
Coronation Island Wilderness	19,232	7,783
Endicott River Wilderness	98,729	39,955
Maurelle Islands Wilderness	4,937	1,998
Misty Fiords National Monument Wilderness	2,142,307	866,979
Petersburg Creek-Duncan Salt Chuck Wilderness	46,849	18,959
Russell Fiord Wilderness	348,701	141,117
South Baranof Wilderness	319,568	129,327
South Prince of Wales Wilderness	90,968	36,814
Stikine-LeConte Wilderness	448,926	181,677
Tebenkof Bay Wilderness	66,812	27,038
Tracy Arm-Fords Terror Wilderness	653,179	264,338
Warren Island Wilderness	11,181	4,525
West Chichagof-Yakobi Wilderness	264,491	107,038
Total wilderness area (1980)	5,471,705	2,214,369
Wilderness established November 28, 1990, by TTRA		
Chuck River Wilderness	74,298	30,068
Karta Wilderness	39,889	16,143
Kuiu Wilderness	60,581	24,517
Pleasant-Lemusurier-Inian Islands Wilderness	23,096	9,347
South Etolin Wilderness	82,619	33,435
Total wilderness area (1980 and 1990)	5,752,221	2,327,892
National Forest land within legislated LUD II (nondevelopment) areas		
Yakutat	139,035	56,267
Berners Bay	45,233	1,834
Anan	38,313	15,505
Kadashan	34,281	13,873
Lisianski/Upper Hoonah	147,132	59,544
Mt. Calder-Holbrook	60,863	24,631
Nutkwa	21,723	8,791
Outside Islands	75,342	30,490
Trap Bay	6,595	2,669
Pt. Adolphus/Mud Bay	116,695	47,226
Naha	31,350	12,687
Salmon Bay	11,200	4,533
Total LUD II Areas	727,762	294,521
Total congressionally protected areas	6,479,963	2,622,405

TONGASS LAND MANAGEMENT PLAN

After passage of the TTRA, the USFS prepared a new management plan for the Tongass. Conservationists were hopeful that the Tongass Land Management Plan (TLMP) revision (USFS 1997a) would solidify the management reforms in the TTRA and provide at least some protection for the habitat areas that were dropped from the final reformed act (TTRA). The USFS was under pressure from wildlife groups and several lawsuits alleging a risk of extinction of several species if Tongass logging continued at the then-current levels. In collaboration with the Alaska Department of Fish and Game and independent biologists, the agency incorporated wildlife and fish habitat conservation strategies in what was one of the most comprehensive national forest plans prepared at that time. Although the TLMP revision failed to provide permanent protection for many key habitat areas and local community use areas, the plan attempted to establish new and improved fish and wildlife habitat conservation standards. Implementation and monitoring of these standards has proven difficult and inadequate. Because habitat conservation is at the core of popular interest in Southeast wilderness protection, the TLMP measures merit further discussion.

The TLMP wildlife habitat conservation approach was built on the work of an interagency committee formed by the USFS to develop strategies for maintaining habitat to support viable wildlife populations throughout the Tongass forest (Suring et al. 1993). That work was reviewed by scientists at the USFS Pacific Northwest Research Station, with the assistance of 18 nationally recognized scientists specializing in conservation biology. As the planning effort progressed, additional agency planners and wildlife experts were engaged. The result was a set of findings and recommendations addressing the goal of viable, well-distributed wildlife populations in perpetuity and habitat measures sufficient to prevent the listing of certain species as threatened or endangered under the federal Endangered Species Act (ESA). The Queen Charlotte Goshawk (*Accipiter gentiles laingi*), Alexander Archipelago wolf (*Canis lupus ligoni*), and marbled murrelet (*Brachyramphus marmoratus*) were of particular concern relative to the ESA.

The wildlife habitat conservation strategy that emerged was based on protection of Habitat Conservation Areas (HCAs) distributed across the

forest and linked with habitat and connecting corridors. The system of HCAs consisted of large (40,000-acre [16,188-hectare] minimum), medium (10,000-acre [4,047-hectare] minimum), and small (approximately 1,600 acres [648 hectare]) mapped HCAs. The Tongass Plan also provided for a 1,000-ft (305-m), no logging, buffer of intact forest along the entire marine shoreline and all estuaries, and expanded riparian buffer strips of undisturbed forest habitat along anadromous fish streams. These measures, if implemented effectively, were expected to combine the protection of old-growth forest habitats with the interconnections necessary for them to be effective biologically. However, the scientific peer review committee presented the following conclusion in a joint letter to the USFS in September 1997:

The final Land Management Plan for the Tongass National Forest does not incorporate the recommendations of the Peer Review or other scientific input in fundamental ways. Consequently, we do not believe that this plan will protect viable, well distributed populations of vertebrate species on the Tongass National Forest.

