ALASKA STATE LEGISLATURE

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SENATOR BERT K. STEDMAN

CSSB 88 (RES)

Opposition

District R
Angoon • Coffman Cove • Craig • Edna Bay • Elfin Cove • Hollis • Hoonah • Hydaburg • Hyder • Kake • Kasaan
Ketchikan • Klawock • Klukwan • Kupreanof • Metlakatla • Meyers Chuck • Naukati • Pelican • Petersburg
Point Baker • Port Alexander • Port Protection • Saxman • Sitka • Tenakee Springs • Thorne Bay • Whale Pass • Wrangell

Dear Legislator, *4/3/2017*

Please find enclosed some of my previous comments pertaining to an AMHT land trade.

Re: AMHT logging of Deer Mountain 11/12/2016

My name is Mike Sallee. I was born and raised in Ketchikan, lived both part time and full time on Gravina Island since 1956 when my mother started homesteading there. While commercial fishing has contributed the most to my lifetime income, local wood has played a substantial role, both for home heating and construction as well as a secondary source of income. I've owned and operated a small sawmill, providing lumber for my own use as well as for many dozens of other people for over thirty years. My brother worked nearly his whole life either as a logger or in some capacity closely associated with logging.

My primary complaints with AMHT logging are:

1) The very best wood is exported with most its value being realized by non-residents. There are hundreds of small circular saw and band mills in Alaska, dozens in Ketchikan alone if one includes the variety of chainsaw mills. To suggest there's insufficient manufacturing capacities and therefore that wood should be shipped out unprocessed like mined ore is ludicrous.

2) The landscape is left as an industrial sacrifice zone for decades to come with no effort to even cut up and disperse the logging slash. After walking through AMHT heli-logged lands on Gravina, places I'd been deer hunting for decades it became clearly evident there was little incentive to recognize or even minimally accommodate historical uses of lands transferred to AMHT.

3) While helicopters are a potent and valuable management tool, way too much valuable AMHT timber ends up felled and left to rot in order to make the whole operation cost-effective. There are evidently no laws to assure felled trees and merchantable wood from Trust lands are fully utilized. The USFS dictates felled sound trees must be removed down to six or eight inches top diameter and if something like one third of the log is sound it needs to be utilized. Even the State of Alaska's hunting regulations do not allow wanton waste of game. Dall sheep cannot be killed solely for their horns alone. Black bears cannot be killed only for gall bladders. Deer and other ungulates cannot legally be killed solely for the backstraps, whether it's a few yards from a roadhead or boat anchorage or thirty miles inland. It's ironic AMHT claims they want to make wood available to shore up a wood-starved industry yet wastes so much when its timber is logged.

4) There's virtually no recognition of the substantial part old growth forests play in mitigating the drivers of climate change. Instead the issue is deflected by pointing out what other parts of the world, (Washington, Canada, China, Russia, etc) are doing or failing to do that exacerbate climate change, and;

5) As for Viking Lumber and their warnings of imminent closure if they can't get more old-growth logs, I'm reminded of a very similar argument by Ketchikan Pulp Co. in the 1990s. My late lifelong logger brother's response at that time was, "They can learn how to tighten their belts up just like the rest of us. Or they can get to hell out"

If AMHT could be held to staying away from landslide-prone ground, away from public water supplies, away from trails, and leaving the view shed no worse than other view sheds around Ketchikan that have already been selective heli-logged, I suppose some people would not have much heartburn with logging Deer Mountain. But I've seen little indication the Trust is even remotely interested in these kinds of restrictions on its logging.

A land exchange may take Deer Mountain and critical lands near other communities off the chopping block but does nothing to address the fact that the unsustainable logging feeding frenzies of the pulp mill era and the more recent liquidations of ANCSA timberlands usurped the easy pickings from our remote and inherently market-challenged region. Yes, we still have some very good timber here in SE Alaska. Barring some catastrophic tree die-off due to climate change there will always be room for a limited timber industry. But that industry will be something quite different from past industries that depended upon high-volume extractions of live old-growth trees and round log exports in order to keep even small to medium- production mills in wood.

AMHT will eventually run out of timberlands to liquidate and its timber-centric motif will be forced to evolve. Meanwhile it's grossly unfair to taxpayers to be subject to an extortion that involves AMHT unloading its logged over liquidations in exchange for more virgin ground while the public picks up the tab for the flailing timber industry's externalized costs.

Of the options that are available I strongly suggest a buyout, whether Federal, State, Municipal, or some combination, not another kick-the-ball-down-the-road land exchange.

Sincerely,

Mike Sallee

I'd also like to respond to comments I heard at the March 29th public hearing on HB 155:

"It's a crying shame in my view that we've one of the largest national forests in the country here and could have a hugely successful timber industry…(?) had access been permitted(?)…"

This statement seems indicative of an ignorance of what has already gone on in the Tongass. The major timber industry players, the two pulp mills and the Native corporations showed little interest in developing a long-term sustainable small-scale industry. In fact the two pulp mills colluded to drive smaller operators out. The Native corporations liquidated their timberlands with huge clearcuts, thereby eliminating old-growth forest structure. They traded any future small-scale old growth industry options for a future of less competitive even-aged tree farms.

As a result we have today an industry that can only flail in its attempts to operate at economies of scale because the easy pickings that support that scale have already been picked. To make expensive operations economically viable we see the waste I've mentioned in my previous comments.

For a lifelong logger's perspective of the Tongass timber industry in the 1990s that might indicate why it's where it's at today see my brother's comments pasted below.

As for Mayor Watson's comment about previous annual harvests of 600 million bf, I would point out that's exactly why today's timber industry is struggling. From Forest Service records, I believe I read that between the beginning of the twentieth century until the pulp mills started up the annual cut averaged around 40 million bf.

As for another legislator's comment that he puts a lot of stock in elected officials' comments as representative of the people:

Elected officials have their own biases and beliefs. Ketchikan's borough mayor is a past employee for a native corporation so one could reasonably expect to hear a corporatist's point of view from him.

Furthermore, a previous mayor who was very popular, got re-elected numerous times, often winning by substantial margins of votes, is now behind bars. Point being elected officials may not always represent the values of their constituents.

Again if SB 88 and the other AMHT land trade bills could be amended to require even Forest Service timber utilization standards of recovering logs down to 6" or containing 1/3 sound wood, or limited clearcut size, or avoiding steep, landslide-prone slopes, or treatment of logging slash to render helicopter-logged areas more amenable to subsequent multiple use, or requiring all logs to be processed within fifty miles of where trees were felled, or that a substantial percentage of timber be left standing to be sold as carbon credits, such trades might be workable.

That being said, I think the simplest amendment is what several commenters on HB 155 have already suggested and what was suggested by at least one person at the first AMHT public Deer Mountain meeting in Ketchikan; BUY IT!

Please see below or attached a couple of comments on round log export and Dave Sallee's comments from several years ago.

Viewpoints

RE: Roundlog Export

by Chris Wilhelm

November 07, 2004

Sunday

Dear Editor and Readers,

If the round log export of red cedar to Washington state is cost prohibitive, as cited in Mr. Nichols' letter, why not process the timber here? After reading the Nichols letter, I have to ask what kind of timber jobs do Ketchikanites want? Any or all?

In my view, any state department, agency, or other state government entity should first and foremost promote the local economy when developing state resources. The few million dollars being spent here to cut the trees is peanuts compared to what our veneer plant could generate, or what Mr. Seley's mill might provide, or what another enterprise can generate with vision and political representation. Let the picket fences be built in New Mexico with Alaska red cedar. I think that's great. But let's make the pickets here.

