

SJR

7

COMMITTEE REPORT

SENATE

1/31/78

1/31/78 Date

Mr. President:

The Committee on RESOURCES has had SJR 7

opposing H.R. 39, the Alaska National Interest Lands Conservation Act 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 _____ and that CS for _____ 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

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS AN OVERSIZED DOCUMENT THAT IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA STATE ARCHIVES TO VIEW THE ORIGINAL.

ALASKA WILDERNESS BROCHURE

Improperly in requesting information from the law firms. At Monday's assembly meeting Fader said he was gathering input and facts on all of the alternatives to get perspective.

As an advocate of consolidation, Fader considers the resignation of the city attorney a perfect time to put the legal departments of both governments into one office. When the city started looking into outside legal service, Fader said he sought the same information.

Fader said Holst was "over-reacting to the situation."

Teague defended Fader's action and said "it is premature to be concerned with job security. The importance of legal service makes it necessary to look at the alternatives."

Meanwhile, Wednesday's meeting was attended by representatives of four local law firms, including Ellis, Sund & Whittaker, A. Fred Miller, Esq., Ziegler, Cloudy, Smith, King and Brown, and Dennis McArty.

Most of the questioning by the private firms was directed to Stahl about the city's legal situation.

No formal proposals have been received by either the city or borough.

According to Teague, the next step of providing legal services for the city is up to the council. It has the option of hiring a new attorney, contracting with the borough to do the work, or contracting it out to a private firm.

Although the final decision is up to the council, Teague said he preferred to have the borough's legal services handled by a city attorney. The city has much more legal work, Teague said.

Teague didn't think he would have any problem working under any arrangement. He said contracting out the legal work was a practical solution, although it may not turn out to be the most viable.

If no action has been taken by the time the city attorney leaves, Teague said the assistant to the attorney, Tony Sholty, could act in a temporary capacity.

Right now the total budget for the city legal department is about \$92,000. The borough legal department budget runs about \$63,000.

A report prepared for the borough assembly by Holst estimated that a combined city-borough legal department could be budgeted at about \$131,000, plus some initial office set up costs.

guardian and the complaint referred to youth and adult author... He is alleged to have taken a vottle of vodka from the Totem Liquor Store.

Two children were reported out after curfew last night.

Today, for the second day in a row, a girl asked police to patrol a school bus stop in case her former boy friend tried to in-

report information of offending vehicles to the troopers, a trooper spokeswoman said.

Offenders will be cited into court, she said. Conviction of this offense carries a six-point penalty against a driver's record, which is half the point accumulation allowed before a person's driving privilege is suspended.

