

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

January 24, 2001

1:07 p.m.

MEMBERS PRESENT

Representative Beverly Masek, Co-Chair
Representative Hugh Fate, Vice Chair
Representative Joe Green
Representative Mike Chenault
Representative Lesil McGuire
Representative Gary Stevens
Representative Mary Kapsner
Representative Beth Kerttula

MEMBERS ABSENT

Representative Drew Scalzi, Co-Chair

COMMITTEE CALENDAR

HOUSE BILL NO. 48

"An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag; and providing for an effective date."

- MOVED CSHB 48(RES) OUT OF COMMITTEE

HOUSE JOINT RESOLUTION NO. 6

Relating to opposition to the inclusion of national forests in Alaska within President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President-elect Bush.

- MOVED CSHJR 6(RES) OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 48

SHORT TITLE:NO SOC SEC. # REQ'D ON HUNT/FISH LICENSE
SPONSOR(S): COGHILL

Jrn-Date	Jrn-Page		Action
01/10/01	0049	(H)	READ THE FIRST TIME - REFERRALS
01/10/01	0050	(H)	RES, JUD
01/10/01	0050	(H)	REFERRED TO RESOURCES
01/19/01	0134	(H)	COSPONSOR(S): LANCASTER
01/24/01		(H)	RES AT 1:00 PM CAPITOL 124

BILL: HJR 6

SHORT TITLE:ROADLESS POLICY
SPONSOR(S): WILSON

Jrn-Date	Jrn-Page		Action
01/10/01	0044	(H)	READ THE FIRST TIME - REFERRALS
01/10/01	0044	(H)	TRA, RES
01/16/01		(H)	TRA AT 1:00 PM CAPITOL 17
01/16/01		(H)	Moved HJR 6 with an amendment attached MINUTES (TRA)
01/16/01	0104	(H)	COSPONSOR(S): JAMES
01/17/01	0109	(H)	TRA RPT W/AMENDMENT 6DP
01/17/01	0109	(H)	DP: KAPSNER, KOOKESH, OGAN,
01/17/01	0109	(H)	SCALZI, WILSON, KOHRING
01/17/01	0109	(H)	FN 1: ZERO (H. TRA)
01/17/01	0109	(H)	REFERRED TO RESOURCES
01/24/01		(H)	RES AT 1:00 PM CAPITOL 124

WITNESS REGISTER

REPRESENTATIVE JOHN COGHILL
Alaska State Legislature
Capitol Building, Room 102
Juneau, Alaska 99801

POSITION STATEMENT: Testified as sponsor of HB 48.

KEVIN BROOKS, Director
Division of Administrative Services
Alaska Department of Fish and Game (ADF&G)
PO Box 25526
Juneau, Alaska 99811-5526

POSITION STATEMENT: Spoke in support of HB 48.

BARBARA MIKLOS, Director

Child Support Enforcement Division (CSED)
Department of Revenue
550 West 7th Avenue, Suite 310
Anchorage, Alaska 99501
POSITION STATEMENT: Testified in support of HB 48.

DENNY KAY WEATHERS
c/o PO Box 1791
Cordova, Alaska 99574
POSITION STATEMENT: Testified in support of HB 48.

ERIC JOHN WEATHERS
c/o PO Box 1791
Cordova, Alaska 99574
POSITION STATEMENT: Testified in support of HB 48.

DEAN CURRAN
PO Box 42
Cordova, Alaska 99574
POSITION STATEMENT: Testified in support of HB 48.

REPRESENTATIVE PEGGY WILSON
Alaska State Legislature
Capitol Building, Room 409
Juneau, Alaska 99801
POSITION STATEMENT: Testified as sponsor of HJR 6.

JACK PHELPS
Executive Director
Alaska Forest Association
111 Stedman Street, Suite 200
Ketchikan, Alaska 99901-6599
POSITION STATEMENT: Testified in support of HJR 6.

MIKE TINKER, Chairman
Fish and Game Advisory Committee, Fairbanks
PO Box 289
Ester, Alaska 99725
POSITION STATEMENT: Testified in support of HJR 6.

REPRESENTATIVE WILLIAMS
Alaska State Legislature
Capitol Building, Room 511
Juneau, Alaska 99801
POSITION STATEMENT: Testified in support of HJR 6.

KEVIN HITE, President
Alaska State Snowmobile Association
8050 Summerset Dr.
Anchorage, Alaska 99518
POSITION STATEMENT: Testified in support of HJR 6.

BOB BRIGHT, Planning Director
Kenai Peninsula Borough
144 North Binkley
Soldotna, Alaska 99669
POSITION STATEMENT: Testified in support of HJR 6.

MIKE SALLEE
PO Box 7603
Ketchikan, Alaska 99901
POSITION STATEMENT: Testified in opposition to HJR 6.

TOM BOUTIN
PO Box 35116
Juneau, Alaska 99803
POSITION STATEMENT: Testified in support of HJR 6.

GERRY MERRIGAN
Petersburg Vessel Owners Association (PVOA)
PO Box 232
Petersburg, Alaska 99833
POSITION STATEMENT: Testified in support of HJR 6.

ERROL CHAMPION, General Manager
Silver Bay Logging
8429 Livingston Way
Juneau, Alaska 99801
POSITION STATEMENT: Testified in support of HJR 6.

WAYNE WEIHING
PO Box 1193
Ward Cove, Alaska 99901
POSITION STATEMENT: Discussed issues related to HJR 6.

LOREN GERHARD
Executive Director
Southeast Conference
612 West Willoughby
Juneau, Alaska 99801

POSITION STATEMENT: Spoke in support of HJR 6.

RION SCHMIDT

PO Box 806

Cordova, Alaska 99574

POSITION STATEMENT: Spoke in opposition to HJR 6.

RACHAEL MORELAND, Associate Director

Alaska Forest Association (AFA)

111 Stedman Street, Suite 200

Ketchikan, Alaska 99901

POSITION STATEMENT: Spoke in strong support of HJR 6.

JOHN JACK SHAY, Mayor

Ketchikan Gateway Borough

PO Box 3159

Ketchikan, Alaska 99901

POSITION STATEMENT: Spoke in favor of HJR 6.

SUE SCHRADER

Alaska Conservation Alliance

Alaska Conservation Voters

PO Box 22151

Juneau, Alaska 99802

POSITION STATEMENT: Spoke in opposition to HJR 6.

CLIFF SKILLINGS

Gateway Forest Products

PO Box 779

Ketchikan, Alaska 99901

POSITION STATEMENT: Spoke in strong support of HJR 6.

DICK COOSE

Concerned Alaskans for Resources and Environment (CARE)

PO Box 9266

Ketchikan, Alaska 99901

POSITION STATEMENT: Spoke in strong support of HJR 6.

PAMELA LaBOLLE, President

Alaska State Chamber of Commerce (ASCC)

217 Second Street

Juneau, Alaska 99801

POSITION STATEMENT: Spoke in support of HJR 6.

PAT VEESART, Executive Director

Sitka Conservation Society (SCS)
PO Box 316
Sitka, Alaska 99835
POSITION STATEMENT: Spoke in opposition to HJR 6.

ACTION NARRATIVE

TAPE 01-4, SIDE A
Number 0001

CO-CHAIR BEVERLY MASEK called the House Resources Standing Committee meeting to order at 1:07 p.m. Members present at the call to order were Representatives Masek, Green, Chenault, Stevens, Kapsner, and Kerttula. Representatives Fate and McGuire arrived as the meeting was in progress.