Let the state offer incentives to local mills to be more competitive with mills Outside. Mental Health is after all a state department. They can freely require special criteria be met for harvest. It is not just about the bottom line here when the state government is involved. It isn't just a free-for-all.

It is my understanding our constitution says that all resources in Alaska belong to Alaskans, and are to be managed for their benefit.

I say that for Mental Health to cut timber, local processing must be a consideration before contracts may be signed. Promote our economy in Ketchikan! Manage our resources for our greatest benefit.

It's the economy after all, isn't it?

Sincerely,

Chris Wilhelm

Ketchikan, AK - USA

Note: Comments published on Viewpoints are the opinions of the writer

and do not necessarily reflect the opinions of Sitnews.

R. David Sallee

Ketchikan, AK 99901

U.S. Senator Ted Stevens Oct. 20,1993

To whomever receives this letter: = Warning = This letter is specifically intended only for Senator Stevens' perusal and carries with it the explicit demand that I receive a PERSONAL reply from Senator Stevens and no other. If I don't receive a reply to this letter from Senator Stevens within a reasonable time frame this letter will go public to local and regional newspapers as well as other parties, whom I believe will be quite interested in the contents herein as well as my experience with the Senators' accessibility.....

Dear Senator Stevens:

I, as you can probably tell by the above, am NOT a Happy Camper! I'm in no mood to soft-talk about what I have to say because I--HAVE HAD ENOUGH!!

I have been seething ever since I read in the local paper the headline, "House-Senate committee gives broad range for Tongass Sale". After all the time, money, and effort that went into the Tongass Timber Reform Act, the purpose of which was to cut back on the runaway timber industry program here in the Tongass, the issue was decided in a COMMITTEE meeting! The article went on to say, "The Tongass timber cutting level has been a perennial battle between the House and Senate in recent years during deliberations on the Forest Service budget". What couldn't be decided by the full contingent of both houses of Congress gets blasted into being by you and a few others. A Great example of the democratic system at its best!!!

With a government like that who needs enemies?

The article also quoted you as saying: "I am still committed to the Tongass Timber Reform Act. If the demand is there it will be cut". In other words, as long as there is a demand for the timber we'll cut it right down to the last stick, won't we?

I sound just like a radical lock-it-up preservationist don't I? One of those Field and Stream-reading, bleeding-heart spotted owl reactionary, Teddy Bear-cuddling, TV watching potato-heads who are led by the nose, that sign their names and put their money behind any smooth talking reactionary that tells a good story. Well, surprise, Mr. Senator, I am none of the above.

I am a born and raised lifelong resident of Alaska, so lifelong that I have been out of the country less than ten times during my almost 52 years living here. And I love Alaska. Or I did. I loved Alaska the way it was when I was a kid growing up here; a land full of mystery, a land full of history. A land tailor-made to satisfy the soul of one such as I who am a confirmed individual dedicated to self-sufficiency, living life on his own terms. That was the allure of Alaska, in addition to its incredible beauty, its tremendous

bounty, it was a land that challenged a man, requiring the best from him but rewarding him with the best if he made it. It was all here! A man didn't need hundreds of thousands of dollars of investment like you do today to get a start. Many a kid started with little more than a patched up wooden cannery skiff and a homemade hand gurdy and built that into whatever he wanted. There was no limited entry, no discriminatory IFQs, nor the need to buy a permit ranging from $15,000 to $300,000 just to gain entry into making a living fishing.

There were trees everywhere. You could get into logging with nothing more than the promise of a market, a few simple tools, a pair of cork shoes, and a grubstake from the mercantile store. It didn't take an act of Congress for an individual to get a timber sale, and millions of dollars didn't have to be spent deciding how you were going to log it.

I came into the scene just a little bit too late to get in on the really good times, but I did get a few good years before everybody started dividing up the Alaskan pie to suit themselves.

It was free, Mr. Stevens, FREE! A land that put hope in your soul and excitement in your veins; there WAS no other place to live!

But then the rot, the corruption, the greed, came creeping, insidiously, always sold with the promise of better things, of progress, of growth, but which time has always proved to be a mockery festooned with lies, predation and power-mongering, turning the only homeplace I ever wanted to live in into a garbage pit, literally as well as figuratively.

The land is still beautiful, in an evening when the sun has just gone behind the Sleeping Beauty[sic] mountains across the bay from my home and the blues and purples and black hide the miles and miles of scars on the hills behind Windy Point and Cholmondeley Sound and Polk Inlet, Pauls Bight and Smith Cove, I get kind of a half-way feeling of peace and I can almost but not quite forget that all is not as perfect as the picture that I'm watching. And because I know that man's ways in other lands, other states, or anywhere else in the world are the same, I know that no matter how depressed, no matter how threatened, how oppressed, disgusted, or angry, for me.....there IS NO OTHER PLACE TO LIVE.

But this letter is supposed to be about logging. Which is a subject I think I know something about because, you see, from the day I found my divorced dad's "cork shoes" in the back of the closet, with the mud still clinging to them from the last day he wore them many years before, I have been a logger. I think that was somewhere around when I was 8 years old. Since that day I have lived, breathed, eaten, slept, and dreamed logging. While I was still in grade school I was rigging up lines and blocks and little "spar trees" and booms and then I got a little hand winch and I rigged up a wood haul with a little A-frame to haul firewood blocks up to our house.

I used to listen to the old timers talk about their experiences in the woods. About strange-sounding terms; tailholts, bullblocks, haulbacks, mainlines, donkeys, high climbing. About death and injury in the woods, and how they happened. I sucked it all in like a sponge. And I let it fill me. I would go to Tongass Hardware and stand for an hour admiring the blocks, and hooks, and shackles, all painted up in reds and blue and yellow and green. And I would likewise stand outside the saw shops and pine for the money it would take to buy a chain saw, and when I was fifteen I painted a neighbor's house and I made $200 and I forthwith took the money and bought a Sears-Roebuck chain saw, and let me tell you, no kid was ever more thrilled with his first car than I was with that chain saw. I had ARRIVED! I was a LOGGER!

When I was sixteen and other kids were rodding around in their customized cars, chasing girls and generally getting into mischief, I was out in this old slab of a boat with a 4 hp Wisconsin engine with my

chain saw, a peavey, a jack, and my little winch getting logs off the beach and taking them into Totem Lumber Co., a small, two-man sawmill who gave me thirty dollars per M for them. I bought a lot of hamburgers and ice cream as well as my "business" needs, but I also bought my school clothes and helped out with the family finances. My mom didn't make much money. During school season I cut firewood on evenings when the weather was good enough to do it, both for our own use as well as for sale. And I didn't need a permit to do it either. Most of the money I made went to help Mom make ends meet.

And the story goes from there. I worked in the woods for over 26 years before I ever did anything else, and it was like a fish being out of water. For me, there IS no other thing to do.

I'm not logging now. I've been trying to do other things like pile and dock work and I worked in the local rigging loft for a while where I got to work with brand new cable instead of the gnarly, jaggery, kinky stuff we work with in the woods. I've driven truck. They're just jobs. They're not fun. Logging used to be fun.

