

SJR

12

COMMITTEE REPORT

SENATE

XX

2/2/77

Date

2/24/77

Mr. President:

The Committee on RESOURCES has had SJR 12

forthcoming action by U.S. Congress regarding (d)(2) lead withdrawal
under consideration. A majority of the members of the Committee

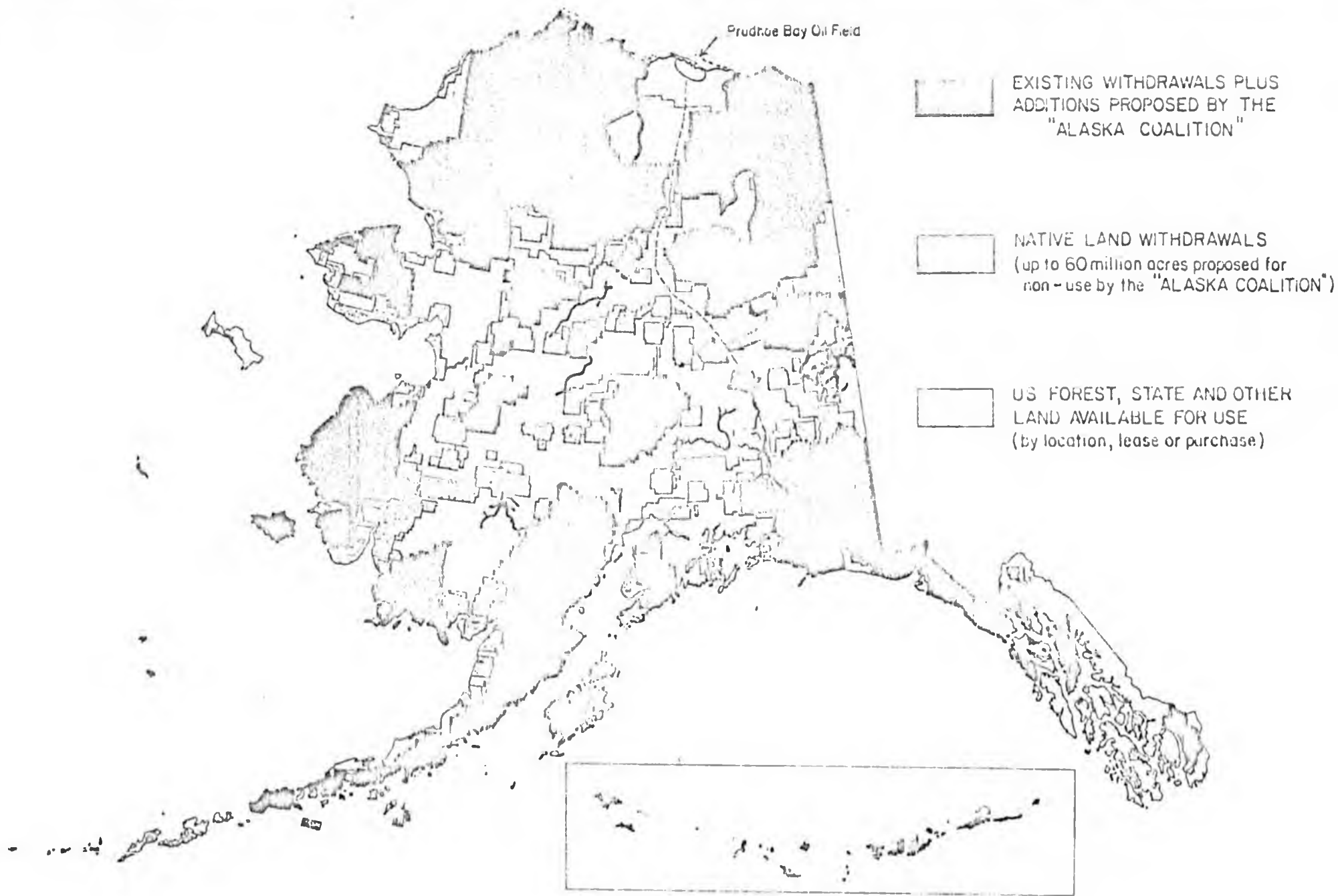
- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for SJR 12 and that
CS for SJR 12 do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____
_____ recommends: _____
_____ recommends: _____