In an effort to address salmon habitat conservation priorities, the USFS conducted the Alaska Anadromous Fisheries Habitat Assessment (USFS 1995). The assessment involved more than 50 scientists and managers, who conducted literature reviews and field assessments of Tongass watersheds, and whose work received professional peer review. Their report included recommendations to make timber harvest more compatible with the protection of high-quality fish habitat. The fish habitat assessment scientists recommended watershed-level analyses, increased protection for headwater stream areas, expansion of streamside buffers beyond 100 ft (30 m), improved monitoring and evaluation of fish habitat protection measures, reduction or elimination of logging on steep or unstable slopes, and correction of stream blockages and erosion problems associated with logging roads.

Conservationists were concerned about implementation of the TLMP wildlife and fish conservation strategies. The TLMP revision (USFS 1997b) also inventoried the nearly 900 watersheds in the Tongass, examining more than 42,000 mi (67,200 km) of streams for possible designation as wild, scenic, or recreational rivers, designations that provide varying degrees of protection for a minimum 0.5-mi- (0.8-km-)

wide river corridor. The final plan (USFS 1997a) recommended only a little more than 1% of the stream miles in the Tongass for wild river designation, and only a few stretches for scenic or recreational categories.

Of the areas slated for wilderness designation in early versions of the TTRA, but left out of the final legislative compromise, none were protected in their entirety in the TLMP and many were allocated to timber harvest. In addition, the USFS inventoried more than 9 million acres (3.6 million hectares) of roadless lands that met the criteria for designation as wilderness areas, but did not address the wilderness designation question in the final TLMP. That decision reflected political pressure from some business and political leaders, including the Alaska congressional delegation, who felt that 2 wilderness compromises had been struck already in ANILCA and the TTRA, and further action by the USFS was unwarranted. To buttress their argument, they cited Section 1326(b) of ANILCA, the so-called “no more clause,” which states:

No further studies of federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national conservation area, for related or similar purposes shall be conducted unless authorized by this act or a further act of Congress.

The Tongass Land Management Plan decision was appealed by more than 30 interest groups or organizations spanning the full spectrum of interests, from environmental groups to timber trade organizations. In an effort to resolve the appeals, the U.S. Department of Agriculture revised the decision and issued a new TLMP in 1999 (USFS 1999). That decision attempted to strike a balance between logging and habitat areas by removing 18 areas of special interest to local communities and conservationists from logging plans. Protected were many of the areas earlier considered under the TTRA as well as several watersheds that received strong public support for conservation during public review of TLMP. The 1999 decision also changed timber management practices on certain lands in an effort to promote habitat quality as forests regenerated on logged areas.

Appeals of the TLMP led to litigation by both interests. Timber companies challenged the 1999 revised decision, and environmental groups called for the USFS to complete the roadless area review it began

in the TLMP by making formal wilderness recommendations. In March 2001, the federal court issued dual rulings. It voided the 1999 decision on procedural technicalities, which removed management protections for the additional 18 special interest areas. It also ruled that the 1997 TLMP should have considered making wilderness recommendations in the final environmental impact statement (EIS). The court ordered the USFS to prepare a supplement to TLMP that evaluated roadless lands for suitability for designation as wilderness areas.

Caught between advocates of the ANILCA “no more clause” and a court order, the USFS prepared a wilderness evaluation supplement to the TLMP. In 2002, the agency prepared a draft supplemental EIS (USFS 2003) to amend the TLMP to incorporate a roadless area evaluation and wilderness recommendations. The USFS held public hearings in Southeast communities on the subject, and more than 85% of those who testified asked for at least some additional wilderness recommendations. Overall, the public submitted more than 176,000 comments on the draft proposal, with a strong majority recommending additional wilderness designations or congressional roadless area protections on the Tongass.

In 2003, the USFS issued a record of decision on the roadless and wilderness supplement to the TLMP. Regional Forester Dennis Bschor recommended no additional wilderness designations, and no additional protection measures for any of the more than 9 million acres (3.6 million hectare) of roadless areas in the Tongass. His reasoning was that there was no need for additional wilderness designation, that the 1997 TLMP provided adequate protection for roadless areas, and that in the interests of economic development, all Tongass land uses needed to be kept open. In addition, he relied on the USFS interpretation of the ANILCA “no more clause” and related provisions to justify the complete rejection of additional wilderness designations by the USFS.