My attitude when I was young, working in the woods, was just like every other loggers'. In 1959, when I got out of high school and into the woods the Ketchikan Pulp Co. had only been cutting timber in S.E. for about 6 years. It was pretty much wide open and what we now know about the forest and the environment we didn't know then. There seemed to be enough timber for everybody. Nobody bid on anybody else's show because there was lots to be found everywhere else. Everybody believed the renewable resource-sustained yield propaganda handed out by the Forest Service and the industry. There had been no Native land selections yet either, nor any rubber-stamped Wilderness Areas and National Monuments. Down below they had "tree farms". Already there were areas that were being logged for the third time. I didn't see the significance then. Because there was so much old-growth in the Northwest as well as this huge land of Alaska, the tree farms sounded like a good idea but they were private timber owners little game, and, of course, everybody knew that second growth timber was vastly inferior to old-growth.

But on the whole it seemed that the timber really was a renewable resource; we could see the areas growing back from the previously logged land we believed would provide the next crop. But there are a lot of things we didn't take into account, and from what I've observed, we're still very reluctant to address these issues, or even admit they are issues.

When I went to work at the K-P camp in 1960 at the age of eighteen, they had the finest of machinery then available. They were running 5 sides plus a cold deck side and they also picked the roadsides with the grapple shovels. In addition they had a couple tractor-mounted "triple-drum" units that were used as spare sides in case of breakdown or when another setting had been logged out and was in the process of moving and rigging up, a process that could take from one to three days. We worked eight-hour shifts then, not your nine- to ten-hour days commonplace today.

A good day's production for a side averaged about 150 logs. A really good day was 185 to 200 logs. These were few and far between. There were far more 75, 80, or 100 log days than 200 log days. Compare the amount of timber taken then to the production of a modern steel tower whose moving and rig-up time averages 4 to 6 hours, and if the setting has been pre-rigged which all good outfits do, that time can be cut to two to three hours. A machine can log a couple hours, maybe log 40 to 60 logs there, knock down and move, rig up and still produce 150 to 200 logs that same shift! And then we have the highly mobile swing yarders, with maybe a three-man crew, that are capable of dumping 400 or more logs per shift! Logging pressure on the forest has tripled or more since I started in 1960. And then we have the helicopters! Six to twelve hundred logs per shift depending on terrain and how far they have to fly to make the cycle. It's incredible!

One of the things I like to hear myself called is "OLD-TIMER". It only superficially has anything to do with age. "OLD-TIMER" means somebody who has been around awhile and has learned how to fit. It's somebody who has mellowed, is comfortable with who he is and where he is and has a feeling for his country and has gotten understanding; he knows what is permissible to do without laws having to be placed against him; a man who KNOWS his relationship between himself and his environment; a man who has no need to conquer the world OR his fellow man; a man who simply wants to live in harmony with them and be content...."OLD-TIMER"....I'm proud to be called that.

What about you, Senator Stevens? Are you an "OLD-TIMER"?

Louisiana-Pacific, no matter how long they might remain here will never be an "OLD-TIMER". They've flown their colors to the contrary. They are a cold and heartless entity. They have lied, cheated, contrived, conspired, and bulldozed their way around here since they got here. They've ignored environmental consideration, not to mention the laws, mistreated their employees, virtually broken the labor unions, both the logger's union as well as the plant unions, controlled the timber resource, smashed down any other possible competition, dictated to other timber businesses here, and held aloft the threat that they'll leave Ketchikan a broken shell of a town unless they get things exactly how they want them.

And it looks like it works! Especially when they've got somebody with your stature,[Senator Stevens], in the legislature to run interference for them!

And tell me this isn't interference.

From Tongass at the Crossroads, Ch. 4...."The TTRA became law in November, 1990. By April, 1991, Forest Service Associate Chief George Leonard had agreed with Alaska Senator Ted Stevens to a major new effort to create a PIPELINE of available timber for the long term contractors. As the 1991 field season began, there was an influx of over 50 temporary 'layout detailers' from other National Forests, plus a contingent of road engineers from the Ketchikan Forest Supervisor's office, all laying out logging units on the Thorne Bay Ranger District on Prince of Wales Island."

And further on in the same chapter..."Senator Stevens required that the Forest Service provide him with weekly reports of all harvest units released during the prior week for sale, including a running account for the year. Getting out the cut was paramount. Meeting legal requirements and Plan Standards and Guidelines was secondary."

The bugs are starting to come out of the woodwork Senator Stevens. More and more people are coming with evidence of the duplicity of the various Government branches' wrong-doing. I think it is a good sign, because, I think, the Government has forgotten that it is not the ruler of the people, but rather, that the people are the rulers of the Government. It's about time we put the Government back into "lead".

In 1992, the two long-term contractors enjoyed the use of 298.4 million board feet of old-growth high volume/high grade wood at a net loss to the taxpaying public of 64.1 million dollars! Essentially, every person who paid taxes that year paid the two companies to clear-cut hundreds of acres of trees with one for sure undeniable effect: those trees are gone and we will not see the likes of them again where they once stood. Another aspect is that virtually none of the product was used by the domestic populace; the average John Doe American citizen saw none of what those trees provided, a substantial portion of which was manufactured into high grade LUMBER PRODUCTS manufactured by Ketchikan Pulp Co at their Ward Cove plant, at Metlakatla's Annette Hemlock Mill, and at Alaska Pulp's subsidiary, Wrangell Forest Products' mill. With very little exception, all was exported to Pacific Rim markets. The two industrial giants took their profits and ran, leaving not only a wounded environment, but a 64.1 million dollar deficit

in OUR wallets. We would have been better off to have distributed the cash around to all of the participants involved and LET THE TREES STAND!

According to a very good book that I have depicting the development of the timber industry from its very inception; in this country, as well as Canada, commercial lumbering began up around the St. Lawrence River in the 1760's with the export of broad-axed square timbers to the West Indies. It didn't take long for large, powerful timber entities to evolve and those entities have jealously dominated timber and its use and have ruthlessly crashed and slashed their way through the American forests from coast to coast. The eventual demise of the old-growth ecology, or, I should say, the concept of such a thing has very apparently been given little credence, because the same old attitude prevails today. Dominate at any cost. Snow-job the masses into believing or at least accepting their story that old-growth is "over-ripe" and that second growth is healthier and more productive, and anyway we have TECHNOLOGY! To overcome the vast difference in quality between old-growth and second-growth. TECHNOLOGY!.....In the hands of man it is not so slowly destroying our planet.

I get the message that [it] doesn't matter to some folks: That economy concerns, balance-of-trade deficits, (and of course, we mustn't forget that the United States MUST CONTINUE to aspire to be the No. 1 World Power), the jobless rate, to name but a very few, totally eclipse any concern for the necessity to retain a healthy, multiple use, sustained yield, old-growth forest ecology, an ecology that would support a host of small individual endeavors like the one I used to have, carefully husbanding the resource.

My government hears but it doesn't listen. Tremendously valuable input is being handed to our leaders, such as yourself, but, in the end it just goes ahead and does what it damn well pleases anyway!

According to figures I have at hand, the long-term contractors have cut 8.8 billion feet of timber during a period that spans from 1955 to 1992. I don't know what the Native corporations have cut since they started, especially since they left a lot of theirs lying on the ground to rot[,] but I expect from 4.5 to 5 billion.

The [N]atives have been very aggressive in their cutting practices and they had some areas of very good high volume timber. It's immaterial to what I have to say anyway, which is that during the duration of my working life, the bulk of the Tongass' timber has been logged.

So, Senator Stevens, what makes you think that the Tongass will support from 285 to 420 million feet per annum? You have solid information that supports that kind of expectation? If so, I'd like to hear it.