HB 48 - NO SOC SEC. # REQ'D ON HUNT/FISH LICENSE

CO-CHAIR MASEK announced that the first order of business would be HOUSE BILL NO. 48, "An Act eliminating a requirement that a social security number be provided by an applicant for a hunting or sport fishing license or tag; and providing for an effective date."

Number 0125

REPRESENTATIVE JOHN COGHILL, Alaska State Legislature, testifying as the sponsor of HB 48, pointed out the change in title from HB 311 to HB 48.

Number 0180

REPRESENTATIVE GREEN made a motion to adopt the proposed committee substitute (CS), version 22-LS0295\F, Lauterbach, 1/18/01, as a work draft. There being no objection, Version F was before the committee.

Number 0240

REPRESENTATIVE COGHILL submitted the HB 48 Social Security Number of Recreational Licenses sectional (in the bill packet), showing the portions that would be repealed: AS 16.05.360(a); [AS 16.05.360(b)]; AS 16.05.330(e); and AS 16.05.346(d). He referred to a letter in the bill packet from David Gray Ross, Commissioner, Office of Child Support Enforcement,

Administration for Children and Families, to Barbara Miklos, Director, Child Support Enforcement Division (CSED), Alaska Department of Revenue. He also referred to a press release by the [Office of Child Support Enforcement, Administration for Children and Families], which notes that [CSED] will obtain that waiver and no longer require social security numbers on fishing licenses, provided the statutes are repealed.

Number 0418

REPRESENTATIVE COGHILL offered an amendment to the proposed CS. The amendment is as follows:

Page 1, lines 12-13

Delete, "Each application shall be subscribed and sworn to by the applicant before an officer authorized to administer oaths in the state."

REPRESENTATIVE KERTTULA inquired as to [ADF&G's] position on this issue.

KEVIN BROOKS, Director, Division of Administrative Services, Alaska Department of Fish and Game (ADF&G), replied that ADF&G would be in support of the amendment.

REPRESENTATIVE GREEN made a motion to report CSHB 48 from committee with a zero fiscal note and individual recommendations. [This motion was subsequently withdrawn.]

MR. BROOKS said that the Department of Revenue and Representative Coghill understand and agree that [requiring social security numbers on fishing licenses] is not a legitimate tool for CSED due to the way the vendor system is set up. He suggested a practical solution of leaving the social security field on the application as an "optional" field, for the remainder of the year, in order to make use of the approximate half-million applications already in distribution. He reminded the committee that there is an online fishing license application that was established with the name and social security number fields, and thus this change to the system will be a challenge. The benefit of using a person's name and social security number is that it is a unique identifier and could be used to populate a person's information from the prior year. There have been suggestions to use a driver's license number, although not everyone has a driver's license. Therefore, he

suggested exploring the option of leaving the social security field on the application as optional. Without a social security number, online applicants would have to fill out a new application each year.

Number 0893

REPRESENTATIVE STEVENS asked why the social security requirement was ever initiated.

MR. BROOKS explained that the requirement for social security numbers was initially put in use under welfare reform in order to deal with persons who are not paying child support. Many of the requirements dealt with occupational licenses. He explained that [occupational] licensure would be restricted if someone was in arrears with child support. The problem with this requirement on recreational licenses is that the state is not the vendor; there are 1,500 vendors across the state. Therefore, [the department] merely reports this information to CSED after the fact. Hence the requirement on recreational licenses was not an effective tool.

Number 1015

REPRESENTATIVE KERTTULA brought up the subject of the federal waiver, and asked Barbara Miklos to speak about the possibility of losing the waiver in the future.

BARBARA MIKLOS, Director, Child Support Enforcement Division, Department of Revenue, (CSED), clarified that originally, the requirement to collect social security numbers on hunting and fishing licenses was one of the requirements put forth by the federal government in order for CSED to receive federal funding for child support as well as all public assistance money, which equals approximately \$80 million for the State of Alaska. The federal government granted the State of Alaska a waiver for the social security number requirement, which will expire in three years. Ms. Miklos stated that the reason the waiver was granted was because Alaska's unique permanent fund dividend (PFD) program provided the social security numbers of its residents, and she surmised that a waiver would probably continue to be granted as long as the PFD program existed.

Number 1146

REPRESENTATIVE GREEN withdrew his motion in order to allow witnesses to be heard via teleconference.

DENNY KAY WEATHERS, testifying via teleconference, noted his support of HB 48. She requested that HB 48 be amended to include noncommercial driver's licenses, commercial fishing permits, and crew licenses. She referred to [Governor Knowles'] press release number 01005, dated January 8, 2000, in which the governor states that the information provided on the PFD application is adequate for the needs of CSED. Ms. Weathers cited a memorandum from the deputy director of Alaska Department of Motor Vehicles, dated October 21, 1998, which stated that a United States citizen will not be allowed a nonwork status driver's license without a social security number, but a foreign alien can obtain a nonwork status driver's license without a social security number. Ms. Weathers was denied a driver's license. Furthermore, one of her family members has been arrested and charged criminally for [driving without] a license, [because that individual was also denied a license for not having a social security number]. She also noted that social security numbers are optional on the federal fisheries permit application, and asked why it is mandatory to have a federal number on a state permit, when it was not mandatory on a federal permit.

REPRESENTATIVE STEVENS asked Ms. Weathers to clarify whether she herself did, or did not, have a social security number.

MS. WEATHERS said she does not have a social security number, and neither does her son or her husband. She stated that [an Alaskan resident] is not required to have a social security number for nonwork status (for example, if he/she is self-employed, or living a subsistence lifestyle).

Number 1489

REPRESENTATIVE COGHILL interjected, for those listening on teleconference, that HB 48 deals with only one issue. Although Representative Coghill personally doesn't think that the social security number should be used as an identification number, he pointed out that the state agreed to do so in return for federal funding. He reiterated that HB 48 is specific to removing the social security requirement from fish and game licenses, and suggested that [legislation] take "one step at a time."

Number 1530

ERIC JOHN WEATHERS, a fourth-generation Alaskan, testifying via teleconference, said that he is a hunter, fisherman, and long-haul commercial truck driver. Because of the social security requirement on fishing and hunting licenses (as well as driver's licenses), he cannot legally fish, hunt, or work. He would like the requirement for social security numbers to be repealed, not only on fishing and hunting licenses, but on driver's licenses as well.

DEAN CURRAN, commercial fisherman and 49-year resident of Alaska, testifying via teleconference, went on record as supporting HB 48. He doesn't want his social security number to be required on any State of Alaska document, including the PFD application. The social security number is a federal identification number for social security benefits. Mr. Curran stated that by requiring social security numbers on state documents, the state is making it easier for criminals to commit crimes against others by stealing their social security numbers.

CO-CHAIR MASEK asked if there were any questions for Mr. Curran. There being no questions, Co-Chair Masek said the bill had already been discussed and amended. She requested a motion.

REPRESENTATIVE GREEN so moved.

REPRESENTATIVE STEVENS stated a point of order and asked if the committee needed to vote on the amendment. He asked if [the amendment] was accepted without a vote.

CO-CHAIR MASEK said, "It was unanimous.... There was no objection." She asked, then, if there were any objections to moving the bill [version 22-LS0295\F, Lauterbach, 1/18/01, as amended], with a zero fiscal note, from committee. There being no objections, CSHB 48(RES) was moved out of the House Resources Standing Committee.

