

HJR

27

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: HJR 27
PUBLISH DATE: _____

Revision Date: _____
Title: Requesting the United States Congress
to accommodate Alaska's wetlands
Sponsor: Representative Green
Requestor: Representative Green

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: Thousands of Dollars.

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	01	01	01	01	01	01
TRAVEL	01	01	01	01	01	01
CONTRACTUAL	01	01	01	01	01	01
SUPPLIES	01	01	01	01	01	01
EQUIPMENT	01	01	01	01	01	01
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	01	01	01	01	01	01
CAPITAL	01	01	01	01	01	01
REVENUE FUND SOURCE	01	01	01	01	01	01

FUNDING: Thousands of Dollars:

GENERAL FUND	01	01	01	01	01	01
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	01	01	01	01	01	01

POSITIONS

FULL-TIME	01	01	01	01	01	01
PART-TIME	01	01	01	01	01	01
TEMPORARY	01	01	01	01	01	01

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Scholfield, Deputy Director Phone: 465-3852
Division: Administrative Services Date: 2/5/95

Approved By: Pamela A. Varni, Executive Director Date: 2/8/95
Agency: Legislative Affairs Agency

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. & Impacted Agency(ies).

SENATE COMMITTEE REPORT

DATE: 2/21/95

FURTHER:

DATE TURNED INTO OFFICE: 2-27-95

Resources Committee considered HOUSE JOINT RESOLUTION NO. 27 am

Requesting the United States Congress to accommodate Alaska's wetlands circumstances in the federal Clean Water Act reauthorization by increasing statutory flexibility on wetlands use in Alaska, and to recognize Alaska's unique and outstanding history of wetlands conservation.

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

Senate Bill:
 same title
 new title
 House Bill:
 technical change
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Boik Halford</i>	✓	<i>Tom Hill</i>	✓		
<i>Mark</i>	✓				
<i>Alvin L. Taylor</i>	✓				
CHAIR: <i>Arwen A. Luman</i>	✓				

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>LAA (House)</i>	<i>2/1/95</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

Senate Resources committee:

Ms. Hawkins indicated that eliminating "No Net Loss" policy would eliminate 1) Avoidance 2) minimization and 3) compensatory mitigation.

The only measure that will be relaxed is compensatory mitigation, avoidance and minimization will still be in place. Corps of Engineers will still have oversight. I would be happy to answer any questions ~~regarding~~ ^{regarding} this issue.

Ken Freeman

Resource Development Council



Alaska State Legislature

Please enter into the record my testimony to the Resources
committee name

committee on HJR 27, dated Feb 27 1995
bill/subject 1530 PM

I would like to compliment the professional approach/services from the ALASKA CORP OF ENG. IN my recent dealings application for dredge permit they were over helpful, and also in other respects, I feel there should be complimented on public assistance -

Signed: Bob VanLatta
Testifier

Self
Representing (Optional) Seward

PO 1267
Address
907-224-5656
Phone No.



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

Phone: 907-463-3366

Fax: 907-463-3312

House Joint Resolution No. 27: Requesting the United States Congress to accommodate Alaska's wetlands circumstances in the federal Clean Water Act reauthorization by increasing statutory flexibility on wetlands use in Alaska, and to recognize Alaska's unique and outstanding history of wetlands conservation.

The Alaska Environmental Lobby opposes HJR 27:

HJR 27 is a clear example of a misrepresentation of existent state and federal regulations. A review of the public record demonstrates that Alaska's section 404 program does not suffer from a lack of flexibility. Far from posing a hardship to Alaskans, the current permit process is hardly more than a formality that does little to protect the public's interest in wetlands resources. In fact, permit statistics show that Section 404 (b) (1) of the Clean Water Act has granted the overwhelming majority of permit applications. Over the past ten years, only 2.4% of the individual Section 404 permit applications were denied.

