

SCOMM

#22:23

RONALD A. BIRCH
HALL M. HORTON
WILLIAM B. BITTNER
BRUCE MONROE
SUZANNE C. PESTINGER
LLOYD V. ANDERSON
GREGORY C. TAYLOR
ROD CARMAN
RITA T. ALLEE
GORDON F. SCHADT
HARVEY A. LEVIN
JOSEPH M. CHOMSKI
MICHAEL R. SPAAN
RONALD NOEL
CAROL A. JOHNSON
GERALD D. STOLTZ
MICHAEL J. O'BRIEN
JOSEPH W. EVANS
WINSTON S. BURMAN
DIANNE H. PIERSON
E. BUDD SIMPSON
CONSTANCE E. BROOKS
JAN S. OSTROVSKY
WALLER TAYLOR, III

* ADMITTED IN D.C.

LAW OFFICES
BIRCH, HORTON, BITTNER AND MONROE
4400 JENIFER ST., N. W. - SUITE 300
WASHINGTON, D. C. 20015
(202) 244-4250
TELEX 9-89-2591

728 W. FOURTH AVE., SUITE 200
ANCHORAGE, ALASKA 99501
(907) 279-9403
TELEX 25-356
1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 270-9501
751 OLD RICHARDSON HWY., SUITE 349
FAIRBANKS, ALASKA 99707
(907) 452-1866
130 SEWARD STREET, SUITE 314
JUNEAU, ALASKA 99901
(907) 580-2800

July 7, 1978

Michael Harvey, Esq.
Chief Counsel
Committee on Energy and
Natural Resources
U.S. Senate
Washington, D. C. 20510

Dear Mike:

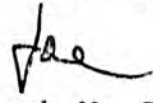
We have prepared the attached two-page summary of the Steering Council for Alaska Lands' positions on d-2, per your request at our June 29, 1978 meeting. It is organized along the lines of the "issue priority schedule" that your Committee has set up for dealing with the Alaska Lands Legislation.

Both Senator Mike Colletta and I appreciated the time you spent with us, as well as your candor. We will continue to work with you and the Committee toward enactment of balanced legislation.

I have included several extra copies of the summary in the event that you may need them.

Cordially,

BIRCH, HORTON, BITTNER & MONROE


Joseph M. Chomski

JMC/cjh
Enclosures

RECEIVED

JUL 13 1978

STEERING COUNCIL
FOR ALASKA LANDS

Steering Council For Alaska Lands

REP. STEVE COWPER
CHAIRMAN
REP. ALVIN OSTERBACK
REP. JOE L. HAYES
SEN. CHANCY CROFT
SEN. MIKE COLLETTA
SEN. JOE ORSINI
WALTER PARKER
COMM. ROBERT LERESCHE
JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



1016 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

July 7, 1978

Summary of d-2 Policy Positions contained in Working Draft Bill

I. STATE AND NATIVE SELECTIONS

The State of Alaska should be allowed to select its entire 104 million acre entitlement before d-2 withdrawals are made; the Native Selection provisions of H.R. 39 are satisfactory;

II. OIL AND GAS MANAGEMENT

The Arctic Range should be open to a joint federal-private industry study for oil and gas deposits, as well as a Federal-State study of wildlife and ecological values; all new National Wildlife Refuges should be subject to an expedited oil and gas exploration program; oil and gas assessments shall continue throughout all public lands in Alaska;

III. HARDROCK MINERALS

Valid existing rights must be honored, including access to such claims even if through wilderness areas; existing law shall apply to National Wildlife Refuges, Park Preserves, and Forests; Federal mineral assessment shall continue on all public lands;

IV. TRANSPORTATION ACCESS

Existing law is retained for nonwilderness areas; transportation and utility corridors access across wilderness and wilderness study areas must be provided in a workable fashion, not involving Congressional approval;

July 7, 1978

V. SUBSISTENCE/SPORT HUNTING/COMMERCIAL HUNTING

The Title adopted by the House of Representatives is satisfactory as long as the native community continues to support it and certain problems recently raised by the State of Alaska are ironed out;

VI. WILDERNESS

The Steering Council strongly opposes instant wilderness and proposes that 11 million acres be added to the Wilderness Preservation System in Alaska, all of which have already been studied; the Council also believes that wilderness study areas should be chosen selectively;

VII. COOPERATIVE MANAGEMENT AND OTHER SYSTEMS

The Steering Council urges the Senate to apply the management system adopted in the California Desert Conservation Act to a substantial portion of Alaskan lands; that system was created for fragile ecosystems threatened by the incursion of man, exactly the circumstance facing Alaska's ecosystems; this approach would allow intense management by the Interior Department without precluding multiple use possibilities; the Steering Council also supports the concept of cooperative management and urges passage of the Bristol Bay Cooperative Management Region as included in the House bill;

VIII. ANCSA AMENDMENTS

Section 22(e) should be deleted; native corporations and villages should be given acreage compensation where native selected lands are declared navigable water and therefore under Federal control;