HJR 6-ROADLESS POLICY

CO-CHAIR MASEK announced the next order of business would be HOUSE JOINT RESOLUTION NO. 6, Relating to opposition to the inclusion of national forests in Alaska within President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional

action, or by action of President-elect Bush.

Number 1800

REPRESENTATIVE PEGGY WILSON, Alaska State Legislature, testifying as the sponsor of HJR 6, provided the committee with a copy of a proposed committee substitute (CS), version 22-LS0316\C, Luckhaupt, 1/24/01. She referred to the changes that the CS encompasses, which are as follows: "President-elect Bush" has been changed to "President Bush"; "President Clinton's Roadless Policy" has been changed to "President Clinton's Roadless Area Conservation Rule"; and on page 2, line 25, of HJR 6, version 22-LS0316\A, there was an amendment made by the House Transportation Standing Committee (TRA) to fix a typo from "five million board feet" to "fifty million board feet". She remarked that her sponsor statement was modified to reflect the same changes.

REPRESENTATIVE WILSON declared HJR 6 to be a simply stated opposition to former President Clinton's Roadless Area Conservation Rule ["Roadless Rule"], which, she stated, he announced on January 5 [2001]. Representative Wilson called Clinton's action "devastating to Alaska," and compared it to the many treaties with Native people that have been broken in the past. She spoke of the total disregard Clinton's plan had for the 11 years, and of the \$13,000,000 that have been spent on the Tongass Land Management Plan (TLMP), as well as the three years spent on the revision process of the Chugach Forest. She pointed out that the Roadless Rule violates the "no more" clause of the Alaska National Interest Lands Conservation Act (ANILCA). She offered written statements received into her office from people both for and against Clinton's Roadless Policy.

Number 2016

REPRESENTATIVE GREEN made a motion to adopt the proposed committee substitute (CS), version 22-LS0316\C, Luckhaupt, 1/24/01, as a work draft. There being no objections, work draft C was before the committee.

REPRESENTATIVE FATE recalled having seen some news articles regarding several actions by former President Clinton, which have been rescinded by President Bush, and asked if the Roadless Rule had possibly been one of them. He brought up the possibility of thanking President Bush, if that was the case.

REPRESENTATIVE WILSON said she thought that the Roadless Policy was not put into place as an executive order, and therefore is more difficult to straighten out.

REPRESENTATIVE FATE asked for further clarification.

Number 2148

JACK PHELPS, Executive Director, Alaska Forest Association, explained that President Bush issued a directive, whereby rules gone to publication in the federal register, but not yet implemented, got a 60-day hold on implementation, to give the President and administration a chance to review them. The Roadless Rule is one of the rules delayed; however, Mr. Phelps stated that "there is no rescission actually available to [the Presidential administrative office] without going back through NEPA [National Environmental Policy Act] procedures by which [the Roadless Rule] was established". He also mentioned that there is a provision for a 60-day review by Congress, which occurs almost simultaneously.

Number 2197

CO-CHAIR MASEK asked for questions from the committee. Hearing none, she thanked Mr. Phelps and moved on to public testimony, reminding all prospective witnesses to supply their testimony in writing, if available, to the committee secretary, and to limit their testimony to three minutes.

Number 2266

MIKE TINKER, Chairman, Fish and Game Advisory Committee, Fairbanks, testifying via teleconference, stated that he is a nearly 40-year resident of Ester, just outside of Fairbanks, and was speaking on behalf of Fairbanks area sportsmen, including the Alaska Outdoor Council officers and the local Tanana Sportsman Association. He wanted to squelch a rumor that the sportsmen in the Fairbanks area were in support of Clinton's Roadless Rule. He said that all of the sportsmen whom he talked to are in opposition to it, and in support of HJR 6. Mr. Tinker stated that Alaskans use a limited road system for access to work, recreation, and subsistence resources. He said that public roads are necessary for all Alaskans to be able to have access to forest service and public lands. He compared the size

of the Chugach and Tongass Forests to that of many eastern states, in order to give an example of how "crippling" the Roadless Rule would be for Alaska. He thanked the committee for providing the opportunity for public testimony, and for its support of HJR 6.

Number 2392

REPRESENTATIVE BILL WILLIAMS, Alaska State Legislature, pointed out that former President Clinton's action to set aside more of Alaska's land as de facto wilderness is contrary to the intent and law set out in ANILCA. He thanked [Governor Knowles] for being willing to take the federal government to court on the issue of the Roadless Rule Policy, and expressed his wish that [the committee and public] support the governor and the congressional delegation for their efforts. Representative Williams stated that the right place to make these land decisions is on the local level, recalling that more than ten years and over \$13,000,000 were spent designing the Tongass Land Management Plan (TLMP). He cited a specific example in TLMP, where more areas were protected through single-use status; out of the ten million forested acres of the Tongass, less than 600,000 acres were left for multiple-use. Representative Williams said, "after the concession was made in TLMP to the environmental industry, the Clinton administration arbitrarily lowered the land available for multiple use to less than 570,000 acres." He referred to the hand-out (in packet) to show how long the process usually takes before a decision is made to make a timber sale offering, and said that former President Clinton "railroaded" the Roadless Rule Policy through in only 15 months, in order to approve it before he left office. He pointed out that the speed at which this policy was pushed through would have upset environmentalist had it been regarding an agenda to which they were opposed. Representative Williams referred to the second page of his handout, which depicted a satellite image of North America at night, where the vast difference in land development between the lower 48 states and Alaska was clearly apparent. He expressed the desire for Alaska to be allowed to make its own decisions regarding land use, and not to have to pay the price of former President Clinton's "legacy."

Number 2620

KEVIN HITE, President, Alaska State Snowmobile Association (ASSA), testifying via teleconference, stated that he was

representing the voice of over 1500 members, 45 businesses, and 26 local area clubs, who, collectively oppose former President Clinton's Roadless Rule and support HJR 6. He talked about the failure of the federal government, historically, in protecting Alaska's land, and said that the ASSA has fought to see the ANILCA rights protected. Regarding the designation of roadless areas, Mr. Hite warned that "aside from the real economic impact to our communities, the recreational access is always the first that's impacted, and the first to be attacked in any type of federal action."

Number 2738

BOB BRIGHT, Planning Director, Kenai Peninsula Borough (KPB), spoke on behalf of the KPB. He said the KPB is very concerned about the impact of the Roadless Rule on its borough, which has been contending with the "revised Chugach plan process for several months," during which the KPB discovered that the "Forest Service['s] preferred alternative would limit access to the Chugach Forest," and the KPB saw the Roadless Rule Policy as a continuation of that policy. On January 23, 2001, the KPB assembly undertook resolution 2001-012 (included in bill packet), which expresses its strong support for HJR 6.

Number 2800

MIKE SALLEE, testifying via teleconference, representing himself, stated that he does not support HJR 6. He read excerpts of a written statement (included in the packet), citing reasons for his opposition to HJR 6 as follows:

- 1) The USFS [United States Forest Service] is not adequately maintaining or otherwise dealing with the roads it has already built.
- 2) The Tongass has already experienced major departures from its historical rural character over the last several decades due to road building. More than enough acreage of the Tongass has already been devoted to roaded, even-aged, grand scale tree farms.
- 3) The TLMP will be due for revision in another decade. Yet again, citizens will be required to respond to a huge federal bureaucracy's obsolete and over-optimistic timber harvest and development

mandate.

4) We will never develop small value-added timber operations that, for example, employ small portable mills and helicopter or trail accessed timber sales, as long as the remaining available wood is dedicated to roaded, even-aged, grand-scale tree farms. Round log export of incidental species will continue to be the rule as long as we gear timber sales to large wood processing facilities.

