

FOREST

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# SANTCO

## SOUTHEAST ALASKA NATIVE TIMBER CORPORATION

PRESIDENT

Clarence Jackson Sr.  
Box 200, Kake, Alaska 99830

SECRETARY

Marjorie Young  
Box 73, Craig, Alaska 99921

March 10, 1976

Honorable Frank R. Ferguson  
Senate  
State of Alaska  
Pouch V  
Juneau, Alaska 99811

Re: H.B. 607 Sponsor Rep. Miller/Beirne  
S.B. 563 Sponsor by the Rules Committee by  
Request of the Governor. Relating to Alaska  
Forest Practices Act and Resources

Dear Senator Ferguson:

The Southeast Alaska Native Timber Corporation (SANTCO) was formed by the village corporations, urban corporations and regional corporation established pursuant to the Alaska Native Claims Settlement Act (ANSCA) with its sole intent to provide the natives of Southeastern Alaska a means to inventory, classify, plan, develop, harvest, reforest and manufacture timber resources on lands each is a beneficiary of under ANSCA. The shareowners, living predominantly in communities in the Tongass National Forest where these lands are located number over 16,000 persons. Although, patent to lands, pursuant to ANSCA are yet to be conveyed to the participant corporations, it is estimated that over 400,000 acres of timbered lands will be conveyed. In anticipation of this occurrence, our member corporations individually and collectively, have been working to inventory, classify and plan for the use of the newly acquired properties. This process is not yet completed.

As we are all aware, the timber industry in our region is at an all time low - in harvesting, production, marketing and jobs. Natives and non-natives alike are being affected by the negative economic impact of this occurrence. On top of all this, a federal court ruling regarding the "clear cut" method of harvesting timber threatens to completely bring to a standstill, a basic industry of our State. Constant pressure by federal environmental requirements threaten to make obsolete present processing facilities in the region and prohibits construction of planned new facilities. Further, lawsuits relating to preservation of certain land areas of our State by the Sierra Club and other environmental interests promote set asides of vast land areas for special purposes and special interests thereby prohibiting a comprehensive view of the natural resources of the State remaining available for development. After careful observation, the members of SANTCO advance, based on these circumstances, that this is no time to promote restrictive legislation on a prime resource until the aforementioned problems are settled out.

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At this moment in history, the only people owning, the greatest part of Alaska, private timber lands are the Native Corporations. H.B. 607 and S.B. 563 is clearly aimed at native ownership and use of lands. Members of SANTCO would like to remind this body that Alaska Natives were and are still the first conservationists in Alaska.

We are not about to destroy our remaining meager resources. The Alaska Native Claims Settlement Act requires that, at a minimum, that we manage our lands under a multiple use sustained yield management plan no less stringent than that of the U.S. Forest Service. This plan must be filed with Congress. For the interim, it is believed that the public's interest will be considered through this process.

In discussions pertaining to the legislation before this session, concern has been raised as to the extent of the State of Alaska interests. Both bills purport to treat potentially timbered lands owned by the State of Alaska and those owned by the private sector similiarly and without distinction. Firstly, at this time, it is not clear as to what level the State of Alaska is involved with timber resources. Although the State pursuant to the Statehood Act, is allowed to select up to 400,000 acres of land within the National Forest, the State Administration has failed to do so. In this vain, as a pre-requisite to any State Forestry Practices Act, SANTCO believes it important that the State legislature provide some guidance to the Administration by providing or requesting the State's plan of selection, means for inventory and classification, commitment and outline of a multiple use/sustained yield plan, designation of land set asides for special purposes, plan for protection and preservation of other natural resources pursuant to the Constitution of the State of Alaska and lastly, a specific plan and schedule to put State lands into the flow of economics and commerce. Secondly, both bills broadly interpret the State's jurisdiction to regulate commerce related to the timber industry and to protect other natural resources and the general welfare of the people pursuant to the State Constitution with little regard to the property rights and interests of private citizens. In the opinion of SANTCO, it is important that any legislation narrowly construct the responsibilities of the State of Alaska pursuant to its Constitution. Furthermore, the bill, as presented, prescribes an excessive regulation of timber commerce not presently included as precedence in statute for any other industry or business in the State of Alaska. Additionally, the legislation strains the level of restrictions on the civil rights of citizens and property owners, not envisioned in the State Constitution. The legislature should clearly review the possibility of separating the need for law governing forest management of State lands from that of private landholdings.

At a recent meeting of the Board of Directors of SANTCO, it was concluded upon the

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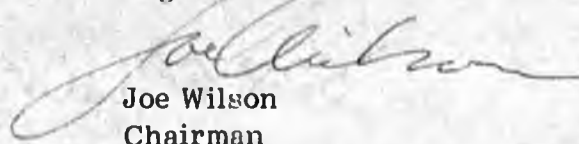
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advise of legal counsel and various members, that the Alaska Forestry Practices Act legislation as presented before this session of the legislature is detrimental to the interests of private landowners/timber owners. The Board voted to oppose the advancement of the H.B. 607 and S.B. 563 during this session of the legislature. It is hoped that your office could lend its support toward "shelving" or deterring progress on these matters. This is not to say that the native timber interests are totally opposed to some form of legislation relating to the Alaska Forestry Practices and Resources in the future, however, it is our intent that a longer process for development of the legislation take place, possibly under the guidance of the Legislative Council. Through a committee of this forum, a series of hearings through the affected areas of the State could take place and an extensive analysis of the timber situations, legislative alternatives and other considerations be made.

Thanking you for this consideration.

Sincerely,

S.E. ALASKA NATIVE TIMBER CORPORATION  
Legislative Committee



Joe Wilson  
Chairman

cc: Robert W. Loescher, SANTCO Legislative Committee  
Ethel Staton - SANTCO Legislative Committee  
Gerald Gray - SANTCO Legislative Committee  
Glenn Charles - SANTCO Legislative Committee  
Warren Weathers - SANTCO Legislative Committee  
Clarence Jackson - SANTCO Legislative Committee  
Board of Directors - SANTCO  
Central Council of the Tlingit & Haida Indians of Alaska  
Executive Committee/Delegates  
Alaska Native Brotherhood/Sisterhood  
SEALASKA - Board of Directors  
Alaska Loggers Association

RWL:JW:lg