Chairman



THE PRESERVATIONISTS' BLACKOUT

STATE OF ALASKA
One Inch = 190 Miles



Sierra Club, 510 Bush Street,
San Francisco, CA 94108
(415)981-8634

Dear

We are looking for Sierra Club members who will participate in our campaign over the next two years to bring about permanent legislative protection for Alaska's grandest lands. You are one of those who has gone on a recent outing to that incredible country, and we hope that you have special enthusiasm for it and will want to join our Alaska Task Force and take part in its Alaska Legislative Program (ALP).

The enclosed Alaska Report outlines the situation with respect to Alaska legislation and the reprint "Great Stakes in the Great Land" describes the various areas that environmentalists need to include in our national conservation systems. You will also find a sheet describing ALP in some detail.

We would like you to take on the responsibilities of Coordinator of legislative contact for your Congressional District or your local zone. Due to the inevitable unknowns of campaign such as this one, we cannot precisely detail the extent of those responsibilities at this time. Basically though, as Congressional District Coordinator (CDC), they entail the recruiting of 15 or so Zone Organizers (ZO) in various towns or areas of your district. As ZO, your task also will be to recruit 15 or so people who will promise to write their Senators and Congressmen at crucial times during the campaign.

In addition to recruiting others, we will ask you to notify them very rapidly at those crucial times when letters are needed. That will be the extent of the basic job. There is much more that you could undertake if you so desire, but the vital job of generating constituent communication to their Representatives is the one that is absolutely mandatory if we are to succeed with the enactment of strong Alaska legislation.

We estimate the recruitment phase will require up to 20 hours of your time over the next two months. Perhaps another 20 hours notifying your team when you are alerted, over the next two years. Between postage and phone calls, you probably will have out-of-pocket costs of \$10-20 which we cannot reimburse.

We are initiating this program in order to ensure heavy constituent contact with Senators and Representatives, without which we cannot win. District and Zone Organizers are essential to its success -- to Alaska's future.

Please undertake this job if you possibly can. It will cost you a little time and money. But it should be interesting and challenging. And very rewarding. We would appreciate hearing from you soon. In order to expedite the organization of ALP, please reply to Jim Bersey at the Alaska Task Force address. We will need both your home and business telephone numbers. Many thanks.

Cordially,

Edgar Wrayburn, R.D.
Chairman
Alaska Task Force

P.S. Would you also let us know the name and address of good backpack equipment stores in your area that you feel could be inclined to participate in ALP? Also the name of the proprietors of those stores if you can easily obtain them.



alaska report

Sierra Club Alaska Task Force, 530 Bush Street
San Francisco, Calif., 94108 (415) 981-8634 - X523)

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Number 4

A REVIEW OF ACTION ON ALASKA'S PUBLIC LANDS DURING THE 1970's

This issue of the Alaska Report will review and update the situation with respect to the disposition of Alaska's public lands -- its "unreserved public domain" which until recently amounted to more than three-quarters of the state. In 1972, the Secretary of the Interior, under Congressional authority, designated 79 million acres as "National Interest Lands" and withdrew them from public entry until the end of 1978. Congress must enact further legislation by that time to place Alaska's most treasured lands in national conservation systems order to permanently protect them. Various bills were submitted in both the 93rd and 94th Congresses calling for widely differing degrees of protection. The Senate Interior Committee conducted hearings in late 1975, but no other action has been taken. It is now up to the 95th Congress convening in 1977 to termine the future of Alaska National Interest Lands.

STATEHOOD

Claims to Alaska's 365 million acres and threats to their fragile ecology were minimal until the territory became our 49th State in 1959, with a population of nearly 230,000. But the Statehood Act, which Congress had passed the previous year, generously granted the infant state some 103 million acres of land plus another 40 million acres of tidelands. This whopping land grant (more than a been parcelled out to the seventeen western states combined) was intended to provide a base which would enable Alaska's tiny population to overcome its barren economic problems. It exceeded by some 49 million acres the amount of Alaska lands which should now be placed in trust for the benefit of all Americans.

