

ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS STANDING COMMITTEE

April 12, 2012

8:34 a.m.

MEMBERS PRESENT

Representative Cathy Engstrom Munoz, Chair
Representative Neal Foster, Vice Chair
Representative Alan Austerman
Representative Alan Dick
Representative Dan Saddler
Representative Sharon Cissna
Representative Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 159(RES)

"An Act establishing the Susitna State Forest; urging the Governor to acquire forest land that is currently in the Tongass National Forest; and providing for an effective date."

- MOVED CSSB 159(RES) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 159

SHORT TITLE: SUSITNA STATE FOREST/TONGASS FOREST

SPONSOR(S): SENATOR(S) MENARD

01/17/12	(S)	READ THE FIRST TIME - REFERRALS
01/17/12	(S)	RES, FIN
03/12/12	(S)	RES AT 3:30 PM BUTROVICH 205
03/12/12	(S)	Heard & Held
03/12/12	(S)	MINUTE(RES)
03/14/12	(S)	RES AT 3:30 PM BUTROVICH 205
03/14/12	(S)	Heard & Held
03/14/12	(S)	MINUTE(RES)
03/16/12	(S)	RES AT 3:30 PM BUTROVICH 205
03/16/12	(S)	Scheduled But Not Heard
03/19/12	(S)	RES AT 3:30 PM BUTROVICH 205
03/19/12	(S)	Moved CSSB 159(RES) Out of Committee
03/19/12	(S)	MINUTE(RES)

03/21/12 (S) RES RPT CS 3DP 3NR NEW TITLE
 03/21/12 (S) DP: WAGONER, PASKVAN, MCGUIRE
 03/21/12 (S) NR: FRENCH, WIELECHOWSKI, STEVENS
 04/02/12 (S) FIN AT 9:00 AM SENATE FINANCE 532
 04/02/12 (S) Heard & Held
 04/02/12 (S) MINUTE(FIN)
 04/03/12 (S) FIN AT 9:00 AM SENATE FINANCE 532
 04/03/12 (S) Moved CSSB 159(RES) Out of Committee
 04/03/12 (S) MINUTE(FIN)
 04/04/12 (S) FIN RPT CS (RES) 6DP 1NR
 04/04/12 (S) DP: HOFFMAN, STEDMAN, THOMAS, EGAN,
 MCGUIRE, ELLIS
 04/04/12 (S) NR: OLSON
 04/04/12 (S) TRANSMITTED TO (H)
 04/04/12 (S) VERSION: CSSB 159(RES)
 04/05/12 (H) READ THE FIRST TIME - REFERRALS
 04/05/12 (H) CRA, RES
 04/10/12 (H) CRA AT 9:00 AM BARNES 124
 04/10/12 (H) Heard & Held
 04/10/12 (H) MINUTE(CRA)
 04/12/12 (H) CRA AT 8:30 AM BARNES 124

WITNESS REGISTER

SENATOR LINDA MENARD
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of SB 159.

MICHAEL ROVITO, Staff
 Senator Linda Menard
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: During hearing of SB 159, answered questions on behalf of the sponsor, Senator Menard.

CHRIS MAISCH, Director/State Forester
 Division of Forestry
 Department of Natural Resources
 Fairbanks, Alaska

POSITION STATEMENT: During hearing of SB 159, answered questions.

BUCK LINDEKUGAL
 Southeast Alaska Conservation Council (SEACC)
 Juneau, Alaska

POSITION STATEMENT: Urged the committee to table CSSB 159(RES) or delete Section 2 from it.

EDDIE GRASSER, Lobbyist
Safari Club International (SCI) -Alaska
Eagle River, Alaska

POSITION STATEMENT: Testified in support of SB 159.

ACTION NARRATIVE

[8:34:18 AM](#)

CHAIR CATHY ENGSTROM MUNOZ called the House Community and Regional Affairs Standing Committee meeting to order at 8:34 a.m. Representatives Austerman, Cissna, Gardner, and Munoz were present at the call to order. Representatives Foster, Dick, and Saddler arrived as the meeting was in progress.

SB 159-SUSITNA STATE FOREST/TONGASS FOREST

[8:34:35 AM](#)

CHAIR MUNOZ announced that the only order of business would be CS FOR SENATE BILL NO. 159(RES), "An Act establishing the Susitna State Forest; urging the Governor to acquire forest land that is currently in the Tongass National Forest; and providing for an effective date."