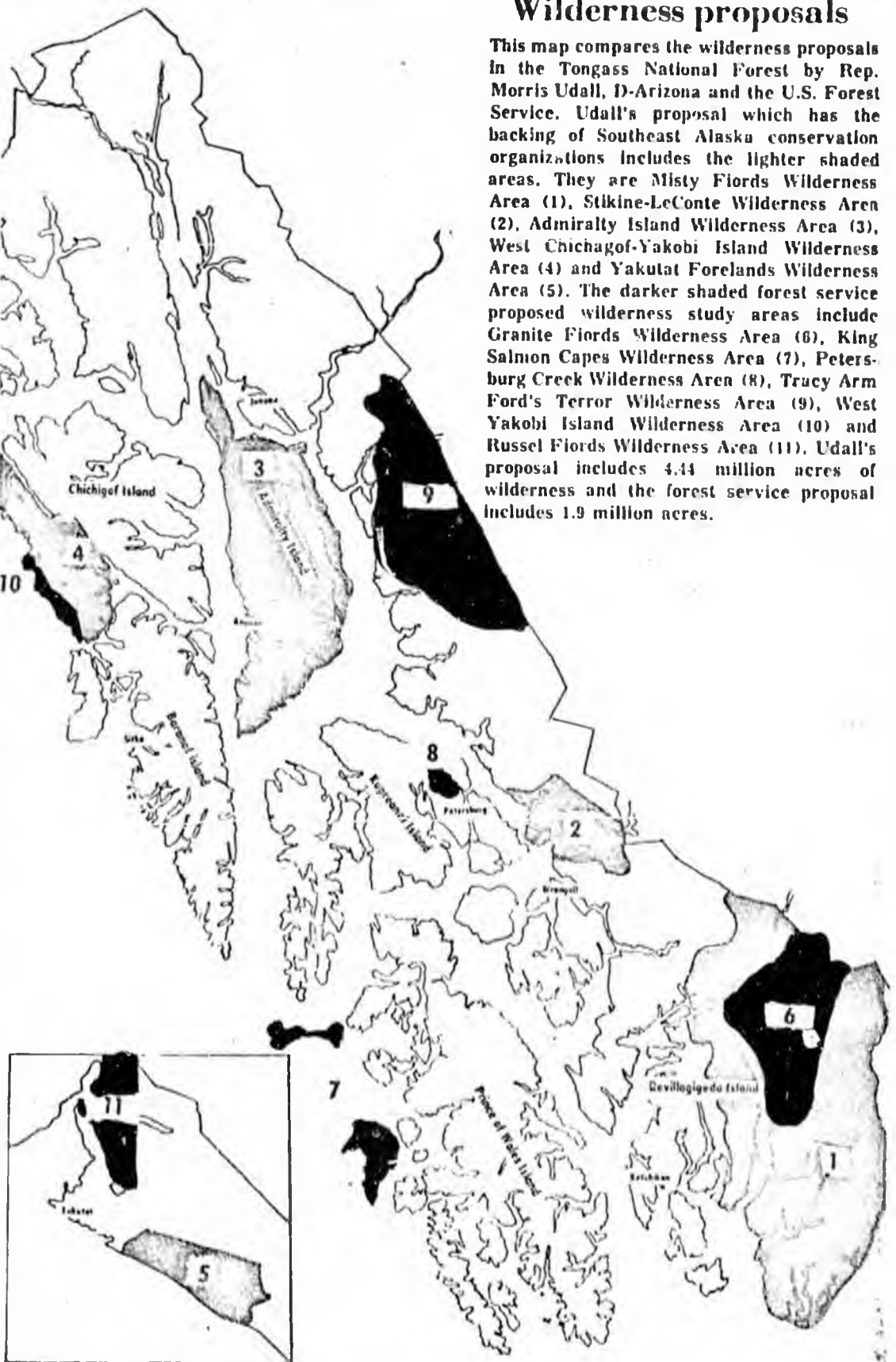
Hospital notes:

Admitted to Ketchikan General Hospital Wednesday were Karen Woolery, Harry Reeve, Jill Russell and June Durgan.

Discharged were Dale Strong, Kathleen Lea and Hope Brown and baby girl.

Wilderness proposals

This map compares the wilderness proposals in the Tongass National Forest by Rep. Morris Udall, D-Arizona and the U.S. Forest Service. Udall's proposal which has the backing of Southeast Alaska conservation organizations includes the lighter shaded areas. They are Misty Fiords Wilderness Area (1), Stikine-LeConte Wilderness Area (2), Admiralty Island Wilderness Area (3), West Chichagof-Yakobi Island Wilderness Area (4) and Yakutat Forelands Wilderness Area (5). The darker shaded forest service proposed wilderness study areas include Granite Fiords Wilderness Area (6), King Salmon Capes Wilderness Area (7), Petersburg Creek Wilderness Area (8), Tracy Arm Ford's Terror Wilderness Area (9), West Yakobi Island Wilderness Area (10) and Russel Fiords Wilderness Area (11). Udall's proposal includes 4.44 million acres of wilderness and the forest service proposal includes 1.9 million acres.



Alaska National Interest Land Conservation Act
H.R. 39

Sec. 1 - Describes Titles within the Act - purposes of the Act and where maps of proposal are on file.

Title I - Describes National Park System Proposals

- 64.1 million acres of National Parks, Monuments and Preserves to be managed by the NPS.
- Kenai Fjords may include a portion of the Chugach NF.
- Glacier Bay National Monument addition (.8 million acres) may include portion of Tongass NF.
- Sec. 103 provides for hunting under provisions of Sec. 702 of this Act.

Title II - Describes National Wildlife Refuge System

- 46.4 million acres of Wildlife Refuges and Ranges to be managed by the Fish and Wildlife Service.
- A portion of the Copper River Delta Refuge proposal would be Chugach NF.