To exclude Alaska from the "no net loss" policy alluded to in this legislation is irresponsible. This could serve to absolve the state of its responsibility to provide and maintain non-toxic living environments and safe drinking water for all citizens now and in the future. There are communities in Alaska where surrounding wetlands have been destroyed; decimating waterfowl and wildlife habitat, adversely effecting commercial fisheries, subsistence hunting and fishing, sport hunting, fishing and tourism industries and traditional Alaskan lifestyles.

ms 2/27/95

ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER, NATURE CLUB • ALASKA FRIENDS OF THE EARTH
ANCHORAGE ALTERNATIVE SOCIETY • SOUTHERN ALTERNATIVE SOCIETY • ULLAS NATURE CENTER • DENALI CITIZENS COUNCIL
DENALI CLUB • NORTHERN ALASKA NATURE SOCIETY • DENALI CLUB • SIERRA CLUB
KATAGAITSA BOAT CLUB • ALASKA NATURE SOCIETY • JUNEAU SIERRA CLUB • JUNEAU SIERRA CLUB
KNOX GROUP • SIERRA CLUB • JUNEAU ALTERNATIVE SOCIETY • JUNEAU SIERRA CLUB • JUNEAU SIERRA CLUB
KNOX GROUP • SIERRA CLUB • JUNEAU ALTERNATIVE SOCIETY • JUNEAU SIERRA CLUB • JUNEAU SIERRA CLUB





P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907.835.5679

To: Senator Loren Leman and Senate Resources Committee members
From: Nancy R. Lethcoe, President *NL*
Date: Feb. 27, 1995

RE: Opposition to HJR 27 Exempt Alaska from Federal Clean Water Act

The Alaska Wilderness Recreation and Tourism Association represents over 250 tourism businesses including sport fishing, river runners, hunting guides, and watchable wildlife tour operators. AWRTA participated as one of the representatives of the tourism industry in the White House Alaskan Wetlands Initiative where we provided materials on the use and economic importance of wetlands to tourism. We supported some changes in current wetlands policy, but in general our research of current wetlands management in Alaska showed that wetlands permits were issued 98% of the time even when there was a known negative impact on tourism.

In considering this and other legislation before you, we ask you to consider some basic public policy questions: what is the best way to balance the sometimes conflicting needs of different industries? Is this best done by negotiation in the planning and regulatory process or legislation? Which industries does a resolution or bill favor? Which does it hurt? Is the same industry being hurt by a number of bills? How important is this industry to the economic future of rural Alaska, to the State as a whole?

Tourism is the State's third largest employer. Many, including the Alaska Department of Labor, see tourism as a very important industry in the economic future of Alaska. However, many bills and resolutions, such as HJR 27, will have a negative economic impact on tourism, especially rural tourism — fishing, hunting, and backcountry guides. These are small business people, Native and non-native, who want to live in Alaska, generally rural Alaska, and create their own businesses and jobs to do so. We encourage you to think about the economic impact of the loss of wetlands-dependent wildlife on these businesses and on the effects of reduced business opportunities in tourism for rural communities.

Attachment: AWRTA Resolution on Wetlands



P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907.835.5679

Wetlands Policy Statement

Whereas Alaska's wetlands are among the most productive ecosystems in the world and a source of revenue to Alaskan tourism; and

Whereas Alaska's wetlands provide critical feeding, rearing, and stop-over habitat for millions of shorebirds, waterfowl, and migratory birds; and

Whereas Alaska's shorebirds, waterfowl, and bird migrations are marketed by the tourism industry; and

Whereas Alaska's wetlands maintain water quality in the spawning areas and provide spawning, feeding, rearing, and over-wintering for five species of Pacific salmon, trout, whitefish, grayling, and pike; and

Whereas Alaska's charterboat operators, lodges, back-country guides and outfitters depend on a continued supply of Alaska's fresh and saltwater fish and shellfish as a basis of their business endeavors;

Whereas Alaska's wetlands provide a valuable source of inland and marine detritus to coastal estuaries supporting shrimp, crab and other shellfish; and

Whereas Alaskan charterboat operators depend on marketing and delivering the opportunity to catch shrimp, crab, and other shellfish; and

Whereas Alaska's wetlands provide essential habitat for moose, brown bear, caribou, beaver, mink, and otter; and