[8:34:44 AM](#)

SENATOR LINDA MENARD, Alaska State Legislature, reminded the committee that SB 159 establishes the Susitna State Forest on 763,200 acres of state land in the Mat-Su Borough. The land will be managed for a sustainable yield of timber and the forest will be open to multiple uses including hunting, trapping, mining, fishing, mushing, and etcetera. She further reminded the committee of the last hearing of SB 159 when there was testimony in support of SB 159 from the Alaska Professional Hunters Association, foresters, and mill owners. Furthermore, Chris Maisch, the director of the Division of Forestry, provided a presentation and answered the committee's questions. Mr. Maisch, she noted, has also sent the committee a memo addressing the questions regarding access within the proposed forest. Senator Menard, echoing her testimony at the previous hearing, told the committee that this proposed state forest has been in the works for many years. The Susitna State Forest will be the

fourth state forest in Alaska and residents and mills in the Mat-Su Valley will benefit as have other areas with a state forest.

[8:36:37 AM](#)

REPRESENTATIVE CISSNA recalled testimony from the previous hearing regarding the in-holdings, and inquired as to how the three years for future planning will work.

SENATOR MENARD said that she has much faith and trust in the Division of Forestry, which intends to vet the matter appropriately. She opined that it's good to have the in-holdings, particularly since there is no risk of subdivision or tradeoffs. Furthermore, the area will remain a state forest in perpetuity. She reminded the committee that the proposed Susitna State Forest would comprise less than 5 percent of the 9 million acres of state land in the Mat-Su Borough. The proposed Susitna State Forest proposes blocks to incorporate the in-holdings in order to allow the owners of the in-holdings to maintain the lifestyle to which they've become accustomed. The owners of the in-holdings will also benefit from better roads and access as the Division of Forestry will have the resources to do so.

[8:39:47 AM](#)

REPRESENTATIVE GARDNER highlighted the concern raised in an email from Mr. McKimmons (ph) from Craig, Alaska, regarding the lack of a local public process addressing the addition of the Tongass National Forest to this legislation.

SENATOR MENARD explained that the language referring to the Tongass National Forest was intent language inserted by the Senate Finance Committee to encourage the governor to urge that the Tongass National Forest be opened and reviewed. She noted that there are hurt feelings that more land wasn't allowed in the Tongass National Forest for harvesting timber for the mills. She characterized the intent language regarding the Tongass National Forest as a fair insert.

[8:41:26 AM](#)

CHAIR MUNOZ asked if the intent was to add to the state forest the land that was legislated last year. If so, she asked whether that would be other state land or whether the intent is to seek application to the federal government.

[8:41:54 AM](#)

MICHAEL ROVITO, Staff, Senator Linda Menard, Alaska State Legislature, explained that the intent language was to get more of the Tongass National Forest land into state hands and make it state land. He said he didn't know what the Division of Forestry would have in mind for incorporation to the Southeast State Forest. The broad intent, he specified, was to get more of the Tongass National Forest land under the purview of the state rather than under federal guidance.

SENATOR MENARD added that Alaska is a very wealthy state with upwards of \$16 billion, and therefore this [intent language] merely notices that the state has the ability to purchase land from the federal government. She clarified that it's not a mandate, but rather awareness.

[8:43:10 AM](#)

REPRESENTATIVE AUSTERMAN pointed out that the Deshka and Yetna Rivers, major systems within the Mat-Su Valley, are failing salmon streams. He asked if the Division of Habitat within the Alaska Department of Fish & Game has testified in reference to issues that may be created by logging operations around those river systems.

MR. ROVITO replied no, but related his understanding that the Forest Practices Act includes provisions to address those streams that would fall within a state forest. He further related that statute already specifies buffer zones that would protect streams such that they aren't disturbed by activities around the stream.

REPRESENTATIVE AUSTERMAN maintained concern that there are already failing systems located within this proposed forest. Therefore, he stressed the need to address the issue, which he suggested could perhaps be addressed by the House Resources Standing Committee. Representative Austerman pointed out that sometimes [the failing systems are the result of] the cumulative effect of the rapid growth of the Mat-Su Valley on those systems. Creating a state forest that allows commercial logging in the same area [where there are failing systems] adds to the cumulative effect.