Title III - Describes National Wild and Scenic River Proposals

- 23 Wild and Scenic Rivers proposed containing approximately 4 million acres.
- Rivers are outside and in addition to proposed Parks and Refuges.

- All Rivers would be managed by National Park Service.
- Situk (20 m acres) and Stikine (50 m acres) are now part of Tongass NF
- River boundaries will average 2 miles on each side and will be established within three years after date of enactment (Sec. 302).

Title IV - Describes National Forest System Proposals

- After consultation with both Secretaries of Agriculture and the Interior, the President is authorized within one year of enactment of this Act to add lands to the Tongass and Chugach NF's so as to include entire units of local topography, not to exceed 1.6 million acres, generally depicted on a map entitled "Potential NFS additions in Alaska, Dated _____."
- This 1.6 million acres is rock and ice.

Title V - Deals with National Petroleum Reserve (23 mm acres)

- Land review dedications pursuant to Sec. 105(c) of P.L. 94-258 replaces BLM management responsibilities with the Fish and Wildlife Service to protect surface values.

Title VI - Designation of Wilderness Areas

- Sec. 601 - Lands added to the Park, Refuge and Wild and Scenic Rivers System by this Act are hereby designated as wilderness. (Approximately 115 million acres.)

- Sec. 602 and Sec. 603 - Creates wilderness in existing Parks and Refuges in Alaska. (7.3 mm acres Parks, 19.7 mm acres Refuges) which is virtually all of existing Preserves.
- Sec. 604 - Adds certain lands in Tongass to wilderness
 - 1,030,000 acres - Admiralty Isla (excludes Native Village)
 - 300,000 acres - Yakutat Forelands (Tongass)
 - 2,400,000 acres - Misty Fjords (Tongass, Mainland East of Ketchikan)
 - 305,000 acres - Stikine--LeConte (Tongass - East of Petersburg)
 - 405,000 acres - West Chichigof ~~Yakobi~~ (Tongass - North of Sikta)
 - 600,000 acres - Nellie Juan (Chugach, Prince William Sound)

Total 5,040,000 acres Wilderness

(Total wilderness proposed in this bill - 147 million acres)

- Sec. 605 - Wilderness designated by this Act shall be managed in accordance with the Wilderness Act except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

Title VII - General Administrative Provisions

Sec. 701 - Provides for subsistence use in Parks, Refuges, Wild and Scenic Rivers and National Forests (Titles I, II, III, and IV).

- Secretary may designate "Subsistence Mgt. Zones" and "Regulatory Subsistence Boards."

- Secretary retains responsibility and may overrule Subsistence Board decisions.
 - Provides for periodic review of advisability to continue subsistence use.
- Sec. 702 - May permit hunting in National Preserves (part of Park System) on three areas totaling 12.6 million acres.
- Sec. 703 - Withdraws Parks, Monuments, Preserves, Wildlife Refuges and Ranges, and Wild and Scenic Rivers from all forms of appropriation under the mining laws and mineral leasing laws.
- Sec. 704(a) - Native lands not selected within National Forests, Parks, Refuges and Rivers will be added to the respective area. (This could add several million more acres to Parks and Refuges and Rivers.)
- Sec. 704(b) - State selections within Parks, Forests, Refuges or Rivers established by this Act are hereby revoked provided that the Secretary will make available equal acreage from other public lands but not from Forests, Parks, Refuges, or Rivers.
- Sec. 705 - Provides for land acquisition.
- Sec. 706 - Provides for the establishment of Administrative Sites outside established areas.
- Sec. 707 - Provides Native Corporations opportunity to provide visitor facilities for areas.
- Sec. 708 - authorizes Secretary to establish areas of ecological concern adjacent to established units.
- Provides for cooperative planning.

Proposal Summary

	<u>Millions of Acres</u>
National Park System	64.1*
National Wildlife Refuge System	46.4*
National Wild and Scenic Rivers System (23 Rivers)	4.0*
National Forest System	<u>1.6</u>
Total D-2 proposal	116.1
* Designated by this Act as wilderness - 114.5 million acres	
Existing Park and Refuge Lands Designated Wilderness	27.0 million acres
Existing Forest Lands Designated Wilderness	<u>5.0 million acres</u>
Total Wilderness Proposed	146.5 million acres

This Act also designates the 23 million acre Petroleum Reserve for Fish and Wildlife Service Management.