I am involved in an organization [that] is opposed to the logging of the Cleveland Peninsula. I won't elaborate on that here but in our meetings with the Forest Service they have reiterated that they are getting hard put to locate enough volume to satisfy their contractual obligations and that therefore the Cleveland, bearing a fairly large block of very merchantable timber, cannot be deleted from the eligible timber base. They suggest that if we can produce enough suitable volume to make up for the 315 million board feet they have slated for removal from the Cleveland they could possibly forego logging the Cleveland for this 10-year period. Which brings up two points: If they can't seem to find 315 million feet somewhere else, how the HELL do they expect us to? And so what if we were able to get Cleveland spared this time around? They would just be ravening after it ten years from now.

Our organization has the maps, of which one in particular is of extreme interest. This is a map that shows the Tongass and delineates Forest boundaries, set-asides, private land, Native claims, State and [B]orough land [and] so forth. It also, in color codes, describes types of timber areas; high volume/high grade, medium density, marginal value areas, second growth and solid rock.

The high volume/high grade areas are pretty few and far between and the biggest concentrations of this type were in karst areas or other areas of special interest or requiring special consideration. Lots of second growth was evidenced as well as marginal value areas [that] would probably necessitate below-cost sales. The picture was pretty plain: profitable timber is in pretty short supply.

Senator Stevens, when B. Frank Heintzlman envisioned the concept of pulp plants I don't think that he was thinking in terms of what we have, in actuality ended up with. At least I hope not.

And, Senator Stevens, as a final thought, when we see so much of our resource dwindling, and when what's left is in such severe contention, and when we have future generations to consider, and the legacy that we leave to them, it would seem that it would behoove us to think in terms of trying to preserve something of that which we have left. I would think that you, most of all, as a leader elected to consider carefully what is paramount and act upon it accordingly would recommend prudence be the watchword in directing [the] course of future action.

There was life before Ketchikan Pulp and Alaska Pulp and there'll be life after them. I don't believe they are some kind of gods we need to placate continuously with pounds of our flesh or that of future generations.

They can learn how to tighten up their belts just like the rest of us. Or they can get to hell out.

I am very much interested in your comments and explanations as to why you have acted in the fashion that you have.

Sincerely,

David Sallee

[A sticky note attached to the foregoing reads:]

To Mr. Dave Katz - or whomever else that this concerns:

I would like to become more acquainted with your organization, its attitudes and goals. Therefore I am submitting this copy of a letter for your review. You, I am sure, are well versed in the topical content. But it will also serve as an introduction as to who I am, where I'm coming from, my attitude toward the issues, and the motives behind them, as well as my own motives for writing the letter. I'm interested in your comments.

Yours,

Dave Sallee

Dave has done about every logging job in the woods. From whistle punk at Hollis during pre-"Talkie-Tooter" days he's set chokers, chased (unhooked the chokers at the landings), been riggin' slinger, hook tender, yarder engineer on the big log sled-mounted yarders as well as mobile steel towers, grapple yarders, and skyline/carriage operations. He's been a loader operator and dump machine operator. He's built several log floats, A-frames, and yarder sleds, been a busheler, boom man, and high rigger during the wood spar tree days and later on the towers. He's gyppoed on his own and worked in several small mom and pop operations. He was a good mechanic and proficient enough welder to rebuild his own aluminum boat. He has collected quite a few books on logging and has been an accomplished artist and draftsman. I considered him a master at applied mechanics as it pertains to logging.

Within the last year Dave has been diagnosed with dementia. I suppose those who disagree with his interpretation of things would accuse him of slipping when the above letter was written. I would disagree with that assessment. While Dave and I didn't always see eye to eye on some philosophies I think his understanding of the evolution of forest management was pretty accurate.

Mike Sallee (8/6/03)

Red highlighting is mine.

MS

Greater Southeast Alaska Conservation Community
http://GSACC.net
Box 6064
Sitka, Ak 99835

March 31, 2017

To: House Resources Committee

Subj: Recommending a change to SB88, and opposing the bill as-written

GSACC is a region-wide conservation organization founded in 2011. We defend and promote the biological integrity of Southeast Alaska's terrestrial, freshwater, and marine ecosystems for the benefit of current and future generations. Maintaining the integrity of these natural resources is fundamental to the economic health of Southeast Alaska.

In line with SB88, we recognize the need to avoid *any* logging on the lands the Mental Health Trust owns within or adjacent to communities, in order to protect the life, limb and property of residents, and the viewsheds of the communities.

However, as written SB88 is not the way to fix this problem because it will greatly damage the ecological integrity of Revillagigedo and Prince of Wales Islands. As the Mental Health Trust points out on Slide 7 of its presentation,[1] the bill would "consolidate" the Trust's present scattered acreage. This will result in massive clearcuts, because the Alaska Forest Resources and Practices Act (FRPA) has no limitation on clearcut size.

Only a few years ago, the Trust created a clearcut of nearly 4,000 acres on Revilla Island (see photos, page 2), and SB88 would convey another 8,000 acres immediately adjacent to that (see map, page 3). *The result of this is predictable, inconsistent with resource protections in Alaska's Constitution, and absolutely unacceptable.* Similarly, SB88's other "consolidations" into a few large parcels on Prince of Wales Island, totaling another 12,000 acres, is also flatly unacceptable for the same reason. Past intensive, industrial-scale logging has already heavily impacted the forest ecosystems of both islands, and those impacts are not yet fully realized because it takes several decades for the second growth forest canopy to close in.

A different solution is needed — a federal buyout of the lands in question. This would: fix the problem in the communities; provide the Trust with needed funds; and prevent the certainty of massive environmental damage. It is good, in every respect.

WHY A FEDERAL BUYOUT OF AMHT'S LANDS IS JUSTIFIED

Congress established the Alaska Mental Health Trust in the mid-1950s, endowing it with a large corpus of land. Through various twists and turns, this has resulted in the present dilemma for several communities, a dilemma that must be fixed. For decades Congress has spared itself the expense of caring for mental health in Alaska by having established the Trust and its land endowment. Now there is a need to Congress to *spend a fraction of those savings* to fix this problem that Congress itself created through this endowment scheme.

Representatives of the Trust have said on several occasions that a buyout of the lands in question would be an acceptable solution. Although the Trust has not pressed for this solution, it is by far the best one because it will make all parties whole and will entirely avoid lasting, substantial damage to Southeast Alaska's other natural resources. A buyout is in the best interests of the State of Alaska and its people.