5) A development scenario precedent has been established on national forests, which is unsustainable and reminiscent of the tobacco plantations of Jefferson's time. In Southeast Alaska we see a similar scenario, a management policy that perpetually targets virgin stands of old growth, the difference being we must wait for trees to grow back rather than for soil to renew itself, and the boom/bust cycle hasn't matured to the extremes [that] it has in the Lower 48. Excluding Alaska from a roadless policy will mean the national forests of Alaska will be pressured to provide jobs for people displaced from the lower 48 states.

SE Alaska's forests differ from those of the Pacific Northwest by being naturally more fragmented due to Southeast's island geography, and by having a harsher climate due to its higher latitude.

Mr. Sallee mentioned a special case where he lives, where a sale on timber is being considered. He then continued with his written testimony as follows:

I'm not averse to cutting timber on Gravina; I own a sawmill and recognize a future need for wood for myself and the community around me. But given the plethora of roads on Prince of Wales, Annette, Revillagigedo, and all other major islands in Southeast Alaska, I would advocate a much more conservative development scheme for Gravina. Keeping 40 million board feet available for harvest on the 1800 acres, but parcel it out at the rate it grows, about 300 board feet per acre per year.

CO-CHAIR MASEK stopped Mr. Sallee from further testimony, because he had come to the end of his three-minute time limit. She invited him to send the rest of his testimony to the House Resources Standing Committee for the record.

Number 2948

REPRESENTATIVE KERTTULA asked Mr. Sallee how a 50,000 square foot policy would affect him. [This question was not recorded, due to tape change.]

TAPE 01-4, SIDE B

Number 2940

MR. SALLEE said that he did not think his small-scale timber needs would be affected, since he gets most of his timber from beaches, blowdowns, or from private landowners, not from roaded areas. He stated that there is sufficient road access to timber for the small-scale operators on Prince of Wales Island.

Number 2915

TOM BOUTIN, testified in support of HJR 6. He read a portion of his written statement as follows:

My name is Tom Boutin. I first moved to Alaska in 1973. I've lived in many of the communities that are surrounded by the Tongass [National Forest], working in a professional forestry capacity, and worked as a professional forester on land surrounded by the Chugach [National Forest]. On the Tongass [National Forest] I have laid out a setting, cut the timber and then been the rigging slinger on that same side. I've worked, hunted and fished over a good part of each of the two Forests. I strongly support the Resolution before you.

There was no public process that led to the adoption of this Roadless [Rule] Plan. President Clinton stated what he wanted to have happen, organizations like the trusts and foundations that support National Public Radio and environmental groups cranked up their machines to flood the Forest Service with comments, and then the President, now former President, adopted the Plan. Imagine what the environmentalist

organizations would say if a timber [sale] plan were implemented in that way.

There is no supporting science for this plan and no evidence whatsoever that salmon harvests, wildlife habitat or tourism are diminished in any way by forest roads. On the Chugach [National Forest], forest roads allow better fire suppression, disperse the personal use fishing pressure, and allow more cost-effective reforestation of spruce beetle damage. On the Tongass [National Forest], the deer herd seems to be doing best where the most intensive forest management, including roads, has taken place and tourism seems to steadily increase even as [more] roads have been built.

Roads are not the entire issue here. It's private enterprise that environmental groups want to entirely eliminate. When I moved here from New Hampshire 29 years ago, wages were 5 times higher in Alaska than in New Hampshire. Now wages here are slightly below those in New Hampshire. So long as Alaska has no manufacturing base, resource development will determine our economic health. As the resources are taken off the market or are made much less economic, higher wage jobs are bound to become fewer in number. When I first came to Alaska, the forest products industry and state government had about the same number of employees. Now state government has about 20 times more employees. The Roadless [Rule] Plan will reduce forest products employment even more.

Nowhere in North American does the value-added timber industry that is sometimes described by environmental extremists as what they envision for Alaska exist. Visit any state-of-the-art sawmill producing lumber for construction and you'll find that each mill produces 100 million board feet a year. Visit Valley Lumber and Don Abel Building Supply in Juneau and you'll see [that] their lumber comes from those mills. Alaska is now far below any reasonable threshold economy of scale for lumber or pulp production, and I expect that forest products employment here is below that of states not usually considered wood producing states such as Rhode Island and New Jersey.

If roads were really the issue, at least on the Tongass reasonable timber harvests could resume. Most of the logging done on the Tongass up into the 1970's was done without roads. Logs were swung from spar tree to spar tree for miles until they were finally put in the bay. One particular Alaska A-Frame was so large it employed 29 men, not including the fallers, and had to have it's own code of whistles.

Line logging without roads might not be possible now given all the restrictions put upon logging practices since truck logging became the norm. But you can go back to places that were logged without roads and clearly see that the habitat and water quality have not suffered. And now that we've had a few decades that have passed, even the viewshed is restored.

Number 2730

REPRESENTATIVE MASEK interrupted Mr. Boutin when his three minutes were up, and invited him to submit the rest of his testimony in writing.

Number 2725

REPRESENTATIVE KERTTULA asked Mr. Boutin to expound upon the subject of logging without roads, and to describe the feasibility of doing so, should Alaskans be left with the former Clinton Administration's Roadless Rule.

MR. BOUTIN gave a detailed description of the "Alaskan A-frame" process of logging, which uses a "float" with two "spars," whereby logs are swung from one tree to the next, for several miles, until they reach their destination. He said that this style of logging without roads had very little impact on the environment. He declared that "the second growth looks like a forestry text book the way it's come back, and is all self-pruning." Mr. Boutin told the committee that roadless logging was a workable alternative that could credibly be put into practice again, where there were no roads.

Number 2635

REPRESENTATIVE KERTTULA followed up with a question for Mr.

Boutin, asking him if a comparison could be made between the effects on the environment of logging practices now, compared to when there were no roads.

MR. BOUTIN answered that although A-framing was done by some into the 1980s, the USFS shut down the Alaska A-frames in order to protect the land at water's edge from eroding, as a result of being impacted by the butt end of the logs as they were dropped into the bay.

Number 2598

REPRESENTATIVE STEVENS referred to the previous testimony of Mike Sallee, who indicated that "the federal government does not maintain the roads already built." He asked Mr. Boutin if he would agree that [HJR 6] did not appear to "discourage the maintaining of those roads."

MR. BOUTIN said he would agree with that. He mentioned an extended hunting trip that he recent took on Prince of Wales Island, stating that he thought that the roads were adequately groomed. He pointed out that "roads on private land, on Native timber land, are put to bed just by yankin' the culverts," and commented on the natural erosion of land that occurs from a combination of close soil, bedrock, and cyclical storms. Mr. Boutin added that he had not heard of any fish runs being adversely affected by improperly maintained roads.

Number 2513

CO-CHAIR MASEK stated for the record that Representative McGuire had joined the meeting, and that Representative Williams had returned to the room.

Number 2513

GERRY MERRIGAN, Petersburg Vessel Owners Association (PVOA), testifying via teleconference from Petersburg, explained that PVOA is a commercial fisherman's group that has existed for over 70 years, and that supports "the conservation and rational management of North Pacific fisheries resources" and the protection of fisheries habitat. He informed the House Resources Standing Committee that 80 percent of the 1999 salmon harvest in Southeast Alaska "came from streams of origin in the

Tongass National Forest." Regarding PVOA's position on HJR 6, Mr. Merrigan stated the following:

In commenting on this resolution, we had to weigh the benefits of increased fisheries habitat protection that would be derived, versus the principle of invoking a new national mandate that would override a long-term existent planning process, for example, the forest plan process. As tedious and time-consuming as the forest plan process might be, we support that process over a one-size-fits-all solution such as the Roadless Rule. The present process seems to provide more opportunity to use science, local knowledge, and land management designation and decision, as opposed to a broad national policy that is based on general philosophy and postcards. Therefore, we support this resolution, but perhaps not as unequivocally as previous speakers.