Whereas Alaska's professional hunting guides and businesses offering watchable wildlife opportunities depend on strong populations of moose, brown bear, caribou, beaver, mink, and otter; and

AWRTA, P.O. Box 1353, Valdez, AK 99686

p. 2

Whereas Alaska's wetlands represent a variety of water-dependent plant communities;
and

Whereas Alaskan tourism companies offer botanical tours to these unique vegetative
communities; and

Whereas in the past two decades the Army Corps of Engineers has only denied 2.7% of
the Alaskan wetlands applications and required compensatory mitigation on .5% of the
applications;

Therefore Alaska Wilderness Recreation and Tourism Association finds wetlands to be an
essential economic component of the recreation and tourism industry; and

Therefore the Alaska Wilderness Recreation and Tourism Association recommends
stronger protection of Alaska's wetlands as they are important to the tourism industry.

Approved by the Board: 10/20/93



Resource Development Council for Alaska, Inc.

121 West Fireweed Lane, Suite 250, Anchorage, Alaska 99503-2035
Phone 907/276-0700 Fax 276-3887

EXECUTIVE DIRECTOR
Becky L. Gay

1994-95 EXECUTIVE COMMITTEE

- David J. Parish, President
- Elizabeth Rensch, Sr. Vice President
- Scott L. Thorson, Vice President
- Lyle Von Bargen, Secretary
- Allen Bingham, Treasurer
- Jacob Adams
- Cynthia Bailey
- Gerald G. Booth
- Kelly M. Campbell
- James L. Cloud
- John Forcaskie
- Mano Frey
- Paul S. Glavinovich
- Uwa L. Gross
- Roger C. Herrera
- Dan H. Keck
- Jerome M. Selby
- John Sturgeon
- William A. Thomas
- Mich Usibelli
- James D. Weeks

FEB 27 1995

RDC Testimony on HJR 27 in Senate Resources Committee, February 27, 1995

Chairman Leman, members of the Committee, on behalf of the Resource Development Council for Alaska, Inc. (RDC), thank you for the opportunity to submit comments on HJR 27, a House Joint Resolution requesting the United States Congress to accommodate Alaska's wetlands circumstances in the federal Clean Water Act reauthorization by increasing statutory flexibility on wetlands use in Alaska, and to recognize Alaska's unique and outstanding history of wetlands conservation.

Regulation of Alaska's wetlands needs to be tailored to the unique features of our state.

Approximately 170 million acres in Alaska, nearly half the state, are classified as wetlands, compared with the contiguous U.S. which has 95 million acres. Put another way, Alaska currently has 64% of all the wetlands remaining in the United States.

About 5% of the surface area in the contiguous United States is wetlands, compared to approximately 45% of Alaska, accounting for three-quarters of Alaska's non-mountainous, developable land.

Unlike the lower 48 states, many of which face significant losses of wetlands, over 99% of Alaska's wetlands remain untouched and intact. The great irony, of course, is that the overwhelming proportion of these lands provide little in the way of traditional wetland functions and values. For the most part, they are "wetlands" in name only.

Many of Alaska's wetlands are isolated and remote from navigable waters. Many of the millions of acres of wet tundra which cover Alaska's North Slope are wet precisely because they are too far removed from waterways to drain and because the underlying permafrost prevents water from filtering down.