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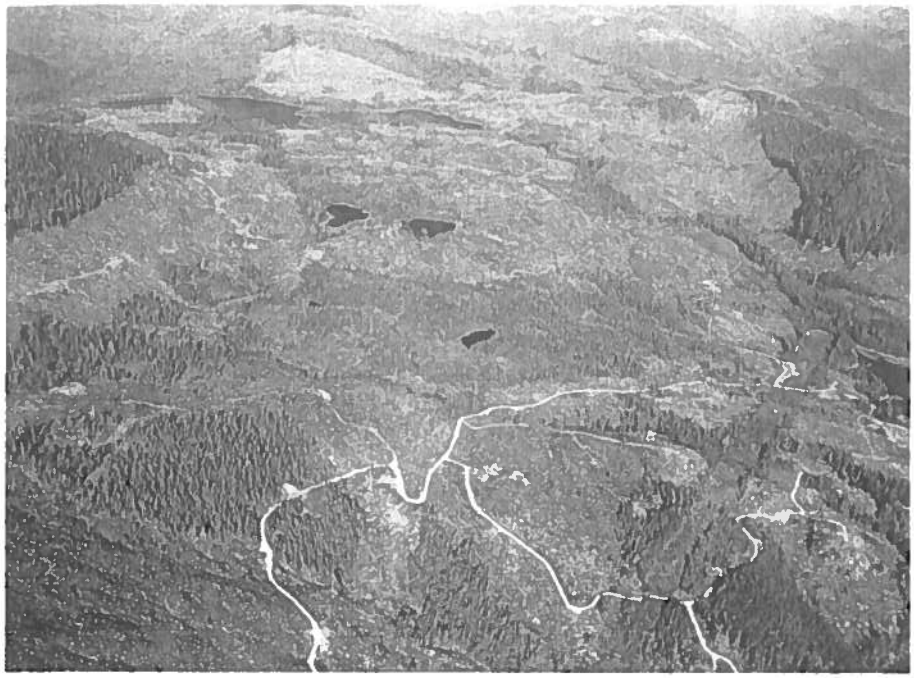
[1] Referring to Slide 7 in AMHT's March 22 presentation to the Senate Resources Committee.

OUR REQUEST TO THE COMMITTEE

Accordingly, GSACC requests the House Resources Committee to amend the bill by striking all references to a land exchange, and to instead craft the bill to accept a buyout of the land by the federal government, with the lands to be added to the Tongass National Forest and the proceeds to go to the Trust.



This is a recent clearcut by the Alaska Mental Health Trust, on its nearly 4,000 acre Leask Lakes tract, on the same island as Ketchikan (Revillagigedo). The cutting was done in just a few years.

SB88 includes transfer to the Mental Health Trust of 8,000 acres abutting this tract (map next page), and it too can be expected to be rapidly clearcut.

Many thousands of tourists fly over this area daily, in float planes enroute to Misty Fiords, and this kind and scale of logging harms fisheries (despite the Forest Resources & Practices Act).

Photos: October 5, 2015.

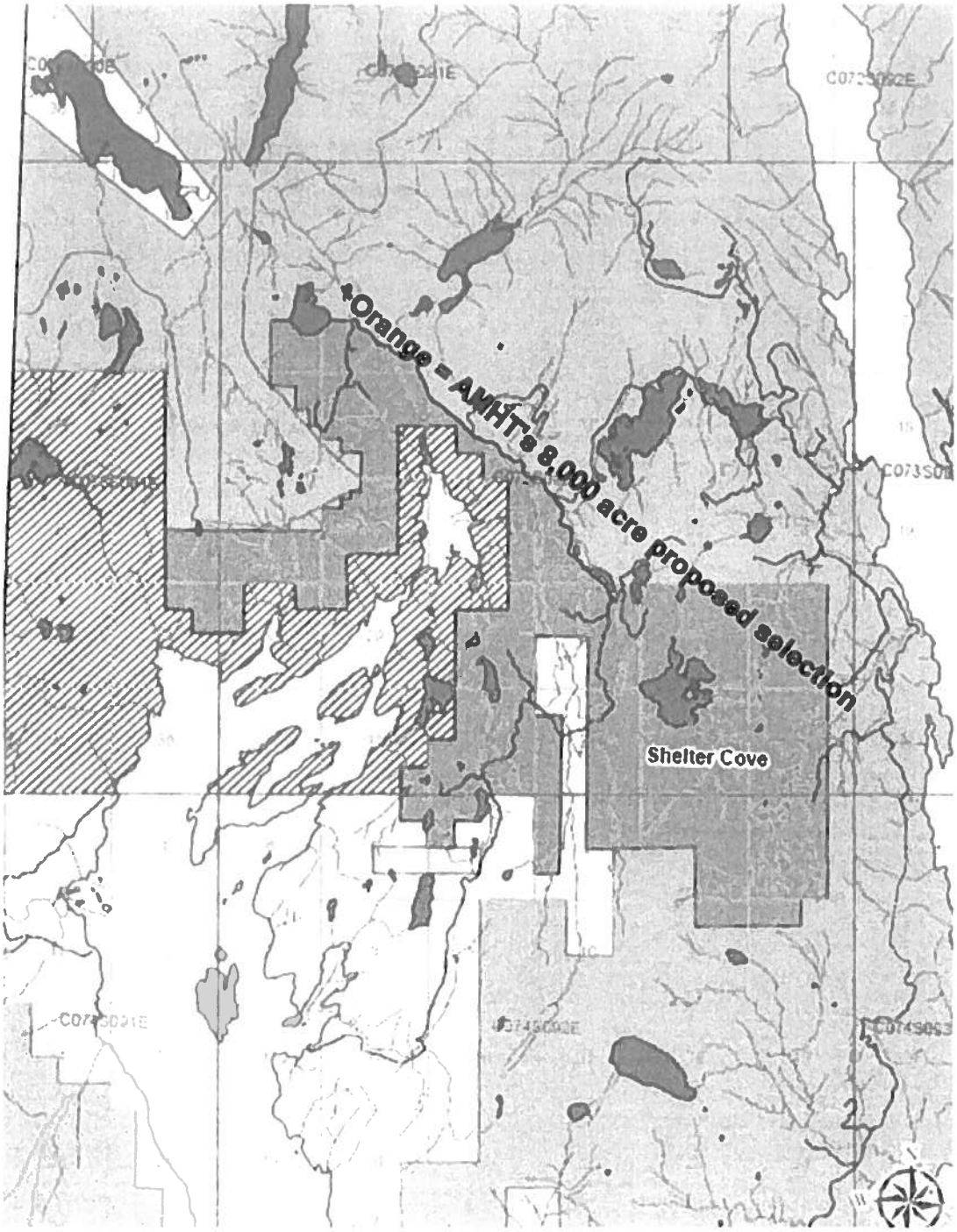
Map of Revillagigedo Island, showing:

(1) <u>part</u> of AMHT's already-clearcut Leask Lakes tract (**cross-hatched**).
(2) other State of Alaska land (**also cross-hatched**).
(3) 8,000 acres of forest land AMHT intends to get in the exchange (***orange***).
(4) Tongass National Forest land (**green**).

All of the cross-hatch area <u>to the left of the western-most orange</u> is ***part*** **of the Leask Lakes tract, AMHT has already clearcut.**

Cross-hatching <u>directly beneath the orange</u> is **other state land**, with some logging planned for 2019.

Yellow is **Cape Fox, Inc.** land, much of it heavily logged.



Larry Edwards
Box 6484
Sitka, Ak 99835

Testimony of Larry Edwards

to the Senate Resources Committee
on SB-88 (Alaska Mental Health Trust Land Exchange)

April 3, 2017

I'm Larry Edwards of Sitka, and this is personal testimony.

I oppose the bill, *as-written*. Please *amend it* for a federal buyout of the Trust's problematic parcels. A triple-win would result: needed funds for the Trust; ended logging threats in five communities and No Name Bay; and avoided high impacts on new Trust lands. Amending the bill would also direct the delegation to amend its bills in Congress.

The Committee lacks information for a hard look at impacts in vicinities where the Trust would get new land. Trust and Forestry Division testimony and comments looked only at *supposed* benefits, ignoring these impacts.

