



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

**Department of Natural Resources**

CITIZENS' ADVISORY COMMISSION ON  
FEDERAL AREAS  
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November 13, 2012

Forrest Cole  
Forest Supervisor  
Tongass National Forest  
648 Mission Street  
Ketchikan, Alaska 99901-6591

Re: Proposed Public Use Cabin Closures

Dear Mr. Cole:

The Citizens' Advisory Commission on Federal Areas has considered the proposal outlined in your August 15, 2012 scoping letter to close 9 public use cabins and convert 3 others to shelters on the Tongass National Forest. We offer the following comments for your consideration.

The public recreation cabins on the Tongass National Forest have a long and important history in the region. With some 150 cabins to manage the costs and challenges to the U.S. Forest Service are significant. The Commission appreciates that declining budgets and staffing, coupled with increasing maintenance costs, make management even more difficult. We also understand that it is important for these public facilities to generate revenue and help pay their own way. At the same time, it is also appropriate to consider maintaining existing cabins primarily for public health and safety. These cabins are assets that benefit the public and removal of a cabin should only occur when there is no viable alternative.

**EA and Public Process**

The scoping letter indicated that a decision on the proposed action would be made under a consolidated categorical exclusion following a 30 day public comment period. Subsequently, a decision was made to prepare an environmental assessment (EA).

While we support the decision to prepare an EA, the Commission is concerned that the public will have no other opportunity to submit comments on the proposed action after the close of the current 30 day comment period. The legal notice published in the *Ketchikan Daily News* states:

*“As required by federal regulation, this notice begins the **only** 30 day comment period for the proposed action to be analyzed and documented in an environmental assessment [36 CFR Part 215.5(iv)]”*

Although the regulations at 36 CFR Part 215 do not require the Forest Service to provide an additional opportunity for the public to review and comment on a completed EA before making a final decision on a proposed action of this type, the agency clearly has the discretion to do so under both its regulations and Council on Environmental Quality (CEQ) guidelines.

The scoping letter contains limited background on the Tongass recreational cabin program and minimal information about the individual cabins proposed for removal or conversion. Without more detailed information about each cabin, it will be quite difficult for a member of the public to provide meaningful comment on the proposed action. The general public and users of the affected cabins would benefit from the more detailed information and analysis that will be included in the environmental assessment. Because these are publically owned facilities, constructed and maintained by public funds, we believe that an additional review period during which the public can analyze and prepare comments on a completed EA, prior to a final decision, would best serve the interests of the public and the Forest Service.

Additionally, no final decision on the proposed action should be made until the final report on the Tongass cabin program referenced in the scoping letter is completed and made available to the public. According to the scoping letter, in 2010 the Forest Service contracted a firm to “*assess the cabin program and suggest a financially sustainable program.*” The letter goes on to state that the initial report recommends changing cabin fees, eliminating cabins with little or no use and changing operation and maintenance strategies, but provides no further information about the report contents or findings.

As you are aware, this Commission requested and initially was denied a copy of this report. We then filed a Freedom of Information Act (FOIA) request in order to secure a copy to assist us in our review of the proposed action. We received the requested report, *Alaska Region Public Use Recreation Cabin Program Financial Sustainability Strategy – Tongass National Forest* prepared by Capital Hotel Management (CHM) on November 2, 2012. While we appreciate the decision to release the report, it is unfortunate that it was necessary to take this step to receive what should have been readily available information.

The original scoping letter was dated August 15, 2012. The notice announcing the beginning of the 30 day comment period was not published in the *Ketchikan Daily News* until October 13, 2012 – almost 60 days later. During this period when the Forest Service decided not to handle the proposed action under a NEPA categorical exclusion, it also

should have decided to delay the start of any comment period until the cabin report was finalized, reviewed by the regional office and made available to the public.

Due to our concerns about the deficiencies in the public process and the lack of substantive information about the cabin program and the individual cabins proposed for removal or conversion, we strongly recommend that an additional 45 day public comment period be provided following completion of the EA and the finalization and agency review of the contracted CHM cabin report/assessment. The Forest Service has not indicated there are any time critical decisions to be made that would reasonably preclude an additional public comment and review period.

We are advised that the CHM report is not the driving force for the cabin removals proposed in the scoping letter. Our preliminary review generally confirms this, but clearly the report provides part of the foundation for the proposed action. The scoping letter does refer to the *2005 Recreation Site Facility Analysis and 5-Year Action Plan* for the Tongass as the primary basis for the current proposed action, as well as decisions made in 2010 to remove cabins that were below an established threshold based on maintenance, use levels and outlook for repair or replacement.

The Commission is familiar with the original *2005 Recreation Site Facility Analysis* and its recommendations to close or decommission a number of cabins and shelters. However, we are not aware that the facility analysis was updated or revised in 2010. To our knowledge the public was not advised of, nor provided the opportunity to comment on any revision to the facility analysis.

