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October 18, 2002

USDA Forest Service  
Attn: NFS-EMC Staff (Barbara Timberlake)  
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Washington, DC 20250-1140

Regional Forester  
USDA Forest Service, Alaska Region  
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Juneau, AK 99801-1628

This letter is a Notice of Appeal filed pursuant to 36 CFR part 217, page 46 in the Record of Decision.

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

The document in which the decision is contained is the Revised Land and Resource Management Plan of the Chugach Nation Forest Record of Decision, R10MB-480b. The date of the decision was May 31, 2002, and the Deciding Officer is Regional Forester Dennis E. Bschor.

The specific portion of the document to which we object is:

- The closing of the Crescent Lake/Carter Lake area to all winter motorized use
- The closing of the areas along the Seward Highway from Summit Lake to Moose Pass
- The closing of the area north of Summit Lake to all winter motorized use

We object for several reasons:

Specifically, the responsible official did not provide early, frequent and publicized opportunities to participate in the Final Plan approval process. We have been involved since December, 2000, through written comments to the District Ranger in Anchorage, Alaska.

Unilateral decisions were made that significantly changed the Revised Forest Plan from the preliminary drafts of said Plan. For example, the draft preferred alternative does not close any of the currently popular snow machine areas and yet the Final Plan does make these closures. The Preliminary Plan suggested year on/year off closures for winter motorized vehicles-no mention of such a compromise is in the Final Plan. The public should have been informed and allowed to comment on these changes before adoption. Furthermore, no date for final appeal consideration was made easily available. Only the tenacious searching by several individuals found the October 24, 2002, deadline.

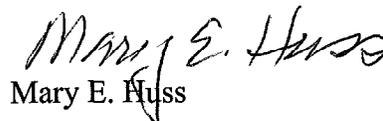
Second, the arbitrary and capricious decision to close the Crescent Lake/Carter Lake area is an example of closing a traditional use area for one group of users to placate the perceived wishes of another group. Realistically, this trail is extremely difficult to negotiate for the average skier. The expert extreme skiers have other areas available that are impossible for a snow machine to use. In addition, closing the trail to snow machines severely restricts those who could use the Crescent Lake Public Use cabins.

Under the provisions of ANILCA (Alaska National Interest Conservation Act) it is not legal to close areas to traditional activities. We refer you to EIS Glossary-51 which outlines the Forest Service policy on traditional usage. Our family has lived in Seward for thirty-one years and has been snow machining in the newly closed areas for thirty of those years. We have hunted, fished, and used the cabins at Crescent/Carter Lake. All of these activities were possible only with the use of snow machines-as a family with young children and now as aging recreationists. Road corridor access is imperative for the majority of users in the above mentioned areas. The Revised Final Plan shuts down a major portion of the road access for winter motorized use for a majority of the local population. In December 2000, in our written comments to the District Ranger in Anchorage, Alaska, we stated that possible solutions to this conflict would be to create new access for non-motorized users. The Final Plan does not even address this issue of access to new areas within the Forest. It is interesting to note that according to EIS Appendix K, and EIS 3-540 that the majority of respondents and a Kenai Peninsula Borough resolution support the current amount of open area and season for snow machine use.

In closing, we find the Forest Service Revised Plan to have been created in an arbitrary and subjective manner with major decisions being made unilaterally. The Plan must address access issues for present and future generations of users. Those of us who live here will be here long after the current group of Forest Service employees move to other assignments. We assume the Revised final Plan will be revisited in order to fairly address the concerns of all the users of the Chugach National Forest.

Thank you for your attention to this important matter.

  
Warren W. Huss

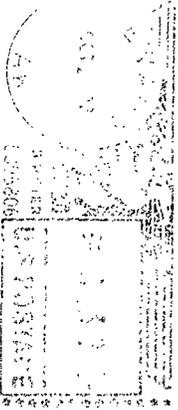
  
Mary E. Huss

cc: Senator Ted Stevens  
Senator Frank Murkowski  
Representative Don Young

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