[8:45:12 AM](#)

CHRIS MAISCH, Director/State Forester, Division of Forestry, Department of Natural Resources, stated that the language about public meetings and intent is located in Section 2. He noted that through administrative order, the governor has appointed a Jobs & Timbers Task Force to discuss this topic in Southeast Alaska. The task force has been meeting around the state. All of the meetings have been advertised and are open to the public. Over the last seven months the task force has met all over Southeast Alaska, including Coffman Cove and Ketchikan. One of the recommendations from the task force to the governor is contained in Section 2 of this legislation.

8:47:02 AM

REPRESENTATIVE CISSNA, drawing from her experience, opined that the community that exists within this forest will be the example for future forests with in-holdings. She related her understanding that the intent language speaking to the Tongass National Forest doesn't create anything without further action.

MR. MAISCH replied yes, and added that a lot of process would be required prior to the intent being expressed into actions. For instance, if the state were to reopen its Statehood Act and reprioritize some of the remaining selections the state has to receive, federal legislation would be required.

8:48:42 AM

REPRESENTATIVE CISSNA remarked that it will take three years to address [the issues that will arise] with a state forest with in-holdings and fish to protect. She then pointed out that having hearings in Ketchikan isn't the same as having hearings in Prince of Wales. Representative Cissna then requested that Mr. Maisch map out how all the various parts of the perfect model [for a state forest] would be addressed.

MR. MAISCH, referring to Southeast Alaska, reiterated that the task force did meet in Coffman Cove, which is located on Prince of Wales Island. To date, the task force has only met six times and there is a number that anyone can use to call into a meeting. The concept, he related, was to rotate to as many communities as possible in order to obtain as much input as possible. The task force expires in July and is to provide a final report to the governor regarding the task force's findings and recommendations. With regard to the Susitna State Forest, he directed attention to a map that shows how portions of the Yetna and Deshka Rivers flow in and out of the proposed state

forest. Alaska's State Forest Practices Act, one of the strongest in the nation, provides protection for fish habitat, both for anadromous and high value resident fish, and water quality. Site specific buffers are left at streams based on the characteristics of the stream. He again directed attention to a map, and pointed out the blue corridors that denote areas previously set aside by the legislature as important for riparian habitat and anadromous fish. There are quarter-mile buffers on each side of the stream systems that were identified as important anadromous fish habitat. Therefore, in addition to Alaska's State Forest Practices Act there is an extra layer of protection in place along these river systems. In terms of other state forests that are already in place, the importance of maintaining fish habitat is realized. In fact, salmon production has increased during the time forest management activities in Southeast, Southcentral, and the Interior have been in place. He opined that the record speaks well for the protections that exist. With regard to the in-holdings, Mr. Maisch stated that [in determining the land for the proposed state forest] the main concentrations of settlement lands were avoided, although there are some in-holdings within the proposed state forest. A similar situation existed in the Tanana Valley State Forest where there were in-holdings on some of the rivers. A citizen's advisory committee in which citizens are given a chance to interact with the Division of Forestry regarding management objectives and goals in the forest has been successful. For the proposed state forest he envisioned allocating a seat on the citizen's advisory committee to in-holders, such as a homeowner's association as well as a group concerned about access. The citizen's group approach has been successful in the past for management of the other state forests; and furthermore it tiers up to the Board of Forestry, which has a similar organization.

[8:54:49 AM](#)

REPRESENTATIVE DICK recalled flying over areas of the proposed state forest and seeing bands of timber along the rivers, but no timber about 50 feet away from the river. Chair Dick opined that he's having a difficult time picturing the area as a forest.

MR. MAISCH informed the committee that the [Division of Forestry] has performed a timber inventory with detailed mapping of the different timber resources in the area. Therefore, the 9 million state-owned acres have been narrowed to the higher and more productive lands that have been classified for forestry

use. In fact, these lands are already managed for forestry purposes as they are classified as such by the area plan, although they aren't currently designated as state forest lands. These lands are actually very productive forest lands that consist of mostly hard woods. Along the river systems tend to be most of the conifer species. He noted that the inventories of the land and the maps of the timber stands are available online. In further response to Representative Dick, Mr. Maisch agreed to show Representative Dick's staff the link.