As the State set about identifying the lands it wanted, it ran into opposition from Native Eskimos, Aleuts and Athabascan Indians, who rejected the State's claim to their ancestral lands. By 1966 the dispute had become intense enough for then Secretary of the Interior Stewart Udall to put a "freeze" on all development of, or transfer of title to, public land in Alaska. Then oil was discovered at Prudhoe Bay in 1968, and the oil companies were denied permission to build a pipeline across Alaska's public land to carry it to markets in the lower 48. From these two separate situations developed a strange coalition of oil industry and Alaska Native lobbyists which besieged Congress, demanding settlement of the Native claims and the thawing of the land freeze.

public domain and a cash payment of almost \$1 billion, to be distributed through 12 regional and numerous village corporations. (The regions, and the village recognized by the Department of the Interior, were incorporated after the passage of ANCSA on December 18, 1971; as of December, 1975, most had filed their land selections with Interior and received their first cash payments.)

In the course of the ANCSA debate, it became clear to conservationists that if the state, the Natives and private industry were each to be granted a chunk of 60 but no provision was being made to manage what was left in the unreserved public domain in the best interest of the owners -- the American people. Senators Henry Jackson and Metcalf sponsored an amendment which became Section 17 of the Act with some important provisions:

- 17(a) - established a joint Federal-State Land Use Planning Commission to assure comprehensive planning for Alaska's future;
- 17(b)&(c) - set up a planning procedure for locating public easements and transportation and utility corridors;
- 17(d)(1) - continued the land freeze for 90 days, during which time the Secretary of the Interior determined which of the "public lands" would be withdrawn (i.e., temporarily reserved under federal management) in the public interest. These "d-1 lands" are "multipurpose" lands and are open to metalliferous mining unless or until Congress indicates otherwise; and
- 17(d)(2) - allowed the Secretary to select up to 80 million acres which he deemed suitable for inclusion in the National Park, Forest, Wildlife Refuges and Wild and Scenic Rivers Systems in Alaska. Congress must decide which of these "National Interest Lands" to include in the four national conservation systems by the end of 1978.

FIRST STEPS Following the ANCSA timetable, in March of 1972 Secretary of the Interior Roy C. Borton recommended that 79 million acres be set aside as "d-2" lands, and also withdrew 47 million acres as "d-1" lands for further study of their best

The state of Alaska immediately sued the Interior Department for recommending d-2 some lands the state (pursuant to the Statehood Act) had preempted in a surprise move the previous January. In an out-of-court settlement in September, the state relinquished approximately 35 million acres of the 79 million selected in January; Interior gave up some of its March d-2 recommendations to allow selection, and some others were changed to d-1 status.

BILLS 17 - CONGRESS 1973 In December, 1973 Secretary Borton officially submitted to Congress his proposal for 28 d-2 areas of Alaska totalling 83.5 million acres. By special request, Senator Henry H. Jackson introduced Interior's proposal as S.2917. Also by request, he introduced S.2918, a proposal which conservationists felt better expressed the intent of Section 17(d)(2) of ANCSA by setting aside 106.5 million acres as d-2 lands, or "National Interest Lands".

At the same time, comparable House bills were introduced by Congressman Udall and Daley. Throughout the remainder of the 93rd Congress, they languished. In the spring of 1975 Senator Jackson reintroduced his original d-2 legislation as S.1687 (Interior's) and S.1688 (conservationist-backed), while Representative Udall introduced his bill (identical to S.1688) as H.R.2063.