IX. BOUNDARIES

The Steering Council supports the general boundary designations proposed by the Federal-State Land Use Planning Commission, with certain limited amendments recently forwarded by the State of Alaska; the Council proposes approximately 50 million acres of d-2 conservation system unit withdrawals, and approximately 45 million acres of land to be managed by Interior under the California Desert Act management principles;

X. ALASKA LANDS ADVISORY COMMISSION

This Federal-State advisory commission would be created to exist for 10 years and to provide expertise regarding management of the Alaska's conservation system lands, lands adjacent to these areas, and would make recommendations for future cooperative management regions in Alaska;

GAME MANAGEMENT

The Steering Council for Alaska Lands endorses state management of resident game on federally owned lands within Alaska. The Council believes that the state is in a better position to manage this game and that the Statehood Act provides for state management, and the state is willing to assume full responsibility for adequate management.

W I L D E R N E S S

The Steering Council for Alaska Lands is opposed to the blanket designation of large areas of Alaska as wilderness without the traditional careful study including an environmental and economic impact study made on each wilderness proposal.

A C C E S S

The Steering Council for Alaska Lands finds that access for transportation, recreation, and utilities must be guaranteed in all preservation systems designations in Alaska.

M I N E R A L S

The Steering Council for Alaska Lands supports a careful inventory of the mineral potential of those lands which may be included in a management category which would foreclose mineral exploration and development. The Council recommends that Park and Refuge boundaries should be adjusted, where scenic or wildlife values are not preeminent, to exclude mineral provinces.

FOUR SYSTEMS DESIGNATIONS

The Steering Council for Alaska Lands recognizes that there is an existing need for certain lands in the State of Alaska to be classified in traditional preservation system categories and supports the creation in certain areas of new units of National Parks, Refuges, Forests, and Wild and Scenic Rivers in Alaska.

STATE & NATIVE SELECTIONS

The Steering Council for Alaska Lands believes any valid selections made by the state or natives under the Statehood Act or the Alaska Native Claims Settlement Act should be honored.

A G R I C U L T U R E

The Steering Council for Alaska Lands finds that large blocks of land with identifiable agricultural potential should be included in management systems which would allow for future agricultural development.

CO - O P E R A T I V E M A N A G E M E N T

The Steering Council for Alaska Lands supports, in order to further sound comprehensive planning, the establishment of co-operative federal-state procedures and/or institutions to make future recommendations or designations on policy, planning, and management of Alaska's federal and state lands.

CONGRESSIONAL REVIEW AMENDMENT

As presently constituted, HR-39 over-emphasized the use of Congress as a final arbiter in Alaska land use decisions and under-emphasizes the administrative process. Clearly, it is sometimes appropriate to have Congress oversee major federal administrative actions. It is not, however, appropriate for Congress to review and approve each and every land use decision covering federal lands in Alaska.

The Steering Council therefore adopts the policy that congressional review of Alaska land decisions made via the administration process as described in the D2 Act and the Administrative Procedures Act, be excluded or at least limited to "major" administrative decisions and that "major" be defined in a restricted manner.

STEERING COUNCIL POLICY POSITION
SUBJECT USGS AND BUREAU OF MINES MINERAL
POTENTIAL MAPS AND DATA

The U.S. Geological Survey is scheduled to release its most current Alaska mineral potential maps -- known as its "Level II" survey -- in January. The United States Bureau of Mines has recently completed its information gathering and drafting of its most current mineral potential data covering Alaska.

It is imperative that the Alaska Lands Subcommittee of the House Interior Committee have before it this most current data before making decisions on acreage withdrawals and mineral exploration, extraction, and access. Therefore, the Steering Council implores the Subcommittee to consider the USGS Level II maps before making decisions in mark-up regarding withdrawals, minerals, and access. Furthermore, the Steering Council requests that the Subcommittee take all steps necessary to acquire and consider Alaska mineral potential data currently in the possession of the U.S. Bureau of Mines before marking-up the D2 proposals before it.

The Steering Council believes the decision effecting exploration and extraction of critical and strategic Alaskan minerals are of great national importance. Any conclusive actions taken without the benefit of current and readily available data must be considered hasty, ill-conceived and not in the best interest of our nation.

"ACCESS" IN HOLDINGS AMENDMENT

Every proposal protects prior existing rights although certain requirements are placed on the holders of those claims in order to keep them. The Council's position is that reasonable access must be guaranteed. Without access there is no protection of prior existing rights.

Adopted

Nov 22

Move that: The D-2 Steering Council hold that HR-39 as represented in the Committee Print of October 28 and as slated for mark-up by the subcommittee has areas which are not in the best interests of Alaska and that we urge the subcommittee to generally amend the mark-up vehicle by substituting elements which will be closer in philosophy to that developed in S1727 and the Land Use Planning Commission proposal.

Odin