DIRECTORS

- Will Abbott
- Irene A. Anderson
- Sharon E. Anderson
- Ernesta Ballard
- Richard F. Barnes
- Mark Begich
- William C. Behrke
- R. G. "Dick" Birkinshaw
- Rex I. Bishopp
- James E. Carmichael
- Thomas Cook
- Marilyn Crockett
- Larry Daniels
- James C. Dora
- James V. Drew
- Paula P. Easley
- Donald S. Follows
- Scott Goldsmith
- Arvid Hall
- John L. Harris
- Robert S. Hatfield, Jr.
- Joseph R. Herrin
- Karen J. Holstad
- William L. Hopper
- David W. Hughes
- Jim Jansen
- John T. Kelsey
- John A. Landrum
- Pete Leathard
- Wayne Lewis
- Dale R. Lindsey
- Robert W. Looscher
- Carl M. Mays
- Howard M. Williams
- H. Raymond Measles
- Clarence "Rocky" Miller
- E. H. "Pete" Neilson
- John H. Norman
- Wilbur O'Brien
- James Parsons
- Kenneth E. Pearyhouse
- Kenneth R. Pohle
- Stephen M. Rehbberg
- John A. L. Renna
- Dan Rowley
- Walt Schoddelet
- George R. Schmidt
- Thyes J. Shub
- Herbert "Henry" Springer
- A. B. Stiles
- Michael E. Stone
- Scott B. Thompson
- Barry D. Thomson
- Doug M. Webb
- J. C. Wingfield
- George P. Wurich

HONORARY DIRECTORS

- Phil R. Hildebrandt
- William R. Wood

EX-OFFICIO MEMBERS

- Senator Ted Stevens
- Senator Frank Murkowski
- Congressman Don Young
- Governor Tony Knowles

Alaska wetlands, wildlife and migratory waterfowl are not threatened or jeopardized by use of wetlands here. Special protection of coastal areas and many inland areas such as the entire North Slope is provided by the Alaska Coastal Management Program which encompasses 34,000 miles of shoreline. More importantly, wildlife is in no way habitat-limited in Alaska.

It is important to note that much of Alaska is protected from development and many of its wetlands will never be developed. Much of Alaska is already protected from development as federal and state parks, wildlife refuges, and other conservation units.

As many of you are aware, approximately 87 percent of the state is in public ownership -- 59% under federal jurisdiction, where many development activities are prohibited or carefully regulated. Over 57 million acres (an area the size of Utah) are in Wilderness status.

Since so much of the state is wetlands, Alaska's villages, cities and municipalities often have no alternative to "wetlands" for development. Because so much of Alaska is undeveloped, restoration of degraded or damaged wetlands, or creation of new wetlands is not much of an option.

Strict application of Section 404 is clearly unwarranted in Alaska and can offset our basic needs such as building basic services, facilities and infrastructure such as schools, homes, roads and hospitals, as well as expediting potable water and sanitation systems in rural Alaska.

The options for development are limited, and most industries that utilize Alaska's wetlands, including but not limited to tourism, hunting, commercial and sport fishing, agriculture, recreation, oil and gas, mining and forest products, all have a stake in what happens to the wetlands regulatory climate in Alaska.

Many non-development groups look at Corps of Engineers statistics to demonstrate that administration of section 404 is already more flexible in Alaska than the lower 48. What they do not take into consideration is the number of permits that are withdrawn, how many projects are delayed at tremendous costs, how many permits were accepted only after mitigation took place with other regulatory agencies and was not accounted for in the official process. Whether section 404 is more flexible in Alaska is not the issue, what is the issue is that "no net loss" is unwarranted in Alaska.

The Section 404 program needs to be significantly reformed to address the problems experienced by public and private landowners in Alaska. Senator Steven's and Murkowski's new wetlands bill looks to do this in a fair and effective manner.

Alaska will likely never face many of the wetlands problems seen in the contiguous United States. Alaskans have been excellent stewards of our land and resources and should not be penalized for its outstanding conservation record.

House Joint Resolution 27 sends a clear signal to the administration and lawmakers in Washington D.C. that Alaska needs current wetlands regulation that is tailored to provide flexibility in Alaska wetland permitting commensurate with the vast amount of wetlands, the large amount of wetlands set aside and the low historic loss of wetlands in Alaska.

RDC supports HJR 27, because it is directed at stimulating policy that is balanced and driven by reason.

RDC hopes the Senate Resources committee will move HJR 27 expeditiously and that the Alaska State Legislature passes this resolution.

Thank you very much for the opportunity to present comments on HJR 27.