MR. MERRIGAN touched upon the subject of timber harvesting and "roading" in the Tongass, citing a State of Alaska study which indicates that "road building practices in the Tongass could be improved to allow for better fish passage for juvenile salmon through culverts." Mr. Merrigan suggested that the Alaska legislature consider a parallel resolution that would encourage the USFS to protect those culverts. He summarized his position by stating his opposition to any legislation that would bypass regional management.

Number 2337

ERROL CHAMPION, General Manager, Silver Bay Logging, read his testimony as follows:

Thank you for the opportunity to testify in support of resolution HJR 6. For more than two decades, Alaskans have been held to a separate standard from the other 49 states, regarding the way the federal government approaches land management in Alaska. Each time the Alaskans and the federal agencies reach an agreement on policies in our national forests, we've been told, "This is it. There will be no more withdrawal of lands."

Recently, I served with 14 other Alaskans on Governor

Knowles' Timber Task Force. At that time, former Secretary of Agriculture [Dan] Glickman told the governor and our task force that the 1997 record of decision should be viewed as conclusive decisions, after spending \$13,000,000 and taking 11 years to revise the Tongass [Land Management] Plan. But as we all know, months later Undersecretary Lyons made wide-sweeping changes to the Record Of Decision with no input from the public.

At the same time, the roadless policy for our national forests was being evaluated across the nation, but Alaskans were told to not worry, the Tongass and Chugach would be exempt from inclusion, because we had just completed land use plans. So, we know the rest of the story. Not only are we included, but as late as this past December, the effective date was to be 2004; but in the end, we were included with the same effective date as every other national forest.

This can only be described as a dead-end road policy. It's a dead-end road to the sustainability of a viable wood fiber industry for Alaska. The Presidential order brings a dead-end road to access routes for hydro sites and power line corridors. It's a dead-end road for funding for local schools that would come from future timber sales receipts. It's a dead-end road for entrance to watersheds to access public drinking systems. It's a dead-end road for hard-surface linkage for our cities and towns. And it's a dead-end road for the employment opportunities and further strangles local economies, by forcing families to move on to seek other jobs - usually in a completely different field. And sadly, and most importantly, this latest effort is a dead-end road for the integrity and the commitment made to Alaskans by the federal government. When there's no longer any trust in what our federal officials do and say, we are fraying the cords that bind democracy together.

The governor has every reason to be outraged at this eleventh-hour decision, and so should every reasonable Alaskan. The former President's roadless decision violates numerous federal laws, and I trust the attorney general and other groups will be successful

in quickly overturning this action in the courts.

MR. CHAMPION submitted the rest of his testimony in writing, noting that his three minutes were over.

REPRESENTATIVE KERTTULA asked Mr. Champion if there is a "floor" in place regarding school funding, so that the funding is not based solely on timber receipts.

MR. CHAMPION confirmed that the funding from timber receipts has been depleted to the point of no funds, so that other agencies, such as National Education Association (NEA) and Association of Counties, among others, worked together to get a bill passed through Congress to cover that loss.

Number 2113

WAYNE WEIHING, testifying via teleconference, said that he had heard that there were 1.6 million comments received nationwide regarding the Roadless Rule. He mentioned there was an 8.4 billion dollar "backlog on existing roads," nationally. He said he thought that "private industry would never want to build up an economic liability, and our federal government should be in the same position." He encouraged better maintenance of existing culverts, in relation to their affect on fish passage. He stated that, as a carpenter who values wood, he is opposed to the practice of exporting round-cut timber, and that it doesn't make sense to him to continue to access timber, while continuing to export it. He listed names of groups who export round-cut timber: University of Alaska, the Mental Health Trust, Ketchikan Gateway Bureau, and the USFS.

Number 1955

LOREN GERHARD, Executive Director, Southeast Conference, read the following written testimony:

I'll speak mainly to the issues in the Tongass National Forest, as those are the ones I'm most familiar with, as our organization focuses on issues in Southeast Alaska, although some of this applies to the Chugach [National Forest] as well. Southeast Conference and the Southeast Conference of Mayors are very concerned with the negative impacts the ex-President's action will have on our regional economy.

We're still trying to deal with the impacts from the dramatic 75 percent decline in the timber industry occasioned by the Tongass land management process. The future impacts of the roadless designation, if it remains intact, will deal a deathblow to the once-significant portion of our regional economic base.

This action will cost the region another 1000 jobs, direct and indirect. The large multinational timber companies are gone. What we are talking about now are Alaskans doing business in Alaska, and they will be put out of work by this action. The environmental advocates asked for a smaller-scale, sustainable level of harvest, supporting a scaled-back, value-added processing industry, and that's what they got.

The advocates for the "roads ban" reference heavy support in Alaska for this proposal, citing percentages of attendees at public meetings held in this state last summer. The Forest Service never measured those percentages. They are self-serving estimates by the people in environmental advocacy organizations that packed those meetings with their supporters. There was an all-out ad campaign last summer across the country, with millions of dollars spent on full-page ads in big city newspapers, and millions of prepared postcards, handed out on street corners and in shopping malls to people to send to the White House. It was a well-executed effort to create the illusion of broad support across the country, which has never really been proven. None of these measures are scientifically valid, and the point is that forest management is mandated by law to be undertaken by a more scientific process, less influenced by mass media public opinion manipulation.

The roadless EIS [Environmental Impact Statement] clearly shows that the majority of Alaskans do not favor this designation. There are multiple resolutions in volume four of the EIS from communities all around the state opposing it. You may have some of them in your packet, and I can provide at least ten resolutions from Southeast communities, opposing the roadless designation. It is totally appropriate for the legislature to go on record opposing this

regulatory end, run by a lame-duck President, seeking to build his legacy. It's yet another example of federal officials taking liberty with people's lives thousands of miles from the beltway, with no regard to the economic consequences or for the process of law. Four times in the last twenty years, starting with ANILCA, the federal government has promised us "no more," and every promise has been broken. We need to get the message back to Washington that enough is enough.

We applaud the governor's action in pursuing legal remedies to this injustice, and urge the legislature to support him in that effort. The former President has no right to ignore laws on the books dealing with forest management, and this directive should be scrapped. Your unequivocal support with this resolution will help in that effort.

Number 1770

RION SCHMIDT, testifying via teleconference, stated his opposition to HJR 6. He said that he lives in a roadless area, and has a list of people who support former President Clinton's Roadless Rule, in order to protect fish habitat, as well as subsistence, business, and recreational use. That list includes over 80 businesses involved in ecotourism, personal businesses, or commercial fisheries, and was printed as a full-page ad by the Alaska Rainforest Campaign. Mr. Schmidt said that he disagreed with the argument that HJR 6 would hurt Alaska's industries, and remarked that the existing roads should be repaired before new roads are built. He said that there are "millions of board feet on the Tongass that are available on the current road system, and there really isn't a large corporate logging interest in the Chugach at this point." He said he thought the small-scale logging businesses preferred it that way. Mr. Schmidt told the House Resources Standing Committee that most of the communities in Southeast Alaska are water-accessible and therefore do not need roads. He voiced his opinion that protecting areas from excessive road building is protecting a way of life that is disappearing.