Several years ago, responding to concern about the lack of public involvement in the site facility analysis and planning process, the Forest Service prepared the *2007 Action Plan for the Recreation Site-Facility Master Planning Public Participation Review Report*. That report contained a number of recommendations for public participation in both the development and revision of a recreation site facility analysis. Consistent with those recommendations there should have been public involvement in any revision to the 2005 *Tongass Facility Analysis*, including establishment of a threshold or defining a recreation niche for cabins on the forest. A full explanation of the process used to revise and update the 2005 *Facility Analysis*, including any opportunities or requests for public input, should be included in the EA.

The CHM report summarizes the three Sustainable Outdoor Recreation Plans prepared for the communities of Sitka, Yakutat and Wrangell in 2010, 2011 and 2012. The Commission is not familiar with these plans and only recently obtained copies of the final draft plans for Sitka and Wrangell. Any information in those plans relevant to the cabins considered for removal or conversion under the current proposed action should be included in the EA.

The scoping letter states that public comments received on earlier individual cabin removals on each ranger district have been retained and will be considered as part of the proposed project. The EA should list previous scoping efforts by ranger district and

include a summary of the comments received for each cabin. The EA should also contain information on each cabin, such as: date of construction; a detailed description of its current condition; when each cabin last received maintenance and the extent of that maintenance; when the cabin was removed from the reservation system, potential for rehabilitation to a usable condition for either a recreational or emergency use cabin, and an estimated cost for rehabilitation or replacement.

### **Proposed Action**

We request clarification of the proposed action. The scoping letter states that the Forest Service proposes to “remove nine cabins and convert three other cabins to survival shelters on seven districts.” In an e-mail received from Forest Service staff, however, Commission staff was told that the Forest Supervisor “will determine which, if any, of the specified cabins to remove or convert to three-sided shelters.” This suggests that some cabins on the list could be removed while others remain or still others converted to shelters. But the e-mail then states “We plan to only analyze two alternatives, the no action alternative, where all of the cabins proposed for removal or conversion remain and the proposed action, where the proposed cabins are removed or converted.” This implies an “all or nothing” scenario for the 12 cabins.

The Commission requests that the EA look at a wider range of alternatives that would include some level of maintenance for the more structurally sound cabins, irrespective of use levels or locations; making cabins available on a first come first serve basis or designating them for emergency shelters.

**DeBoer Cabin and Harvey Lake Cabin** - We note that in the 2005 *Facility Analysis* these 2 cabins were listed in the “operate” Tier Category.

Under the proposed action, the DeBoer Cabin is now identified for removal even though the Tongass Schedule of Proposed Actions (SOPA) as recently as July - September 2012 and as far back as the October - December 2010 schedule states that the Forest Service is exploring alternatives for funding and support to maintain the cabin for public use. The EA should fully explain the alternatives for funding and support that were considered, why the effort was unsuccessful and why the decision was made to remove the cabin.

A review of the SOPA for the last two years found no mention of the Harvey Lake Cabin. The EA should provide an explanation of why this cabin was moved from the “operate” category and is now proposed for conversion to a shelter or why it shouldn’t be retained as a casual or emergency use cabin.

**Maksoutof Lake and Rezanof Lake Cabins** – The Commission previously (2009) commented on the proposal to remove these two cabins in the South Baranof Wilderness area on the Sitka Ranger District. We have attached those comments for reference and inclusion in the record for the current proposed action.

**Beaver Camp** - Information provided by the Forest Service indicates that this cabin was originally constructed in 1965 and reconstructed in 2001. The EA should address whether it received maintenance following the reconstruction, why it is now unusable and why it could not be repaired and made available for casual use or as an emergency shelter

**Binkley Slough Cabin** – The scoping letter states that this cabin is in good condition. It appears to be listed for removal only because of low use and difficulty of access. Given its condition, it should be retained for casual use and as an emergency shelter.

**McGilvery Cabin** – A letter in the Commission's files indicate that in 1996 the Thorne Bay Ranger District proposed moving this cabin located in the Karta River Wilderness because periodic flooding threatened its structural integrity. There were also problems with human waste disposal at the cabin site. The 1996 letter stated the cabin, built in 1964, was in good shape with an additional 20 years of life expectancy. Alternatives including moving the cabin to a location outside the Karta River Wilderness, moving to another location within the wilderness area, continuing to maintain the cabin at the same location and requiring waste to be packed out, or eliminate the cabin by burning on site. Our files have no information on which alternative was ultimately selected. Based on a recent conversation with the former District Ranger, we understand that the decision was made to move the cabin, but the move was never carried out. The EA should discuss the post 1996 history of this cabin and provide an explanation on why it was not moved and what type of maintenance, if any, it received.

**Distin Lake** - This cabin was originally built as a shelter in 1933 by the Civilian Conservation Corps and was closed in by the Territorial Sportsmen in the 1950's. It is listed on the National Register of Historic Places. It should be stabilized and protected from further deterioration. Because of its historic status and value, it should be retained in its converted cabin status and not replaced with a shelter.

**Red Alders, Square Lake, Checats Lake, Big Goat** – Although these 4 cabins were identified for closure in the 2005 site analysis, we recommend maintaining them for casual use or emergency shelters.