Fish & Game's Wildlife and Habitat divisions were not invited to testify, even though the trust would get *33 square miles* of forest for logging, in large blocks on two islands that have high landscape-scale cumulative impacts. *You need these divisions' hard-look testimony.*

Please review comments in the record by the Greater SE Alaska Conservation Community on why cumulative impacts of the land exchange are a very significant issue. The comments and photos underscore why a hard look by the state is imperative.

The Constitution obligates state government to ensure that resource development is sustainable and in the public interest. Alaska's Supreme Court says this means "a 'hard look' at ... salient problems," "genuinely engage[ing] in reasonable decisionmaking,"[1] and considering all relevant factors including cumulative impacts. [2,3]

Trust best interest findings only consider *revenue*, and under the Forest Practices Act there is no State hard look at landscape-scale impacts. So, the constitutional hard look obligation for the proposed land exchange falls squarely upon the legislature — and particularly this committee.

A buyout amendment, besides being the best option, avoids the constitutional problem.

Thank you, and please see citations in the written version of this testimony.

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[1] *Alaska Survival v. State,* 723 P.2d 1281, 1287 (Alaska 1986). *See also* AS 41.17.060(a), (b)(1) (requiring, similar to the hard look obligation, that "to the maximum extent possible, all applicable information of applicable disciplines shall be updated and used" in decisionmaking processes).

[2] *Sullivan v. Resisting Environmental Destruction on Indigenous Lands (REDOIL),* 311 P.3d 626, 634 (Alaska 2013).

[3] *See Trustees for Alaska v. State, DNR,* 865 P.2d 745, 750-751& n. 6 (Alaska 1993)(identifying a specific ungulate population as "an important resource for the State of Alaska" and a "substantial [state] interest in the continued health and viability of the herd" making project impacts "an important factor which DNR must consider when making its best interest determination").

Southeast Alaska
Conservation Council

224 Gold St
Juneau, AK 99801
(907) 586-6942

March 24, 2017

Senator Cathy Giessel, Chair
Senator John Coghill, vice-Chair
Senate Resources Committee
Alaska State Legislature
Juneau, Alaska

Dear Senators Giessel and Coghill;

For over 47 years, the Southeast Alaska Conservation Council (SEACC) has dedicated itself to preserving the integrity of Southeast Alaska's unsurpassed natural environment while providing for balanced, sustainable use of our region's resources. Our members live across Southeast Alaska, from Hydaburg on south Prince of Wales Island to Yakutat in the northeast corner of the Gulf of Alaska. The Tongass National Forest, America's biggest, wettest and wildest National Forest, is a natural treasure of international and national renown. It is also our home and our Native brothers and sisters enjoy an intimate connection to this incredible place that stretches back for millennia.

Since 2007, the Southeast Alaska Conservation Council has worked in good faith to fashion the best possible outcome for a land exchange proposed between the Alaska Mental Health Trust and the Forest Service. The best outcome for this exchange protects the safety and community use areas important to Southeast Alaska communities. Both SB 88 and the bills introduced by the Alaska Delegation in Congress earlier this year accomplish some of these objectives but at the loss of increasingly important old-growth forest habitat from the Tongass National Forest to prop up a shrinking piece of Southeast Alaska's economy.[1]

In statements offered by the Trust Land Office at the Senate Resources hearing on SB 88 on March 22, 2017, the Trust revealed its primary purpose for the exchange was not to fulfill its responsibilities to improve the lives of its beneficiaries but to keep the Viking Mill in business. Statements by SB 88's sponsor also reveal that "helping us with the logging industry" is as important an objective for the bill as protecting critical community use areas and providing services to our most disadvantaged Alaskans. We disagree.

For decades, unrelenting global market forces have thwarted politically driven efforts to increase and continue old growth logging on the Tongass National Forest.[2] The Trust's feeble efforts to reverse the inexorable march of today's economic realities will also fail. We encourage the Trust to seize opportunities to develop new, innovative conservation finance options for Trust lands that yields financial and environmental benefits for Trust beneficiaries and Southeast Alaska communities. Collaboration between the Trust and conservation buyers can create new finance opportunities by using funds such as carbon credits, Land and Water Conservation Funds, wetland mitigation, and other grants.

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[1] *See* Southeast Conference, Southeast Alaska by the Numbers 2016 at 9 (Sept. 2016)(" Since 2010, employment in this industry has been reduced by 24%.").

[2] *See* Alaska Dept. of Commerce, Alaska Economic Trends, Vol. 23, No. 12 (Dec. 2003)(global market forces make Tongass timber uncompetitive).

Now is the time for the Trust to develop long-term conservation revenue sources for mental health beneficiaries aggressively without liquidating valuable old growth fish and wildlife habitat on the Tongass. SEACC supports maximizing returns to trust beneficiaries through non-timber revenue sources, such as selling parcels, easements, or carbon credits to conservation buyers.

For the record, SEACC agrees with Senator Stedman that it is in the public interest for the Trust to exchange the No Name Bay parcel to the Forest Service. Contrary to statements made by the Trust Lands Office at the March 22nd Senate Resources hearing on SB 88, SEACC has never contended that the Alaska Legislature is prohibited from enacting this exchange legislation. Instead, we advised Senator Stedman and Representative Ortiz, the sponsors of SB 88 and HB 155 respectively, that the State of Alaska and the Alaska Department of Natural Resources had irresponsibly breached a legally binding agreement with SEACC and violated Chapter 5, FSSLA 1994 when they conveyed No Name Bay to the Trust Authority in 2012. In 1994, SEACC and the State/DNR agreed to a list of state lands in Southeast Alaska that would be conveyed to the Mental Health Trust for development. In exchange for SEACC's support of the historic settlement of the Weiss litigation, the State committed not to designate No Name Bay as Mental Health Trust land and to classify and manage it for "wildlife habitat purposes." We defer resolution of this matter to the separate, ongoing judicial forum.

Thank you for opportunity to submit testimony on SB 88 and for considering our position.

Best Regards.

Buck Lindekugel
Grassroots Attorney

No Name Bay – A Gem Worth Saving

Synopsis: *The State of Alaska has violated a court-approved 1994 land agreement with SEACC to refrain from designating No Name Bay as Mental Health Trust Land, and to manage the bay in state ownership for "wildlife habitat purposes." SEACC is suing the State to enforce the agreement and guarantee the State of Alaska lives up to its word.*

In 1991, SEACC and other groups intervened in the *Weiss* litigation to challenge successfully the Alaska Legislature's first attempt to reconstitute the Mental Health Trust. By 1994, SEACC and the State had agreed on what state lands in Southeast Alaska should be conveyed to the Mental Health Trust for development. The State committed not to designate No Name Bay as Mental Health Trust land but to classify and manage it for "wildlife habitat purposes." In exchange, SEACC supported the historic settlement, which conveyed nearly a million acres of state land to the Trust and ended 12 years of litigation between the State and mental health beneficiaries. After the legislature adopted the statutory settlement, the Court approved the entire agreement, including the land lists, and dismissed the *Weiss* lawsuit. In the eighteen years that followed, DNR managed all the land parcels in accordance with the agreement, protecting No Name Bay from development and natural resource extraction while allowing the Trust to generate revenues from its lands.

Sometime before 2009, the State of Alaska, DNR and Mental Health Trust began taking actions that conflicted with their obligations under the *Weiss* lands agreement and violated the statute enacted by the 1994 Alaska Legislature that incorporated the lands agreement. Without any public notice, the State asked the federal Bureau of Land Management (BLM) to change the existing National Forest community grant selection for No Name Bay and convey that land to the State as a Mental Health Trust land entitlement. Once BLM deeded title to No Name Bay to the State, DNR conveyed it to the Mental Health Trust and put it at risk of being clearcut, instead of managed for wildlife habitat purposes.