Territorial Sportsmen, Inc.

P. O. Box 761

Juneau, Alaska 99801

January 17, 1977

ALASKA'S NATIONAL INTEREST LAND CONSERVATION ACT - H.R. 39

The Territorial Sportsmen, Inc. of Juneau, a non-profit sportsmen oriented conservation organization dedicated to the principles of multiple use and proper management of our natural resources, have recently received a copy of H.R. 39 introduced by Congressman Udall. The Territorial Sportsmen have had a long, continuing interest in the matters relating to land management and allocations in Alaska. There are numerous sections of H.R. 39 which in our opinion are not in the best interests of the State or the Nation. While we have only had access to a copy for three days, after careful review, we are deeply concerned with the language contained in H.R. 39. The purpose of this release is to provide members of our organization and other interested members of the community and the State with some of the facts.

The proposal would designate 147 million acres of wilderness which would be in addition to existing withdrawals for various purposes including military withdrawals. The 147 million acres, plus the previous dedications and withdrawals, would place 46 1/2 percent (approximately) of Alaska's entire land area of 3 62,516,000 acres in the wilderness classification. The designation in total of millions in acres of wilderness is greater than the combined areas of the States of California and Washington.



In addition to designation of National Park and National Wildlife areas as wilderness, all wild and scenic rivers would be managed as wilderness by the National Park Service. This would include 23 wild and scenic rivers. These rivers are outside and in addition to proposed parks and refuges. The boundaries of these designated rivers will average two miles on each side. Managed as wilderness by the National Park Service, these 23 proposed wild and scenic rivers will not be available for recreation, development, agriculture, current hunting practices, hydroelectric power site developments, timber harvesting or mining.

Under management by the National Park Service or as National Wildlife refuges, the State of Alaska (Alaska Department of Fish and Game) loses the primary responsibility for management of fish and wildlife species on these areas. The Secretary of the Interior is authorized to publish regulations, prescribe conditions and enforce such regulations and conditions for restrictions of hunting and fishing to subsistence use.

Although the Forest Service, Department of Agriculture, has currently designated approximately 2.5 million acres in seven wilderness study areas in the Chugach and Tongass National Forests and is currently managing them to protect the wilderness values, while the U.S. Geological Survey is completing the required study of mineral values, these designations are ignored by the proposed legislation or supplanted with instant designations of wilderness classification includes:

Admiralty Island.

1,030,000 acres excluding only the Angoon Native Village and related selected lands. The Goldbelt and Shee Atika, Inc. Native rights and selections on Admiralty Island are ignored.

Misty Fjords.

2,400,000 acres instant wilderness classification includes the 590,000-acre Granite Fjords wilderness study area managed by the Forest Service. Although the U.S. Geological Survey minerals survey findings are nearly ready for evaluation, instant wilderness designation precludes consideration of this information. The expanded area of 2,400,000 acres also includes the U.S. Borax Company's Quartz Mountain molybdenum project and would essentially block the development of this project.

The West Chichagof-Yakobi wilderness area proposal of 405,000 acres encompasses the Forest Service Unit Management plan for this area. A 5-year study including a formal environmental impact statement. The final impact statement based on extensive public involvement included designation of a 40,000-acre wilderness study area and management of most of the area as backcountry. The designation of the entire area as wilderness ignores the 5-year study and environmental impact statement, would block the development of Inspiration Mining Company's copper-nickel deposit on Yakobi Island. Several year-long residences and other existing recreation facilities would also be adversely affected by such classification.

The Yakutat Forelands, 300,000 acres and Stikine-LeCente 305,000 acres are also areas on the Tongass National Forest currently

under study in the Forest Service's land management planning process. Although the areas have not been studied for mineral values, instant wilderness classification would be made. Native claims, opportunities for agriculture and other forms of development are also ignored.

The Nellie Juan area on the Chugach National Forest is also designated as instant wilderness. Although this corresponds to the Forest Service's designated wilderness study area, the mineral surveys by the U.S. Geological Survey are not completed and Native claims are ignored.