Number 1590

RACHAEL MORELAND, Associate Director, Alaska Forest Association

(AFA), read her testimony as follows:

The Alaska Forest Association is the trade association representing the forest product industry throughout Alaska, and we represent about 90 small businesses doing business in the forest product industry. We strongly support HJR 6, and we urge the committee to move it to the floor as soon as possible. As you already know, the timber industry, and in turn, the communities of Southeast Alaska, have already been badly damaged by imposed federal actions.

The Roadless Rule reduces the land available for scheduled timber sales on the Tongass from 576,000 acres to approximately 311,000 acres. This is an extremely small parcel of land, which is certainly not large enough to support the existing industry, much less the re-development of a sustainable and value-added forest products industry.

The net effect of the roadless area withdrawal in Alaska is particularly drastic. While the Forest Service [USFS] touts the net impact of the Roadless Rule to be a mere 2 percent of the nation's land base, the rule effects 31 percent of all national forest land. And in Alaska, the roadless rule withdraws an additional 67 percent, or 15,000,000 acres, from the Tongass and the Chugach National Forests. This rule prohibits roaded access to 98 percent of the Chugach National Forest, and when combined with other wilderness designations, prohibits roaded access to 91 percent of the Tongass National Forest.

With respect to the Chugach National Forest, 98 percent of that forest is roadless. The Roadless Rule prohibits all new transportation infrastructure in the Chugach without the benefit of the public planning process specific to that forest. The Chugach Land and Resource Management Plan is presently undergoing revision under terms set forth in the National Forest Management Act of 1976. We believe that that process and other similar processes provided for by law are the proper venues for land use allocations in our forests.

Furthermore, the inclusion of Alaska's national forests in the roadless rule violates the "no more" clause of the Alaska National Interest Lands Conservation Act. The rule is inconsistent with existing forest plans, especially in light of the latest revision of the Tongass Land Management Plan. HJR 6 correctly states that the roadless rule creates de facto wilderness without congressional action or approval. The state is correct to demand the "no more" clause of ANILCA be honored.

Concurrently, the Forest Service [USFS] issued new regulations on their Transportation Policy which, when combined with the Roadless Rule, creates a one-two punch for management and stewardship for the entire national forest system, not just roadless areas. They are building a wall around 58.5 million acres, with the Roadless Rule, and then, with the transportation policy, making it all but impossible for local land managers to do their jobs.

The government's withdrawal of roadless areas is bad for all national forests, it is bad for all Americans, and it is particularly bad for Alaska. There is widespread opposition within Alaska to this Roadless Rule and the Alaska Forest Association urges you to join with that loud chorus in opposition to it.

Number 1352

REPRESENTATIVE CHENAULT said that he had heard that no existing roads would be closed. He asked Ms. Moreland to verify whether there was such a policy, and if so, under which policy that information was stated: "Roadless" or "Roads."

MS. MORELAND offered the following explanation:

We have the Roadless Rule, which is what the resolution addresses. We also have what I like to call as the "Transportation Policy," because it gets a little confusing: Roadless, and Roads Policy.

The Transportation Policy, which I spoke briefly about, covers the rest of the land in our national forest. That Act was ... happening at the same time

the Roadless Plan was going through the NEPA [National Environmental Policy Act of 1969] process. It was fairly quietly done, and it put very similar prohibitions on the rest of the areas in our national forest. And within that ruling, they do talk about the procedure to decommission roads, and it makes it very difficult for any industry, timber or otherwise, to build new roads by mandating a "compelling" reason to build a road, which is a legal term that I understand is a very, very high standard.

REPRESENTATIVE STEVENS asked Ms. Moreland whether A-frame logging constituted a major use of timber or was a small-scale form of logging.

MS. MORELAND stated that timber harvest is prohibited under the Roadless Rule. She also said that A-framing would not be allowed under current forest management practices. She added that under the Roadless Rule, there is very restricted timber harvest allowed. One example would be for wildfire management.

Number 1172

JOHN JACK SHAY, Mayor, Ketchikan Gateway Borough, testifying via teleconference, commented that he was speaking on behalf of 14,000 people, which used to be 15,000 before some of the "timber troubles." He spoke about a recent trip to Washington, D.C., taken by several mayors from Southeast Alaska. The purpose of the trip was to discuss the roadless issue with the Secretary of Agriculture and the chief of the USFS. They talked about the fact that "this is not just a timber issue, but we're talking about fishing, recreation, communications, transportation, mining, watershed management, power transmission, wildlife management," and many other forest resources which would be affected by the Roadless Rule. Mayor Shay said that Secretary Glickman had talked about a four-year extension, but it was not offered under the Roadless Rule. He thanked the House Resources Standing Committee for forwarding HJR 6, expressing his eagerness to have the "completely and utterly unreasonable and illegal" Roadless Rule overturned.

Number 1010

SUE SCHRADER, Alaska Conservation Alliance, Alaska Conservation Voters, said that she would not read her testimony, since it was

submitted in writing (included in bill packet). She addressed her concerns about the amount of misinformation circulating concerning the roadless issue. She stated that the issue of whether or not the Roadless Rule violates the "no more" clause is one that should and would be settled in court. She clarified that the policy does not do anything to existing roads within the Tongass and the Chugach. Regarding "anecdotal reports from Prince of Wales Island," she suggested that everyone would be better served by getting a copy of ADF&G's report on the status of the culverts in the Tongass. That Tongass road condition survey report, released by ADF&G in June 2000, "speaks to the two-thirds of its failing culverts on salmon streams, [and] 85 percent of the culverts on trout streams." She said that the "ADF&G committee," chaired by Representative [Bill] Hudson, researched the roadless issue to make sure that the decisions made in creating the Roadless Rule were based on good, sound science. She offered to provide a copy of a letter to [former] President Clinton, that supported the inclusion of the Tongass in the Roadless Rule, and that was signed by 330 scientists - 100 of them from Alaska.

Number 0730

CO-CHAIR MASEK interrupted Ms. Schrader's testimony.

MS. SCHRADER commented on the short duration of her three minutes, and made the following statement for the record:

I think it's clear that there's a lot of interest in this resolution. The legislature prides itself in providing public process, public opportunity. Having three minutes and then being cut off, and having members of the committee cut off from their questions, is not providing proper public process.

Number 0705

REPRESENTATIVE KERTTULA mentioned seeing a memo sent by Ms. Schrader to Representative Kookesh. She asked Ms. Schrader to talk about the possible impact of the Roadless Rule policy on a small community's ability to make use of utility corridors to build roads. She wanted to know if a small community would have to appeal to the President in order to make an exception to the rule. In particular, Representative Kerttula wanted to know what would be done with power cost equalization (PCE).