ANALYSIS Conservationists back S.1688 as an alternative to Interior's proposal for a number of reasons, but primarily because the increased acreage allows the preservation of complete ecosystems. As a result of the 1972 out-of-court settlement, some of the d-2 proposals in S.1687 have huge gaps. Although S.1687 places some of the land changed to d-1 in the settlement with the state within the perimeters of the d-2 proposals (the state threatened to reopen its suit), as d-1 lands could be mined and/or selected by the state before Congress has voted on and

interior proposals for four National Parks: Wrangel Mountains, Gates of the Arctic, Mt. McKinley (southern extension) and Yukon-Charley Rivers. In other proposals, crucial parts of the ecosystem are simply omitted. For example, except from Interior's proposal for Selawik National Wildlife Range (in S.1687) are several hundred thousand acres to the west which the draft Environmental Impact Statement called "of comparable or greater value to fish and wildlife than the proposed refuge itself". (NPS DEIS)

The Interior bill also ignores several exciting opportunities for cooperative innovative management, such as that proposed for the Chukchi-Imluruk National Wildlife Lands. Secretary Horton originally proposed this as an area for joint National Park Service (NPS)/Fish and Wildlife Service (FWS) management, but S.1687 now calls for a National Reserve under sole NPS management. In the Wrangel Mount conservationists foresee the establishment of an international park with large equal grandeur and recreational potential in Canada. In S.1687, however, the Wrangels proposal is split between U.S. Forest Service and NPS jurisdiction, the latter getting 88% "barren rock and ice" (NPS DEIS).

S.1687 would place almost 19 million additional acres (there are already 21 million acres) under the Forest Service, whose operating code allows minor as well as clearcut logging. Only four National Wild and Scenic Rivers are proposed.

Conservationist-backed S.1688 seeks to retain cohesive units of Alaska's wilderness, thereby preventing damage to watersheds and animal habitat within the proposed. For this purpose, for instance, the bill supports an extension of existing Arctic National Wildlife Range in northeastern Alaska to incorporate migratory routes of the Porcupine caribou herd which uses the Range. It would enlarge Mt. McKinley National Park on three sides, bringing a large part of the massif and surrounding wolf, moose, caribou and grizzly habitat into the Park established in 1917.

Individual proposals in S.1688 allow a comprehensive regional approach to conservation of land and wildlife resources. For example, on the Aleutian Peninsula extension of, and National Park status for, Katmai National Monument, and establishment of Aniakchak Caldera National Monument and an Alaskan Peninsula Joint Brown Bear Range would protect spectacular reminders of volcanic activity, rivers and hiking country, as well as the considerable forage needed by the endangered Alaskan brown bear, one of the world's largest carnivores. In southern Alaska, expanding the Arctic National Wildlife Range to the south, creating the Yukon Flats National Wildlife Range, a Yukon-Charley Rivers National Park and Birch Creek National Wild River would join an intact unit of the Arctic ecosystem with the Subarctic. Fauna endangered elsewhere in the Arctic by oil drilling and exploration would be protected, as would the summer breeding grounds of millions of wildfowl which migrate annually to the wetlands of the Yukon Flats. S.1688 proposes 13 of the nation's most beautiful and exciting rivers as Joint Wild and Scenic Rivers.

HOLDING
PATTERNS

On December 20, 1973 Senator Jackson wrote Secretary Horton asking him not to confer title to any lands which might qualify for designation by Congress without notifying the Interior Committee of both Houses of Congress at least 60 days in advance. The request was repeated in May and December of 1974. In March of the summer of 1974, the state of Alaska asked for patent to the 42 million acres of its January 1972 land selection which were not relinquished in the settlement with Interior. In September, 1974 Edgar Wayburn, Chairman of the Sierra Club Alaska Task Force, protested to Senator Jackson that the apparent willingness of the Interior Department to comply with the state's request would remove 6.5 million acres from possible inclusion in the four conservation systems.

First Class Mail



Alaska Report

On December 19, 1974 a Senate Interior Committee hearing chaired by Floyd K. Damm heard Royston C. Hughes, Assistant Secretary of the Interior, on the state d-2 conflict. Senator Haskell and Senator Lee Metcalf, also present, agreed to fast-track transfer of title to the state in undisputed areas; they also agreed to fast-track for compromise in some other areas, but Haskell warned: "I think the Department should be ill-advised to go ahead where there are conflicting legislative proposals, not be your d-2, but it might be our d-2."