Management of these National Forest wilderness area designations would be taken over by the National Park Service, eliminating the State of Alaska's responsibility for management of fish and wildlife species and restricting hunting and other opportunities for multiple use management.

The proposed legislation would also modify existing land classifications in southeast Alaska.

Copper River Delta Area.

Elimination of the Forest Service's Copper River Delta Game Management Area, where the Forest Service has a cooperative agreement with the State of Alaska Department of Fish and Game, seriously undermines the Forest Service's Multiple Use Management program. The Forest Service also has cooperative efforts underway in this area with the U.S. Fish and Wildlife Service, University of Alaska, and University of Minnesota. The Forest Service should be encouraged to continue such efforts rather than blocking such work.

H.R. 39 Fails to Recognize the Agricultural Potential in Alaska.

The agricultural potential in Alaska is not considered in the provisions of this proposed legislation. In fact, existing and potential agricultural lands are included in proposals for National Parks, National Wildlife Refuges, and Wild and Scenic Rivers preventing the use of these agricultural lands.

The Subcommittee on Agricultural Production, Marketing and Stabilization of Prices of the Committee on Agriculture and Forestry, U.S. Senate, held hearing in Palmer, Alaska on August 16, 1976, and in Fairbanks on August 17, 1976, on the agricultural potential in Alaska. The record of these hearings has been printed and clearly show the importance of these agricultural lands. The Alaska State Legislature and Governor Hammond have also recognized this important agricultural resource and additional agricultural lands have been identified.

It is essential that all of these agricultural lands be recognized and be available for use either as farmlands or as grazing lands. H.R. 39 should be referred to the Senate and House Committees on Agriculture and Forestry to assure these agricultural values are considered and will be available for use.

The Alaska National Interest Land Conservation Act - H.R. 39 also proposes to greatly modify existing land classifications in southeast Alaska and Prince William Sound, severely retarding the conservation (wise use) of resources on the Tongass National Forest, Chugach National Forest, and Glacier Bay National Monument.

The Glacier Bay National Monument is enlarged to a total of 2,800,000 acres and is all designated wilderness. These lands

include highly significant and economically available minerals critical to the Nation's needs. Opportunities for developed recreation facilities, hunting, aquaculture, and timber harvesting would also be foreclosed by these designations.

Retention of and classification of additional areas as National Forest which will permit multiple use management of these various resources should be made.

In conclusion, we would again urge that everyone become familiar with this proposal. Hearings no doubt will be held. Copies of the entire Act should be available in Alaska in the near future. I suggest you contact the various offices of our State delegation to secure copies or write directly to your Congressman or Senators. We would like to point out, also, that in our opinion this proposal does not recognize the economic factors involved. Certainly the proposals for southeast Alaska would, in our opinion, put southeast Alaska in a very precarious position so far as economics are concerned. I am sure this should be of interest to all Alaskans. We will be commenting further on this legislation. We are advised that other legislation will also be introduced in the very near future. We certainly should have some options.

A. W. (BUD) BODDY
President
Territorial Sportsmen, Inc.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
ALASKA AREA OFFICE
813 D STREET
ANCHORAGE, ALASKA 99501

RECEIVED
JAN 17 A.M.
PHIL E. HOLDSWORTH

13 JAN 1977

Mr. Phil Holdsworth, P.E.
Consulting Engineer
326 Fourth Street, No. 1009
Juneau, Alaska 99801

Dear Phil:

I understand Tom Dvorak of my staff discussed your letter inquiry of December 24, 1976 with you over the telephone and provided the information you were seeking concerning the refuge system in Alaska as to their status under the mining laws.

Let me again reiterate the mining law situation as it applies to the refuge system in Alaska. The only Alaska refuges now open to location and entry under the mining laws are the Clarence Rhode National Wildlife Range and Cape Newenham National Wildlife Refuge except those lands withdrawn under Section 11 of the Alaska Native Claims Settlement Act. The Secretary's proposal to Congress for refuge D-2 lands has included Clarence Rhode and Cape Newenham as part of the Yukon Delta and Togiak NWR proposals. Upon their establishment under the above proposals, they would then be closed to location and entry under the mining laws.

If I can be of further assistance, please do not hesitate to call on me.

Sincerely yours,

Gordon
Area Director



Save Energy and You Serve America!