MS. SCHRADER answered with the following statement:

In the House Transportation Committee, Representative Kookesh had some concerns about a proposed hydro and water supply project for the City of Angoon, and how the Roadless [Rule] would affect that. I'm not an attorney; however, I've done some poking around in ANILCA and The Wilderness Act. I think the important thing to keep in mind on this Roadless [Rule] - and it is stated in section 294.12 - is that roads are allowed under certain circumstances. If a road is already allowed, pursuant to an existent statute - such as ANILCA, such as The Wilderness Act - that road can go ahead. This Roadless [Rule] will not stop that road. If a road is going to receive federal aid highway money - such as the Juneau access road - that road is not stopped by the Roadless [Rule]. That's another exception in the Roadless [Rule] for proposed roads. In the instance of Angoon, the project is going to be on wilderness monument land. That land is pretty much managed under ANILCA, and under provisions of The Wilderness Act. Those are existing statutes; they're very specific in the rights that can be attributed to these projects to access them with road construction. Those provisions in ANILCA and The Wilderness Act trumped the Roadless [Rule]. The Roadless [Rule] will not affect that. The understanding that I'm hearing from the folks I've consulted with is that Angoon's water supply project, the hydro project, is not going to be hindered at all because of the Roadless [Rule]. On Prince of Wales Island, where (indisc.), of course, additional number of communities that would be looking at developing projects, that is not wilderness land. There the situation's a little bit different. But again, if there is a right to develop the project that's already in an existing statute, or if the road that's being looked at is going to have federal highway aid, there should not be any problem with that type of project going through.

Number 0460

CO-CHAIR MASEK reminded Ms. Schrader that she had had a chance

to testify during the House Transportation Standing Committee meeting, and again here today, and that it was crucial that she wrap up her testimony.

MS. SCHRADER replied that she was answering Representative Kerttula's question.

Number 0395

REPRESENTATIVE KERTTULA asked Ms. Schrader what would happen if a town needed access to a new hydro project.

MS. SCHRADER answered the following:

I cannot answer that at this point. Again, it depends on the land status of where the project would be proposed. If it's on municipal-owned land, municipal selection. If it's on privately owned land, ANILCA gives a right of access to in-holding. And again, that would trump the Roadless [Rule]. If it's on forest service land, that is not wilderness, not monument; I think it becomes a little bit more of a legal question.

Number 0322

REPRESENTATIVE McGUIRE asked Ms. Schrader if she had any legal opinions on the subject at hand.

MS. SCHRADER responded that since she was not a legal attorney, she therefore had no legal opinions on the subject. She said she was not sure whether there were any written opinions, but she would see what she could procure.

Number 0277

CLIFF SKILLINGS, Gateway Forest Products, testified via teleconference. He supplied a written copy of his testimony. In support of HJR 6, Mr. Skillings read the following excerpt from his written testimony:

My name is Cliff Skillings, and I am testifying today on behalf of Gateway Forest Products and its 149 full-time employees, urging you to support HJR 6 and seek expedited passage of this important resolution.

Gateway Forest Products is a company of full-time, year-round employees operating a production sawmill, a veneer mill, an operational sort yard, and an industrial complex.

The Clinton Roadless [Rule] fails to recognize the fact that significant management initiatives have been applied to the Tongass already. These include ANILCA, [the] Tongass Timber Reform Act, and continuously updated versions of the Tongass Land Management Plan. In the eight years of the Clinton Administration, Southeast Alaska has seen an allowable sale quantity (ASQ) that dropped from 550 million board feet to 267 million board feet, with the 1997 TLMP Record [of] Decision, to 187 million board feet, with the Lyons ROD [record of decision] in 1999, and the loss of two production pulp mills and various independent sawmills.

This latest initiative offers no science, but rather an emotional plea from national special-interest groups and legacy opportunity for an outgoing administration. You have heard the best probable numbers should this initiative be applied to the Tongass: 50 million board foot maximum harvest, further decrease in the manufacturing base in the region, et cetera. All [of] this is correct. Our present industry of seven small, independent wood product manufacturing facilities will surely be decreased to two with implementation. Our veneer mill, although being able to run on one shift in this scenario, will do so at the cost of our sawmill that may at best operate on a part-time basis if the supply is available.

The Tongass is fully capable of supporting a viable timber manufacturing industry to the ASQ stated in the 1997 TLMP decision and then condoned by the governor that same year. This ASQ of 267 million board feet provides a level of harvest that maintains year-round, family-supporting jobs, healthy local economies, and an industry that has the ability to plan ahead for operations and make investments in manufacturing processes.

The Roadless [Rule] also ties the hands of land managers in the future, relative to forest practices, to improve forest health, and denies access of our resource-rich region to those visitors who may be bound by physical limitations, and wish to see it first hand.

In closing, I do not believe that a "majority of Alaskans" support this action as you may hear in opposing testimony. Local representation is hardly met by visitors who may sign a prewritten postcard after being coerced into signing. Significant locals submitted letters and memos of opposition to the Clinton Administration relative to this initiative, and I do not believe that one can base the opinion of the region by those who chose to stand at [a] microphone.

Gateway Forest Products and the timber industry of Southeast Alaska can ill afford to be subject to additional inaccessibility to the resource, due to management decisions based on emotional appeals over sound science...(end of tape).

TAPE 01-5, SIDE A
Number 0030

DICK COOSE, Concerned Alaskans for Resources and Environment (CARE), testifying via teleconference, said that the Roadless Rule is "a fiasco, an embarrassment to Alaskans." He thanked Governor Knowles for his quick action to fight the Roadless Rule. He handed out an excerpt from a United States Forest Service news release and fact sheet on the Roadless Rule (dated 1/4/01). Mr. Coose listed his credentials: retired Ketchikan district ranger on the Tongass National Forest; Ketchikan Borough Assembly person; and past president of the Ketchikan Chamber of Commerce. He encouraged the House Resources Standing Committee to question the misleading claims "provided by many of the preservation comments," stating that there are "too many misleading facts and figures ... taken out of context, and used erroneously."

Number 0169

PAMELA LaBOLLE, President, Alaska State Chamber of Commerce (ASCC), representing approximately 700 business members statewide, spoke in favor of HJR 6 and in opposition to the Roadless Rule. She said that the ASCC thinks that the Roadless Rule will have a negative impact on the economic growth and development of Alaska, greatly impacting forest accessibility to commercial industries groups, such as recreation, tourism, timber, and mining. Ms. LaBolle continued by saying:

Under the National Forest Management Act, the forests are to be managed under multiple use. The [Roadless] Rule denies access to the publicly owned forest land in Alaska, and will preclude any of these uses in the future. And under this policy, Alaska's multiple use areas of the forest land, which are currently 62 percent, will be reduced to about 7 percent (available for multiple use of Alaska's forests). And I'd like to point out that the road that connects the Kenai Peninsula to Anchorage, and to the rest of the state, goes through the Chugach Forest. Kenai is one of the precious few economic sites, centers of Alaska; and had the Roadless [Rule] been in place in previous times, we wouldn't have access to the Kenai. How many Kenai areas and opportunities for Alaska's future will never come to be if this policy is allowed to stand?

Number 0369

PAT VEESART, Executive Director, Sitka Conservation Society (SCS), testifying via teleconference, spoke against HJR 6, with the following statement:

In the national - and that's a key word - national forest planning process, individual forest management plans are not cast in stone. They are subject to changes in national policy. Those changes might be based on economic realities, they might be based on new science, they might be based on shifts in public attitude, or in the case of the Roadless [Rule], all three. There is a legal process for making changes in individual forest plans. There's a legal process for conveying changes in national policy to forest managers at the forests around the nation. What you're being asked to do today is pass a resolution that opposes the public will. There was an 18-month-

long public process involved, 617 public hearings nationwide that were open to everyone. They were open to the timber industry, they were open to fishing groups, they were open to sportsmen's groups, they were open to everyone to organize their constituency to speak. 39,000 Americans attended those hearings. 1.6 million comments were received. There were 17 hearings in Alaska, all of them open to everybody, and 62 percent of the people who spoke at those hearings favored the Roadless [Rule], favored inclusion of the Tongass. Over 25,000 comments were received from Alaskans on the Roadless [Rule]. In Sitka, the vast majority of people who testified in Sitka favored the Roadless [Rule].