THE ROADLESS AREA POLICY AND THE TONGASS NATIONAL FOREST

Concurrent in time with the TLMP appeals and wilderness review, President Bill Clinton launched a nationwide rule-making effort to protect the remaining roadless lands in America’s national forests. This initiative was a response to petitions and pressure from scientists and conservationists who were concerned about the rapid rate at which undisturbed forest lands

were being lost to the logging, mining, and off-road vehicle activities facilitated by road construction, as well as impacts to rivers and streams from rapid-fire road building and lack of maintenance. In 1999, President Clinton wrote:

We are presented with a unique historic opportunity. From the Appalachian Mountains to the Sierra Nevada, these are some of the last, best unprotected wildlands in America. They are vital havens for wildlife—indeed, some are absolutely critical to the survival of endangered species. They are a source of clean, fresh water for countless communities. They offer unparalleled opportunities for hikers, campers, hunters, anglers, and others to experience unspoiled nature. In short, these lands bestow upon us unique and irreplaceable benefits. They are a treasured inheritance, enduring remnants of an untrammeled wilderness that once stretched from ocean to ocean. ...it is in the best interest of our Nation, and of future generations, to provide strong and lasting protection for these forests, and I am directing you to initiate administrative proceedings to that end. ...Specifically, I direct the Forest Service to develop, and propose for public comment, regulations to provide appropriate long-term protection for most or all of these currently inventoried 'roadless' areas.

The USFS responded with a nationwide planning and public involvement process addressing the proposal to indefinitely preclude road construction and logging in national forest roadless areas. The Tongass National Forest was exempted initially from the proposed rule. However, strong public support from Alaskans and across the country argued for its inclusion. In November 2000, the USFS responded by proposing to include the Tongass in the initiative, by phasing in the roadless area protections over four years to allow for transition in the timber industry. A final decision in 2001 implemented the roadless area protections on all national forests, without a phase-in period on the Tongass, but it allowed timber sales already approved or in advanced planning stages to proceed in Tongass roadless areas.

The final roadless rule protected all 18 special interest areas considered in the vacated, 1999 TLMP decision, and much more. One hundred nine roadless areas inventoried in the forest planning process, some 9.3 million acres (3.8 million hectares), were removed from consideration for road-related development. The roadless rule was one of the most significant conservation measures in history, for the Tongass, and for America's national forests. However, its tenure was limited by two events, one in Alaska and one national in scale.

The State of Alaska objected to inclusion of the Tongass in the roadless rule, arguing that the TLMP process just completed had adequately considered trade-offs between roads and timber development, on the one hand, and habitat and protection, on the other. The state also reiterated the ANILCA "no more clause," and in 2001, filed suit in federal court opposing the roadless rule in Alaska. At the time, the state was on record in support of protection for many of the 18 special interest areas that would have been protected under the roadless rule; the objection was to the process and the magnitude of the impact.

At the national level, the election of George W. Bush as President in 2000 had signaled an about face in federal endorsement of the roadless rule. The rule was approved just before President Bush took office, and as the new administration began to review national forest management, it became clear that it took a contrary view of the roadless policy. Taking action was complicated by a number of lawsuits challenging the roadless rule, and particularly by the popularity of the rule. Even in states whose governors opposed the rule, bipartisan support was voiced for protection of a number of specific roadless areas.

In Alaska, the state lawsuit provided the opportunity for a friendly settlement between the Bush administration and the state. In 2003, an agreement was reached to dismiss the litigation in exchange for exempting the Tongass from the roadless rule. Although the federal government would still have to complete a new rule-making process before that exemption became permanent, the practical effect was that the roadless rule was dead in Southeast. Management guidance for the USFS reverted to the 1997 TLMP, and a number of important conservation areas were again available for timber harvest, road construction, and related activities.

CURRENT TONGASS WILDERNESS ISSUES

Currently, wilderness preservation efforts in the Tongass are proceeding on several tracks. Perhaps the most ambitious approach is the Alaska Rainforest Protection Act (ARCA). Addressing both the Tongass and the Chugach national forests in Alaska, it was introduced in 2005 in the House of Representatives with 75 cosponsors. The ARCA bill would provide protection for most of the roadless lands on the Tongass, in addition to many rivers inventoried by the USFS as potential wild, scenic, or recreational rivers in the TLMP.

Another approach involves the recent Ninth Circuit Court of Appeals ruling on the TLMP. On August 5, 2005, the Ninth Circuit Court found that the USFS made an error in assessing market demand for Tongass timber, rendering the TLMP arbitrary and capricious. The court found that the EIS did not consider an adequate range of alternatives. Further, the court found that the USFS did not consider the cumulative impacts of past and reasonably foreseeable future nonfederal logging in high-volume old growth. Revision of the TLMP provides an opportunity to further assess the conservation strategy of the plan and potentially add new habitat protections, including consideration of lands suitable for wilderness or roadless designations.

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