In April of 2012, SEACC learned of the State and Mental Health Trust's sleight-of-hand, while working in good faith with DNR, the Mental Health Trust, and Forest Service to identify potential Tongass National Forest lands for a value-for-value exchange of Trust parcels. These Trust parcels possess high community use values, including public safety and municipal drinking water supplies. Until then, no one knew that DNR had put No Name Bay on the chopping block by conveying it to the Mental Health Trust. DNR rejected SEACC's request that it live up to its word under the lands agreement.

On September 3, 2013, the Southeast Alaska Conservation Council (SEACC) filed a complaint in state Superior Court against the State of Alaska, Department of Natural Resources (DNR), and the Alaska Mental Health Trust Authority (Mental Health Trust). Our purpose was to force the State to manage the 3,400 acres selected by the State at No Name Bay for wildlife habitat protection as agreed. The bay, situated within the Tongass National Forest on the east coast of Kuiu Island, provides key habitat for a multitude of wildlife including deer, otter, marten, salmon, as well as healthy populations of wolf and black bear. Thomas Meacham, an attorney from Anchorage, Alaska represents SEACC in this matter.

No Name Bay is special to SEACC and our members because of the variety of old-growth dependent wildlife it supports, including deer, otter, marten, as well as healthy populations of wolf and black bear. At least five anadromous fish streams flow into No Name Bay, supporting pink and chum salmon and cutthroat trout. The bay is also habitat for a wide range of migratory waterfowl. As one of the few ice-free harbors in this area, it serves as a safe point of access to Kuiu Island for nearby Alaskans for hunting, fishing, and recreation.

March 20, 2017

Senator Bert Stedman
Juneau, Alaska

Dear Senator Stedman:

I am writing in opposition to your SB 88 authorizing a land swap between the Alaska Mental Health Land Trust and the U.S. Forest Service. I have read your press release calling this bill a win-win-win, but I have to voice my concerns, as I don't see it that way.

First, in your March 10th press statement from your office, you mentioned that this bill would provide revenue for the Alaska Mental HealthTrust, a timber base for our logging industry, and not have logging occur in the view sheds of the communities. I have to disagree with this statement, as the current legislation provides for two of your three positive outcomes- the AMHT would get money and there would be a timber base for logging. As for logging in the view sheds of Ketchikan and Petersburg- what about the view sheds of the residents of Prince of Wales Island? I'm sure that Naukati and Hollis would argue that their view sheds will be impacted by this land transfer just as much if not more. They have had land logged over and over again, yet some of the other communities in Southeast Alaska have not seen this scale of logging for years!

The lands that are affected by your legislation are mostly if not all on Prince of Wales Island. Your bill trades 18,000 acres around the communities you mentioned in exchange for 20,000 acres (2,000 more acres) on Prince of Wales Island! Actually, after reading the bill closer, it is actually a 3,239 acre difference. If a bill was sponsored that would exchange 17,341 acres of POW land for 20,580 acres of land around Sitka to be logged, I'm sure the citizens there would go ballistic and also ask why we are exchanging 3,239 more acres. Pull out a map of Prince of Wales Island and look at the huge regions of clear cut Tongass National Forest as well as Native corporation lands and then the recent state and mental health land transfers. We are a mottled up mixture of land ownership as well as land use designations.

Another problem I have with the bill is that it is another transfer of public Tongass National Forest on Prince of Wales Island. We have seen it with recent land transfers to SEALASKA, Alaska Mental Health Trust Land, University of Alaska land and the Alaska State Forest. The public areas that residents on Prince of Wales Island once had for hunting, trapping, fishing, gathering and recreation have diminished in recent years, and once this land is logged, it can be transferred into private ownership. Those of us that have lived on this island for many years could potentially see land values drop due to the glut of private lands on our island.

I see the whole Deer Mountain issue as well as the view shed above Petersburg to be nothing more than a ploy by Alaska Mental Health Trust to get the land they really wanted on Prince Of

Wales. They could have picked land near Ketchikan and Petersburg that was not "in your face" if they logged it, but they chose the land right there in town so that they could get it transferred. How else would there already be tracts of land on Prince of Wales that they have designated for the logging?

I understand the importance of maintaining our last remaining mill which happens to be on Prince of Wales Island. In your press release you stated "providing a timber supply is critical to job creation and the economy of Southeast Alaska." While I agree that it is important to keep our mill operating, I also feel that the entire region of Southeast Alaska should share in the harvest of the timber and share equally in the transfer of any land from the Tongass National Forest to any state or private entity. Remember, the Ketchikan Pulp Mill operated for all of those years off of timber that came from Prince of Wales Island. I think it is only fair that our one little mill gets a little of its' timber from Ketchikan!

I heard on the radio that there will be hearings by the Alaska Mental Health Trust in Petersburg and Ketchikan, which is understandable as they will only find support there. But I think the only fair and ethical thing to do would be to hold hearings in Naukati, Hollis and the other communities affected by this on Prince of Wales Island where they may actually hear a little opposition to your bill.

Thank you for your time reading this letter, and thank you for your hard work in the Alaska State Senate.

Sincerely,

Doug Rhodes
Box 268
Craig, Alaska 99921

(907) 965-1780

STATEMENT OF OPPOSITION TO SB88-THE ALASKA MENTAL HEALTH TRUST LAND EXCHANGE

March 22, 2017

Hello Senate Resources Committee:

I respectfully submit the following testimony on behalf of myself today.

I oppose SB 88 on a variety of grounds:

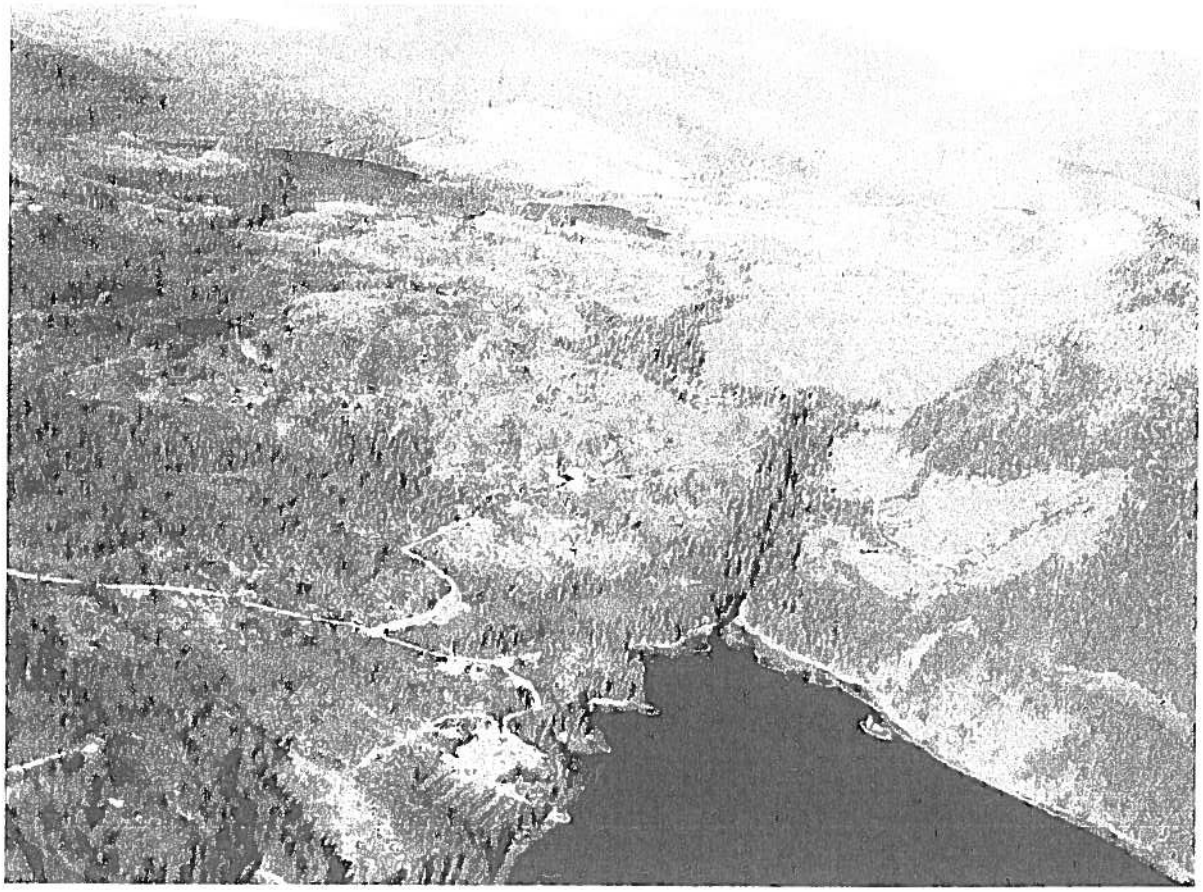
1. Support for this legislation and similar legislation before Congress was the direct result of the Trust's tactics which placed local citizens in a Sophie's Choice style position—either support the legislation or have our backyards logged. Notified of the Trust's threat, they were faced with a very close deadline of Jan. 30, 2017 for the legislation to pass Congress—or the Trust would log the lands in question. Worried about their safety from risk of landslides on over-steepened slopes, impacts to their scenic backdrop and related loss of tourism dollars, loss of favorite recreation areas, and water quality, the local citizenry had no option but to support the legislation. This support was absent little consideration of the consequences shifting of AMHT landscape level impacts elsewhere. AMHT intended it to force a stampede of support for the legislation and many regard this as a case of extortion.

2. According to an Aug. 18, 2016 email (attached), by the Trust's Paul Slenkamp, the AMHT was, "in final negotiations with Viking Lumber for purchase of all timber on POW associated with this proposed exchange." From my reading of this as well as minutes of the Alaska (government) Board of Forestry (of which one of Alcan's principals is a member) and statements made by him in news stories, as well as AMHT's eagerness to log in the Ketchikan area (e.g. Deer Mountain), suggests that similar negotiations have been made with Alcan. It should be noted that the lands in question were public lands on Aug 18—as they are now. How can the Trust enter into "final negotiations" when they do not even own the land? It appears the public was cut out of any influence regarding this exchange from the beginning and their forced support was only window dressing. A concise clarification about the possible existence of timber sale contracts is needed before before your Committee SB88 moves any further. Do contracts exist (either in draft or final form) with these companies and/or dependent on the outcome of the legislation?

3. The lands in question would be logged under the Alaska Forest Resources and Practices Act regulations which are far weaker than federal regulations. FRPA is in dire need of revision. The threatened logging in the communities would ruin cherished viewsheds and, because the slopes are steep,

jeopardize residences and domestic and municipal waters supplies. Giving up forestland from the Tongass is equally problematic. Under state law, clearcut size is unlimited, the public process is far weaker, there are no enforceable provisions for wildlife habitat or risks to public safety from landslides. Fish stream no-cut buffers are narrower

4. There is a much better way---a federal buyout of the Trust Lands which the Trust has previously said it is open to during community meetings last fall and in the media. Clearly, the federal buyout option would achieve multiple beneficial outcomes by providing revenue to the Trust, protecting the well-being of the communities and their threatened residents, and preventing clearcuts of unrestricted size on 21,000 acres of public forest on Revilla, Gravina, and Prince of Wales Islands.



Recent typical logging practices - nearly 4,000 acres - at Leask Lakes, Revilla Island by the Alaska Mental Health Trust. The legislative exchange would give AMHT an additional 8,000 acres adjacent to this." (photo credit R. Knight)

Sincerely,

Rebecca J. Knight

Rebecca Knight
P.O. Box 1331
Petersburg, AK 99833

From: Slenkamp, Paul E (DNR) <paul.slenkamp@alaska.gov>
Date: Wednesday, August 17, 2016
Subject: August 18th POW LAT Meeting - Can you attend?
To: Wayne Benner <administrator@thornebay-ak.gov>

Cc: Misty Fitzpatrick <projects@ccalaska.com>, Bob Girt <bob.girt@sealaska.com>, Brent Cole <brent@alaskawoods.com>, "brian.kleinhenz@sealaska.com" <brian.kleinhenz@sealaska.com>, "Carrie S." <carrie@kasaan.org>, Cavan Fitzsimmons <cfitzsimmons@fs.fed.us>, Cheryl Fecko <cherylfecko@gmail.com>, David Wymore <rangerdave1916@hotmail.com>, Delilah Brigham <dbrigham@fs.fed.us>, Della Colburn <della@kasaan.org>, Dennis Watson <dwatson@interislandferry.com>, Erin Steinkruger <e.steinkruger@pdx.edu>, "mayor@thornebay-ak.gov" <mayor@thornebay-ak.gov>, John Bolling <jbolling@aptalaska.net>, Karen Cleary <kcleary@powvoctec.org>, Lauren Burch <lburch@sisd.org>, Laurie Cooper <lauriedcooper@fs.fed.us>, Lawrence Armour <tribaladmin@klawocktribe.org>, Leslie Isaacs <lisaacs@cityofklawock.com>, Lucy Maldonado <lgmaldonado02@fs.fed.us>, Lynnette Logan <Lynnette.Logan@firstbankak.com>, Matt Anderson <mdanderson@fs.fed.us>, Millie Schoonover <amschoonover@hotmail.com>, Molly Simonson <mollysimonson@fs.fed.us>, Patrick Tierney <ptierney@aptalaska.net>, Paula Peterson <paula@kasaan.org>, Sadie Doucette <customerservice@thornebay-ak.gov>, Sarah Campen <sarah.campen@gmail.com>, "SEalaskaGIRL . <tyrahuestis@gmail. com>" <tyrahuestis@gmail.com>, Sharilyn <szell@lynden.com>, Steven Belinda <sbelinda@beartoothstrategies.com>, "Stevens, Sandra L -FS" <sandralstevens@fs.fed.us>, Thor Stacey <thorstacey@gmail.com>, Valerie Steward <klawockd@aptalaska.net>, "mayor@ccalaska.com" <mayor@ccalaska.com>

Thank you for including me in your updates. I won't be able to attend, I will try to catch up soon. There are some important pressing issues that the State and AK Mental Health Trust are working on. We are working with Senator Murkowski to move S.3006, the AK Mental Health Trust Land Exchange of 2016 through. We are in final negotiations with Viking Lumber for purchase of all timber on POW associated with this proposed exchange. Viking has said he will be unable to continue operations without this wood. So this legislation looks critical for that portion of the POW economy. It is hoped that the USFS is able to at least fulfill their commitment to keep the small mills in wood.

Thank you,
Paul

Attachment #1