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Alaska State Legislature
State Capital
Juneau AK 99801

Senate Bill 163 Designation of Outstanding Resources
House Bill 283 Nat. Res. Water Nomination/Designation

March 16, 2016

Dear Legislators,

Designating a waterway for Tier 3 protection will cause a monumental change to the access and allowable uses of that waterway and surrounding lands; those changes cannot be overstated. To protect Alaskan's current freedoms in land use within our state, I suggest the following process be required prior to any waterway being designated for Tier 3 Protection:

1. All registered voters living in the affected area must approve a nomination by a super majority. Requiring a super majority ensures that the residents are in favor of such environmental protection, and a well organized minority group does not sway the vote in favor of such a dramatic change.
2. The Alaska Legislature approves the Nomination with a super majority. Again, this must be a unified agreement prior to lands becoming "park-like" under more federal control.
3. Alaska's voters confirm the Nomination through a super majority vote at the next regular election.

Please define and quantify all terms used in Section 2 SB 163, including: *important, unique, sensitive ecologically.*

Discussion

Your efforts to ensure Alaska continues land and water decision authority is applauded. Allowing federal regulators further control within Alaska, in my view, is a mistake.

Current proposed bills include words like “Unique” and “important” as criteria to be designated. These are great qualities, but I must ask: important comparing to what? Unique in what way? Without accompanying definitions listed in the bills, personal bias will become the spark of many public debates and court cases surrounding these terms in the future.

Testimony stating that the designation for Tier 3 should be ‘science based’ is flawed. What scientific facts determine ‘important’ or ‘Unique’? Each waterway in Alaska is unique in some way. Each has important properties. The Yukon and Kuskokwim Rivers are important to residents for not only the fish returning, but for travel and freight coming to the villages. Will forcing further restrictions on one of the uses be good for the residents?

Facts of science can determine current water qualities, which in Alaska are very high as stated by Commissioner Hartig. Scientific theory, conjecture, and historic data are used for developing risk assessments. These assessments, often called Environmental Impact Statements, are a prediction of the future, not concrete facts.

Risk decisions based on scientific assessments are rarely so simple and evident as one choice or the other is the clear direction. A case study of this is the plight of the Kenai River King Salmon. Numbers are down, runs have been weak, gillnets kill fish, sport fishing kills fish. The obvious solution might not be best for the salmon, or for the residents of the area. There is not a clear scientific solution acceptable to the residents of Alaska in this case; hence a decision has political elements.

Tier 3 decisions must be the will of the people. Residents of Alaska should determine what level of risk is acceptable along waterways. The decision to place a watershed under Tier 3 protection therefore should be in the hands of an overwhelming majority of the people.

Facts about waterways considered for Tier 3 nomination need to be available for people to make good decisions. A full Environmental Impact Study should be completed and made public prior to any debate about nominations. The study should include full disclosure of specific activities that will be curtailed, and what changes residents of the area will encounter once a waterway is designated Tier 3. Case law concerning restrictions on existing Tier 3 protected waters in the USA should be included.

Summary

Lands ANILCA and other planning processes designated open for resource extraction, including logging and mineral extraction, have been continually closed to industry through a myriad of regulations and lawsuits. Since ANILCA, there has been a continued battle to allow resource industries to operate due to constant legal battles designed specifically to disrupt.

The residents of our great state should have every opportunity to elevate protection of waterways, but it needs to require overwhelming support prior to such protection. By having a Super Majority decide if lands in watersheds should become “park-like, (DEC Commissioner Hartig to committees), objections and hard feelings in the future should be minimal.

Currently you must decide how a waterway could become designated as an “Outstanding National Resource Water”, making that waterway and it’s watershed upstream comparable to a National Park. The monumental effects to residents from designating a local waterway for Tier 3 protection cannot be overstated.

Thank you for your time,

George Campbell

Born and raised in Alaska, employment included: logging, guiding, commercial fishing, tourism, construction, aviation