[8:57:26 AM](#)

REPRESENTATIVE SADDLER asked if the in-holdings would expire with the title holder's death or would they be inheritable or transferrable.

MR. MAISCH answered that the in-holdings are private land and will always be so; there is no intent by the state to acquire or restrict the use of that private land. In fact, he opined that over time the in-holdings will enhance the access where it's desired [by the owners of the in-holdings]. The division works with owners of the in-holdings to respect their wishes. In further response to Representative Saddler, Mr. Maisch reiterated that the state has no intent to acquire private land or consolidate lands.

[8:58:39 AM](#)

REPRESENTATIVE GARDNER posed a scenario in which SB 159 passed and there was an increase in timber harvest. In such a situation, she inquired as to what proportion would be for export in the form of round logs versus that used locally.

MR. MAISCH informed the committee that currently there is no round log export out of Interior Alaska, including Southcentral Alaska. He acknowledged that there have been round log exports out of Interior Alaska in the past, but only during the very best market conditions. The focus of the Division of Forestry is on local manufacturing and high value-added manufacturing. Most of the sale authority gives the division some advantages to use sales mechanisms to use that type of use. One case has gone to the Supreme Court regarding round log export [from which it was made clear that] the state doesn't have the ability to regulate interstate commerce. Although round log export off of state lands can't be restricted, there are mechanisms in place through the division's sale authorities and policies to ensure those logs are available for domestic use and manufacture.

9:00:04 AM

REPRESENTATIVE SADDLER inquired as to the interface of the development impulse and the existence of the proposed state forest.

MR. MAISCH clarified that once lands are legislatively designated, there is no ability to dispose of the lands for settlement within the state forest. The area planning process for the area has identified settlement lands as part of the process. Therefore, the state through the Department of Natural Resources, Division of Mining, Land & Water and the area planning process maps the zoning characteristics of different state land in the Mat-Su Valley. One of the zoning items is settlement lands, and therefore the better settlement lands have already been identified in the planning process and made available for that purpose. Once the state forest is designated, those lands within the state forest are no longer available for settlement. However, access isn't restricted and [DNR] has a great track record in terms of allowing access for a variety of development uses such as mining, oil and gas, and other purposes.

9:01:55 AM

MR. MAISCH, in response to Representative Austerman, acknowledged that an earlier version of the map didn't have the blue corridors that signify the legislatively designated areas. He then told the committee that there are even more detailed maps that identify in-holdings in more detail and offered to make that map available to the committee. He noted that all the documents are available on-line.

9:04:01 AM

REPRESENTATIVE AUSTERMAN asked if SB 159 legislatively designates the areas.

MR. MAISCH replied no, and added that the lands were identified back in the 1990s prior to a Forest Practices Act for that region of the state. After the Alaska Forest Practices Act, the region [in the Mat-Su Valley] is region 2, Southeast Alaska is region 1, and Interior Alaska is region 3. Those regions are tailored to the types of forests and rivers in the region, and therefore the act changes region-to-region. This legislation doesn't impact those established corridors, he noted.

9:04:58 AM

REPRESENTATIVE AUSTERMAN announced that he will be a "no recommendation" on the legislation in terms of it moving from committee.

9:05:14 AM

REPRESENTATIVE SADDLER requested access to the mining, land, and water maps that show the settlement lands.

MR. MAISCH agreed to do so, noting that it's included in the area plan.

9:05:44 AM

CHAIR MUNOZ pointed out that the supporting materials in the committee packet specify that 2.1 million acres is currently managed for forest and timber production in the Mat-Su Valley area. She asked if the state forest designation limits the timber activity to the 700,000-plus acres proposed in SB 159.

MR. MAISCH replied no, the Division of Forestry is still responsible for managing the forest resources on all state lands classified for forestry purposes.

9:06:35 AM

CHAIR MUNOZ inquired then as to the benefit of having a state forest that prioritizes timber harvest versus lands that are continuing to be harvested but aren't located in the state forest.

MR. MAISCH stated that one of the most important advantages is the permanence that the designation would provide. Once the land is legislatively designated as a state forest, the state is committed to manage the lands in perpetuity for sustained yield of the timber resource. The aforementioned is very important for the industry in terms of being able to plan and make long-term investments. Another important advantage is investment in infrastructure. He informed the committee that the Division of Forestry budget includes discretionary funds for infrastructure, reforestation, and road and bridge construction. Mr. Maisch said that he would be willing to make those investments in land designated as state forest land because that investment can be retained for the future whereas investment in a classified land

that is general ownership could be lost in the future when the area plan is updated and the classification is changed. Therefore, it's important to have anchor forests close to communities to provide easy access for timber and recreation.