THE WATCH

Others concerned about the national interest in Alaska have been active in this period. Conservationists protested vigorously in nationwide hearings against the October 1974 Bureau of Land Management document, "Multimodal Transportation and Corridor Systems in Alaska: A Preliminary, Conceptual Analysis". Of the 40 corridors carved across Alaska in this concept, only three were tentatively approved by the Secretary of the Interior.

To further study the d-2 situation, the Alaska Coalition, a group of 12 conservation groups met in Fairbanks in February, 1975 to discuss potential management and policy changes in legislation before the new 94th Congress.

94th CONGRESS 1975

And the holding pattern continued. Conservationists repeatedly urged Congressional hearings on the complex landmark legislation, stressing the 1978 deadline for completion Congress had given itself in AISCSA. Furthermore, the situation was getting more complex -- Congressman Young of the Alaska delegation submitted a d-2 proposal to the 94th Congress.

On September 3, 1975, Congressman Hall introduced H.R. 9346, a bill containing the parks, monuments and wild and scenic rivers d-2 proposals of H.R. 2063. This falls directly under the jurisdiction of the National Parks and Recreation Subcommittee of the House Interior Committee. During the August recess, Congressmen Joan Small and Goodloe Byron and staff of the subcommittee had visited Alaska, and their report will help Chairman Roy Taylor's subcommittee.

Action in the Senate began with oversight hearings on November 21 and December 1 in the Senate Interior Committee. Edgar Mayhew, on behalf of the Alaska Coalition, advocated passage of S. 1638 and reiterated the increasing pressures for development of Alaska's public lands which make immediate Congressional action imperative. Committee also heard from the Interior Department, the Alaska delegation and a proposal from the state of Alaska, before issuing a white paper to be used as a basis for future substantive hearings.

Congressmen looked at Alaska in December, 1975 from another angle in consideration of H.R. 6644, a bill urged by Alaska natives to amend AISCSA. Certain federal, state and Native Land selections were changed which will affect the d-2 issue, particularly in central and southwestern Alaska. Hopefully Congress will move on to examine proposed additions to the four national conservation systems in these regions.

THE ROAD AHEAD

Below is a chart summarizing the proposals Congress must consider in the process of deciding which lands in Alaska should be added to the national conservation systems:

	S. 1688 (Conserv)	S.1687 (Interior)	HR 6848 ⁽¹⁾ (Young)	State of Alaska ⁽²⁾	Fed/State LUPC
National Conservation systems:					
" Park System	52.1	32.3	10.7	16.7	18.3
" Wildlife Refuge System	50.8	31.6	-	15.3	14.8
" Wild & Scenic Rivers System	1.6	.8	.5	-less than 1 mil	
" Forest System	1.6	18.8	28.3	4.6	6.0
"Alaska National Land Reserves"					
Wilderness study areas					58.9
					9.0
"Alaska Resource Lands"					
				61.9	
"Alaska Scenic Reserve System"					
			24.1		
TOTAL:	106.1	83.5	63.8	98.5	107.0

*In millions of acres

Notes:

(1) HR 6848 was introduced by Congressman Young in the 94th Congress. The 24 million acres in the so-called Alaska Scenic Reserve System would be administered by a Federal State Commission for multiple use -- i.e., resource extraction would be permitted as it is in the National Forests. Only 11 million acres would be added to the National Park and National Wild and Scenic Rivers Systems, where recreation, open space and wildlife preservation are the major land use values. HR 6848 would also establish 8 new transportation and utility corridors in the state.

(2) Governor Jay Hammond announced the state's proposal on October 25, 1975. It is not yet final, but in general proposes 40 million acres for the four national conservation systems, while placing 62 million acres in a new category called "Alaska Resource Land" under Bureau of Land Management administration according to recommendations of a powerful Federal-State Alaska Land Commission. It also vaguely outlines an idea for COMANS or "cooperatively managed areas" in which all owners would somehow work together to carry out the Commission's recommendation as to the best use of the land.