Mr. Veesart went on to urge the House Resources Standing Committee to oppose HJR 6, and to support economic development in Alaska that will protect its natural resources. He talked about timber sales sitting on shelves, and low prices of timber, and he encouraged looking for new opportunities in economical development.

Number 0650

REPRESENTATIVE McGUIRE asked Mr. Veesart if he could cite the source of the figures he presented (for example, the 62 percent).

MR. VEESART told Representative McGuire that the figures were based upon counts taken by the Alaska Rainforest Campaign at all the Alaska hearings. The counts were then confirmed against forest service sign-up sheets. He invited the House Resources Standing Committee members to check the forest service's records for those hearings.

Number 0717

MR. PHELPS offered a couple of comments for clarification:

One is, I think it's really important for the committee to realize that in the Roadless [Rule] proposal, we're not really talking entirely about areas that are unroaded. And, in fact, if you read the environmental impact statement, you'll see that there was a lot of discussion about whether they

should prohibit roads in the unroaded portions of roadless areas, only, and not in the currently roaded areas of roadless areas. And that's because the definitions of these roadless areas were established in RARE II [Roadless Area Review and Evaluation II] back in the mid 1970s, and there's been a huge amount of new road construction in some of these areas. And that's why, again, in the FEIS [Final Environmental Impact Statement] and DEIS [Draft Environmental Impact Statement] you see a lot of discussion about prohibiting reconstruction of roads in so-called roadless areas. So, it's really important for you to realize that ... this whole discussion has been centered around what amounts to a massive ... deception campaign, and I think that's more applicable in some parts of the country than in others, but it's certainly applicable to some portions of the Tongass National Forest. So that's an important point that has not been brought out before, and I think people need to be aware of that. The press has done nothing to help make people aware of that.

Secondly, there was some discussion about getting legal opinions with respect to whether or not ANILCA "no more" prohibitions apply in section 1326 and section 708. Since the governor has directed the attorney general to go to court on this issue, I would suggest to this committee that the attorney general might be a really good place to ask for such an opinion. And I would just offer that as a suggestion, if I may.

And finally, with respect to how people feel about this policy, and the massive postcard campaign versus other people's comments: The forest service, under the NEPA regulations, is required to accept comments from elected officials in both communities and states. They did receive a massive amount of those kinds of comments, and they're documented in volume four of the final environmental impact statement. And I've been through volume four, and discovered that ... a preponderance of comments in volume four are against the implementation of this policy. And those come from elected officials in communities and in states around the country. Curiously, if you ask the forest

service for a copy of the FEIS, you don't get volume four. You have to ask for it specifically. So, one needs to wonder what is going on here.

Number 0946

REPRESENTATIVE KERTTULA asked Mr. Phelps to reiterate his point regarding no roads in the existing roadless areas, and the Roadless Rule on reconstruction.

MR. PHELPS made the following statement to clarify:

The roadless areas that are under consideration here, ... the boundaries of those were established basically in the RARE II process. Since then, some of those areas have been entered and had roads built in them. And there was discussion in the environmental impact statement about whether they should prohibit new road construction in the unroaded portions of those roadless areas only, or whether they should prohibit road construction and reconstruction in both the roaded and unroaded portion. And the actual decision on that began to emerge when the FEIS came out and finally, in the final record of decision, at which time they ultimately decided to prohibit road construction and reconstruction in the entire roadless areas, including the currently roaded portions of those so-called roadless areas.

Number 1050

REPRESENTATIVE KERTTULA asked what the final rule on road reconstruction was.

MR. PHELPS said that the final rule does not allow reconstruction of currently existing roads in roadless areas, making road construction and reconstruction generally prohibited, with the possibility for exceptions to be made.

REPRESENTATIVE CHENAULT asked if one of the exceptions would be no reconstruction of culverts.

MR. PHELPS replied that the road itself would have to qualify for the exception before any work would be done to the culvert. The most likely scenario, he stated, would be that the road

would be decommissioned, and someone would be hired to come in and pull the culvert.

NUMBER 1138

CO-CHAIR MASEK announced the close of public testimony, and made note of the written testimony included in the bill packet.

REPRESENTATIVE KERTTULA commented that she had concerns about the differences of opinion from trusted witnesses on both sides of the issue. She said that the issue was a difficult one that affects many of her constituents. She said that her most critical concern was for small communities to have access to roads and utilities. She asked to be allowed the opportunity and time for herself, and possibly Representative McGuire, to inquire about the utilities and power issue at the attorney general's office, stating that it would make a big difference in her decision as to how to go forward.

Number 1263

CO-CHAIR MASEK replied that the sponsor had made her testimony, and that the bill would be going through, and then going to the floor. She told Representative Kerttula that she would have plenty of time at that time to get the information needed, and to make an amendment on the floor if needed. She then requested a motion.

Number 1310

REPRESENTATIVE GREEN said that he had previously made a mistake in moving to adopt the work draft, because it needed further amending. He noted changes from the language "President Clinton's" to "the". He pointed out the first change to be on page 1, lines 10-13, with a total of 10 occurrences. Representative Green also stated the need for a further amendment on page 1, line 1, which would change "within President" to "within former President".

REPRESENTATIVE MASEK asked the sponsor if she had any objection to that change in wording.

REPRESENTATIVE WILSON said that's how she had originally conceived it, but that it had been changed without her

knowledge.

Number 1493

REPRESENTATIVE McGUIRE suggested that since the Roadless Rule was put into effect while Clinton was President, it would be correct to leave his name as "President Clinton."

REPRESENTATIVE GREEN explained that he made the recommendation for the amendment because the resolution is current.

Number 1550

REPRESENTATIVE MASEK asked for a motion to adopt the amendment.

REPRESENTATIVE GREEN so moved the amendment.

REPRESENTATIVE STEVENS asked for further clarification on page 1, line 3, where it reads "President Bush", and on page 1, line 10, concerning the change from "President Clinton's" to "the".

REPRESENTATIVE McGUIRE asked about the language change in the sponsor's draft to which Ms. Wilson had referred.

MS. WILSON said she couldn't explain how it happened, since she didn't even know about it until she arrived for this House Resources Standing Committee meeting.

Number 1680

REPRESENTATIVE MASEK asked if there were any objections to the amendment offered by Representative Green. Hearing none, she announced that the amendment was adopted.

REPRESENTATIVE GREEN moved that CSHJR 6 [version 22-LS0316\C, Luckhaupt, 1/24/01] be moved from committee with individual recommendations and a zero fiscal note.

Number 1723

REPRESENTATIVE KERTTULA interjected that although she was not going to object, she found it ironic that the committee was discussing a bill concerned with the process used on a policy, yet the committee did not focus on getting the opinions and answers during the meeting. She said she would take it upon

herself to do so later.

Number 1755

REPRESENTATIVE GREEN commented that he is really concerned about the quality of fish habitat and the quality of the culverts. He said he hoped that ADF&G and the House Special Committee on Fisheries could become involved to guarantee that the resources are not being affected.

Number 1815

CO-CHAIR MASEK said she thought that would be a possibility. She then asked whether there were any objections to moving the bill out of committee. There being no objection, CSHJR 6(RES) was moved out of the House Resources Standing Committee.

ADJOURNMENT

Number 1872

There being no further business before the House Resources Standing Committee, the meeting was adjourned at 3:09 p.m.