[9:08:21 AM](#)

CHAIR MUNOZ asked if the existing rights-of-way have been identified for the R.S. 2477s and will DNR continue to protect the state's rights to those R.S. 2477s.

MR MAISCH answered yes, specifying that all the rights-of-way for the R.S. 2477s have been identified through the Division of Mining, Land, and Water. There will be no changes to those rights-of-way and the intent is to protect them for future access and development.

[9:08:55 AM](#)

REPRESENTATIVE SADDLER inquired as to how fire management would occur under a state forest designation.

MR. MAISCH responded that initially there would be no change to the type of firefighting activity on these lands. He reminded the committee that there is a statewide management plan that identifies three levels of protection for lands in the state. The plan is in place and active regardless of whether the land is designated as a state forest or not. However, if these lands are designated [as a state forest], over time there may be higher levels of protection afforded places that have active timber sales occurring or pending. In further response to Representative Saddler, Mr. Maisch opined that although initially [a state forest designation] wouldn't make any difference, as access to these [proposed state forest] lands is developed it would help the initial response to fires. Furthermore, over time the management of the state forest land will help manage high risk fuel types, especially those close to communities. He informed the committee that the division would go through the Community Wildfire Protection Plan process that identifies human habitation and human improvements in relation to high risk fuel types. The process includes activities in the high risk fuel types to help reduce the risk and provide additional protection to these communities.

[9:10:49 AM](#)

REPRESENTATIVE GARDNER maintained concern about the public process for the proposed Susitna State Forest and the Tongass National Forest. Therefore, she requested data that specified the number of meetings held, mail out lists, and agendas in order to be sure that those who are most directly impacted in both regions had the opportunity to actively participate in the discussion.

MR. MAISCH directed attention to the document entitled "Summary of area plan and other agency public processes related to the proposed Susitna State Forest [4/9/12]" that has been used to date. The current process began in 2008. Mr. Maisch said there has been an extensive public process during which hundreds of people have attended the various public meetings in the Mat-Su Valley. This is part of the area planning process, during which the concept of having state forests has been discussed at all the area planning process meetings as those lands are classified for forestry use and because that's the first step. In further response to Representative Gardner, Mr. Maisch agreed to provide the committee with the meeting dates, locations, and agenda for the task force for the Tongass National Forest. He noted that all of the meetings were advertised through the meeting notice process the state uses.

[9:13:34 AM](#)

REPRESENTATIVE CISSNA expressed the need to ensure forests are safeguarded in the face of the ever expanding human population. She then surmised that Mr. Maisch is dealing with sustainability and ensuring that the state has a resource that it can go to and develop as a business in the future.

MR. MAISCH responded yes. He then related that one of the biggest issues for his colleagues around the nation is urbanization and parcelization of forest lands to smaller and smaller parcels of property. The aforementioned is now a problem north of Anchorage. Therefore, one of the key reasons the Susitna State Forest has been proposed is to retain larger blocks of land in public ownership that have a multiple use, sustained yield mandate on how they will be managed. He reminded the committee that a state forest classification is a more general classification that allows many types of uses to which Alaskans are accustomed. Another reason the Susitna State Forest has been proposed is to help provide a sustainable yield of timber for personal use, which would help address energy issues and provide a raw material for the industry.

[9:16:13 AM](#)

REPRESENTATIVE SADDLER inquired as to the difference consumers would experience when cutting fire wood on state forest land as opposed to its current classification and management scheme.

MR. MAISCH answered that there would be no change. The permit that is required to harvest timber on general state land for personal would still be required for state forest lands. The only difference one might observe on state forest lands is that the division might plow and grade roads on occasion because it has a road maintenance budget for state forest land. Therefore, people might enjoy better access to the personal use program in a state forest versus general use state lands.

[9:16:54 AM](#)

REPRESENTATIVE SADDLER inquired as to the type of transportation facilities and roads that would be [in the proposed state forest].