(3) The Joint Federal-State Land Use Planning Commission's proposal was released the day as the state's and is similar to it. The "Alaska National Land Reserves" would be managed the same way as the state's "Alaska Resource Lands". Both proposals invest great responsibility in a Federal-State Commission which, if the state legislature so decides, could take over planning functions for state as well as federal lands, including decisions like the location and number of transportation and utility corridors in Ala:



ALASKA TASK FORCE

Sierra Club, 530 Bush Street,
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(415)981-8634

ALASKA LEGISLATIVE PROGRAM

The purpose of the Alaska Legislative Program (ALP) is to ensure that conservationists and all wilderness and wildlife enthusiasts throughout the country are aware of upcoming Congressional legislation dealing with the preservation of more than 100 million acres of Alaskan lands in our national conservation systems. ALP will keep them informed of the bill's progress toward enactment and will generate expressions of their active support to their elected representatives.

ALP is intended to supplement the dissemination of information on Alaska lands through books, Bulletin and newsletter articles, film, filmstrips and slideshows. It will do so by reaching out primarily to people who are predisposed toward wilderness values, including customers of backpack equipment and readers of publications dealing with wilderness activities.

In addition to informing millions of interested people, ALP will make a major effort to encourage them to let their Congressmen and Senators know they want Alaska protected. A chain of communication is being established in all Congressional Districts, that will allow upwards of 200 volunteer letter-writers in each district to be notified quickly at times when contacting their Representatives is crucial.

Here's the way it will work. A Sierra Club Alaska Task Force member will serve as a Congressional District Coordinator (CDC). The CDC will recruit 15 friends of Alaska to serve as Zone Organizers (ZO) throughout the District; each of them will put together a team of 15 or more volunteer letter-writers in their vicinity who will agree to communicate to their legislator when the time is right. Each CDC and ZO should find an assistant both to aid with recruitment and to serve as a back-up in case of the organizer's absence at a time when letters are needed.

The ALP approach is based on personal involvement. It replaces computers with people! But it will require a commitment, some real work and some out-of-pocket expenses over a two year period by some 7000 volunteers. And reliable follow through by just two-thirds of the letter-writers will ensure very strong constituent contact with all Senators and Representatives when it is most needed.

People who undertake assignment as either CDC or ZO will have two sources to aid their recruitment efforts. The first is the membership list maintained by each Sierra Club Chapter and Group. The second is the retail backpack stores in their area. (One element of ALP is a petition campaign in such stores on behalf of Alaskan lands protection,

Those names will be available to Coordinators and Organizers. And most stores participating in the petition campaign would likely be willing to give Coordinators the names and addresses of charge or local catalogue customers.) Backpacking outfitters are, almost without exception, personally committed (as well as financially motivated) to wilderness protection. Most of their customers are too. Those retail locations will play an important part in ALP's success.

The timing of "letter alerts" will be determined by the legislative situation. Sierra Club legislative representatives in Washington, D.C., Task Force members at the San Francisco Headquarters, or Chapter Leaders will quickly notify all 435 CDC's by phone or mail. They in turn would make every effort to alert all their ZO's within 24 hours, by phone if within toll-free or reasonable cost area; otherwise by letter/postcard. ZO's would quickly follow the same procedure with their letter writing team. Most often, general letters of support for maximum protection of Alaskan lands, in the writers own words and expressing his own philosophy or reasons, will be sufficient. But in some cases, specific points will need to be addressed; backing or opposing specific amendments referring to specific areas, urging prompt action on the Alaska National Interest Lands legislation, etc.

Coordinators can expect 5 or 6 alerts and writers will likely be asked for about 8 letters during the two year span of the 95th Congress. The key to the success of Alaska legislation will be getting it started through the laborious legislative maze. There will be enormous pressure by exploitive interests and the Alaska delegation to act on the bill. Early constituent influence on all House members is important in order to generate maximum support from Committee members.

All volunteers in this program are requested to write both Senators and their Congressman before mid-January, 1977 (or when they become involved after that date), urging prompt action by House and Senate Interior Committees on legislation calling for protection of over a million acres in Alaska.

For further information, contact the Alaska Task Force at the above address.

P.S. Please share with us any other ideas you have on this.