### **Wilderness Cabins**

Removal of any of the nine public use cabins located in designated wilderness require additional analysis prior to removal in order to comply with ANILCA and the Region 10 Supplement to the Forest Service Manual 2300 for wilderness management.

In addition to the Congressional notification requirements in ANILCA Section 1315(d) for removing or constructing a cabin or shelter in designated wilderness, the Region 10 Supplement [2323.13b – Shelters] states:

*“Forest Supervisors shall request approval of new construction or the removal of any public use cabins or shelters at least 18 months in advance of the proposed action. The request shall be accompanied by supporting NEPA documentation and a health and*

*safety analysis sufficient for the Regional Forester to make a decision. The 18 month notice of a proposed action will allow the agency to meet the Congressional notification requirement as stated in ANILCA Section 1315(d).*”(emphasis added.)

The EA should include the required health and safety analysis.

Table 1 of the August 15 scoping letter indicates that the proposed removal of 6 of the 7 cabins in designated wilderness is scheduled for 2013. Under the 18 month notice requirement in the Regional Supplement, and depending upon when a final decision is made by the Regional Forester, none of these cabins could be removed before mid-2014.

We understand that these 12 cabins have been removed from the cabin reservation system because of their poor condition or minimal use. But what is not clear from the description in the letter is the extent to which the cabins are used informally or in emergency situations. Our recent experience with the White Sulphur Springs cabin and bathhouse project demonstrated that the public’s undocumented use of cabins and other shelters on the Tongass may be more extensive than the Forest Service realizes.

We received similar information about casual use of the 2 South Baranof Wilderness cabins (Maksoutof Lake and Rezanof Lake). The Forest Service should make every effort to document the level of use of each of these cabins and shelters, including use for subsistence activities, before any final decision is made on removal. This information should be included in the EA and in the required health and safety analysis.

We also note that the analysis and findings in the 2012 CHM Report do not address the importance of cabins and shelters on the Tongass for emergency use. The importance of these structures for public health and safety cannot be measured strictly in terms of their cost to administer or maintain. In an emergency a three-sided shelter, while preferable to no shelter at all, is a poor substitute for an enclosed cabin, even one in poor condition.

In scoping comments submitted to the Sitka Ranger District in March 2009 on the proposed removal of two cabins in the South Baranof Wilderness, the Commission expressed its concerns about the high percentage of wilderness cabins identified for removal or decommissioning in the 2005 *Recreation Site Facility Master Planning 5-Year Action Plan*. In the 2005 site analysis, 14 or 15 of 35 cabins (40%) identified for closure or decommissioning are in designated wilderness. Nine of the 12 cabins (75%) slated for removal or conversion in the proposed action are within designated wilderness.

We also questioned a statement made in the scoping document justifying removal of the 2 South Baranof Wilderness cabins about the need to “improve the undeveloped quality of wilderness character by returning the land back to a natural state.” Similar statements in the original decision document supporting removal of the White Sulphur Springs Bathhouse expressed similar objectives. These included qualifying comments about “reducing development in our Tongass National Forest wilderness areas,” “enhancing wilderness character;” “important enhancement of the quality of wilderness at this site;”

and “moves the site to a more undeveloped state and improves upon the primitive and unconfined qualities.”

While the decision was made to replace the bathhouse following an appeal by this Commission and others, comments of this nature, combined with the high percentage of wilderness cabins identified for removal, lead many members of the public, including members of this Commission, question whether the disparity is coincidental or part of a larger management strategy to remove cabins from designated wilderness areas on the Tongass. Such a strategy would be inconsistent with ANILCA and with Congressional intent for the management of wilderness areas in Alaska, including management and use cabins within those areas.

The Commission also notes that overly restrictive wilderness management policies adopted by the Forest Service in recent years have resulted in the unfortunate loss of the long-standing Tongass cabin maintenance arrangement with Territorial Sportsmen, Incorporated (TSI). By disallowing the use of chain saws and other power tools for firewood cutting and cabin maintenance, the Forest Service has restricted the ability of volunteers with limited time to participate in maintenance efforts. The agency has also deprived itself and the public cabin program on the Tongass of a valuable partnership.

We encourage the Forest Service to allow reasonable exceptions to the stringent restrictions it has adopted on motorized equipment for maintenance of public cabins in designated wilderness. Not only would lifting these restrictions shorten the time needed for maintenance or firewood cutting, actually decreasing impacts, it would increase the likelihood that the agency could successfully pursue other cooperative agreements with groups interested in helping with the Tongass cabin program.

In conclusion, we strongly encourage the Forest Service to provide another public comment period of at least 45 days once the EA is completed and before a decision document is signed. We also request that the EA consider all alternatives to retain or replace these cabins in order to allow continued public use. We appreciate the opportunity to comment. Please contact our office if there are questions or if we need to clarify our comments.

Sincerely,



Stan Leaphart  
Executive Director

Cc: Sue Magee – State ANILCA Coordinator  
Beth Pendleton – Regional Forester