MR. MAISCH specified that would be part of the planning process. He noted that there are some road systems that have already been developed in the proposed state forest as part of the timber management process. For example, the Zero Lake and Willard Cash road systems have been developed and significantly upgraded over time. The aforementioned is accomplished through the timber sale program. Commercial purchases of timber are required to do road maintenance as well as road and bridge construction as part of the purchase of that timber. The division does the fair market appraisal of those infrastructure investments and deducts it from the appraisal of the timber. Therefore, it's one way in which the state benefits from infrastructure development.

[9:18:11 AM](#)

REPRESENTATIVE GARDNER inquired as to who compiled the document entitled "Summary of area plan and other agency public processes related to the proposed Susitna State Forest [4/9/12]."

MR. MAISCH said that his forest planner, Jim Schwarber, compiled the document.

[9:18:54 AM](#)

BUCK LINDEKUGAL, Southeast Alaska Conservation Council (SEACC), began by stating that on behalf of SEACC members he voiced

surprise, disappointment, and dismay over the inclusion of Section 2 in [CSSB 159(RES)]. Without warning and no effort to inform impacted communities, Alaska Native tribes, or the public, SB 159 was amended to call for substantial changes in the ownership of the Tongass National Forest. Mr. Lindekugal called on the House Community and Regional Affairs Standing Committee to reject Section 2 of [CSSB 159(RES)] and insist on a fair and full public discussion of this controversial provision that would substantially change the ownership and management of the Tongass National Forest. He emphasized that how the Tongass National Forest is managed is very important to those living in it and depending on its resources. Mr. Lindekugal indicated that SEACC is working with a host of partners to build a diverse, stable, and sustainable economy in the region. It's a future that ensures the region's watersheds, community hunting and fishing areas, important Native lands, etcetera are protected for future generations. Therefore, SEACC requests that the committee table this legislation or delete Section 2 from it.

[9:21:46 AM](#)

REPRESENTATIVE CISSNA inquired as to when Section 2 was added.

CHAIR MUNOZ stated that Section 2 was added in the Senate Resources Standing Committee.

REPRESENTATIVE CISSNA related her understanding that Mr. Lindekugal is saying that the community process didn't occur in Southeast. However, Section 2 merely urges the governor to negotiate and doesn't really make it happen. She then asked the sponsor whether Section 2 is a deal breaker. She also asked whether amending the language of Section 2 would address SEACC's concerns.

MR. LINDEKUGAL said he wouldn't equate the governor's task force process in Southeast Alaska with a broad open public forum in which all stakeholders have a say. He related that SEACC has been around and involved with management of the Tongass National Forest for 41 years and there are always issues. The organization tries to be responsive to changing conditions and needs, the forum for which is provided by the forest planning process on the national level. In contrast, the task force isn't as inclusive and seems to stick to the old timber first paradigm from settler's days rather than looking forward to the long-term needs of the region and the world in terms of having a sustainable economy. Mr. Lindekugal acknowledged that Section 2

is intent language and doesn't substantively require the governor to submit legislation to the legislature, it urges him to do so. Although the legal effect of Section 2 isn't immediate, when the legislature makes a statement people listen. The SEACC doesn't believe that the statement regarding obtaining more forest land from the Tongass National Forest for a timber first priority is appropriate. He reminded the committee that over the last two sessions, the Southeast state forest bill was created and then expanded. Those in the area are still waiting to see if the promises of state forest management on those lands will prove up and be comparable to the opportunities on federal lands.

[9:28:16 AM](#)

REPRESENTATIVE SADDLER inquired as to Mr. Lindekugal's opinion of Section 1 of [CSSB 159(RES)].

MR. LINDEKUGAL said SEACC doesn't have any objections to Section 1 regarding the creation of the Susitna State Forest. He then directed attention to the letter from the Organized Village of Kake dated April 11, 2012, which expresses concerns with state management of their homeland because of the state's lack of government-to-government relations with tribes in Alaska.

[9:29:48 AM](#)

EDDIE GRASSER, Lobbyist, Safari Club International (SCI) - Alaska, stated that the sponsor should have a letter from SCI-Alaska in support of this legislation. He recalled working for Representative Larson in 1986 when the six rivers/recreational rivers legislation was passed. Therefore, the river corridors referenced by Mr. Maisch have been in existence for a long time. The goal was to protect those waterways for fish as well as to protect access for fishing. With regard to the concerns with the public process, Mr. Grasser informed the committee that he was born and raised in Palmer where he participated in many public hearings on the Susitna area plan that he recalled began in the early 1980s. Therefore, there have been extensive hearings on this matter.

[9:31:21 AM](#)

SENATOR MENARD commented that the state is fortunate to have someone of the caliber of Mr. Maisch involved with forestry. She recalled that during the Senate Resources Standing Committee meeting Southeast legislators expressed the desire to include

the Tongass National Forest intent language in the legislation, which she felt was a fair submittal and provides awareness.

[9:32:38 AM](#)

REPRESENTATIVE CISSNA inquired as to the Division of Forestry's relationship with tribes.

SENATOR MENARD answered that she believes the tribes would be one of the partners. However, she understood that in the proposed Susitna State Forest area there are no tribal areas.

CHAIR MUNOZ clarified that Representative Cissna is speaking to the government-to-government relations issue mentioned in the letter from the Organized Village of Kake.

MR. MAISCH said that although he isn't an expert on the government-to-government relationship aspect, for about 15 years he worked for the Tanana Chiefs Conference (TCC) in their forestry program. The division, he explained, incorporates tribal and Native corporation interests in the citizen's advisory committee and the Board of Forestry, both of which have a seat specifically designated for Native community participation or Alaska Native corporations. The government-to-government relationship is really an executive branch issue that he wasn't sure how it was handled in Southeast Alaska. However, he recalled that when the POGO mine was constructed in Fairbanks there were government-to-government processes, which he recalled were basically via a federal nexus rather than a state nexus.

[9:35:11 AM](#)

REPRESENTATIVE SADDLER stated that in addition to the forest practices and the habitat management of state forests there should also be protection of logging, hunting, trapping, and motorized access of the proposed Susitna State Forest. He further expressed the need for appointments to the citizen's advisory committee to take the aforementioned into consideration and protect those uses.

MR. MAISCH noted that the legislation includes a specific section that addresses traditional uses on state forest land. In fact, [a provision in] the Haines State Forest [statute] enumerates the aforementioned.

[9:36:07 AM](#)

REPRESENTATIVE FOSTER, returning to the concerns expressed with regard to government-to-government relations and Southeast Alaska, encouraged having people from Southeast be a part of the solution.

[9:36:32 AM](#)

REPRESENTATIVE DICK requested information regarding what logging operations are going on in the [proposed Susitna State Forest].

MR. MAISCH agreed to do so.

[9:37:26 AM](#)

REPRESENTATIVE GARDNER said that she's uncomfortable including the Tongass National Forest since the committee doesn't have the data for the public process. She remarked that she's not confident that it has had as thorough a vetting by local communities as occurred for the proposed Susitna State Forest.

[9:37:50 AM](#)

REPRESENTATIVE GARDNER moved that the committee adopt Amendment 1, as follows:

Page 31, lines 20-31;
Delete Section 2

REPRESENTATIVE SADDLER objected.

[9:39:12 AM](#)

A roll call vote was taken. Representatives Cissna and Gardner voted in favor of adopting Amendment 1. Representatives Saddler, Foster, Dick, and Munoz voted against it. Therefore, Amendment 1 failed to be adopted by a vote of 2-4.

[9:39:49 AM](#)

REPRESENTATIVE SADDLER moved to report CSSB 159(RES) out of committee with individual recommendations and the accompanying fiscal notes.

[9:40:10 AM](#)

REPRESENTATIVE GARDNER objected to moving CSSB 159(RES) today because she wanted to review the data that has been requested.

REPRESENTATIVE CISSNA said that she supported moving CSSB 159(RES) forward as it would ensure that the area isn't lost to subdivisions.

REPRESENTATIVE FOSTER related support for the motion with the caveat that the House Resources Standing Committee addresses Representative Gardner's concerns.

[9:42:19 AM](#)

REPRESENTATIVE GARDNER withdrew her objection, noting that she is a member of the House Resources Standing Committee, the next committee of referral.

[9:42:35 AM](#)

CHAIR MUNOZ announced the intent to obtain and provide the information to the House Resources Standing Committee.

[9:42:53 AM](#)

There being no further objection, CSSB 159(RES) was reported from the House Community and Regional Affairs Standing Committee.

[9:43:18 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was adjourned at 9:43 a.m.