HJR 27

TABLE 1: WETLAND LOSSES
IN THE UNITED STATES
1780'S TO 1980'S

STATE	SURFACE AREA (ACRES)*			WETLANDS					
	LAND	WATER	TOTAL	ESTIMATES OF ORIGINAL WETLANDS (CIRCA 1780'S)		ESTIMATES OF EXISTING WETLANDS (CIRCA 1980'S)			
				SOURCE	% OF SURFACE AREA	SOURCE	% OF SURFACE AREA	% OF SURFACE AREA	% OF WETLANDS LEFT
AL	32,544,840	445,130	33,029,740	7,567,600	22.9%	3,783,800	11.5%	-50%	
AZ	72,600,330	221,400	72,821,740	91,000	1.3%	600,000	0.8%	-36%	
AR	33,992,000	494,440	34,486,440	9,848,600	28.6%	2,763,600	8.0%	-73%	
CA	140,181,640	1,179,840	141,361,480	5,000,000	3.5%	654,000	0.5%	-81%	
CO	66,428,800	299,930	66,728,730	2,000,000	3.0%	1,000,000	1.5%	-50%	
CT	3,116,200	88,940	3,205,140	670,000	20.9%	172,500	5.4%	-74%	
DE	1,268,000	48,000	1,316,000	479,700	36.5%	225,000	17.1%	-54%	
FL	54,647,000	2,311,000	56,958,000	20,325,000	35.7%	11,010,000	19.3%	-68%	
GA	17,240,000	44,940	17,284,940	6,841,200	39.6%	5,700,000	33.0%	-23%	
ID	52,906,200	543,200	53,449,400	877,000	1.6%	545,700	1.0%	-56%	
IL	33,761,200	334,720	34,095,920	8,212,000	24.1%	1,234,500	3.6%	-83%	
IN	23,166,960	45,200	23,212,160	5,600,000	24.1%	750,600	3.2%	-87%	
IA	34,867,520	150,000	35,017,520	8,800,000	25.1%	671,000	1.9%	-99%	
KS	52,913,000	193,120	53,106,120	641,000	1.2%	435,000	0.8%	-88%	
KY	29,500,000	604,000	30,104,000	1,566,000	5.2%	600,000	2.0%	-81%	
LA	28,899,200	2,155,420	31,054,620	14,194,500	45.7%	6,704,200	21.6%	-66%	
ME	19,747,120	1,440,000	21,187,120	6,640,000	31.3%	5,199,200	24.5%	-20%	
MD	6,310,200	430,000	6,740,200	1,650,000	24.5%	640,000	9.5%	-73%	
MA	5,013,120	273,000	5,286,120	810,000	15.3%	540,000	10.2%	28%	
MI	56,461,420	886,720	57,348,140	11,200,000	19.5%	5,511,000	9.6%	-56%	
MS	46,700,000	1,140,000	47,840,000	15,070,000	31.5%	9,720,000	20.3%	-62%	
MO	38,509,120	229,120	38,738,240	9,872,000	25.5%	4,087,000	10.6%	-59%	
MT	64,199,000	1,000,000	65,199,000	2,800,000	4.3%	641,000	1.0%	-87%	
NE	69,970,000	611,200	70,581,200	2,910,000	4.1%	1,995,000	2.8%	-51%	
NV	79,129,000	410,000	79,539,000	67,100	0.1%	2,300,000	2.9%	42%	
NH	3,781,120	179,000	3,960,120	220,000	0.6%	700,000	1.8%	9%	
NJ	6,320,000	700,000	7,020,000	1,400,000	20.0%	915,000	13.0%	-55%	
NM	77,724,000	1,610,000	79,334,000	70,000	0.1%	641,000	0.8%	-99%	
NY	38,800,000	1,992,000	40,792,000	2,462,000	6.0%	1,475,000	3.6%	-60%	
NC	11,200,000	2,171,000	13,371,000	1,000,000	7.5%	500,000	3.7%	-67%	
ND	64,490,200	880,000	65,370,200	6,927,000	10.6%	2,000,000	3.1%	-81%	
OH	28,211,120	1,010,000	29,221,120	1,400,000	4.8%	620,000	2.1%	-87%	
OK	68,109,700	1,000,000	69,109,700	2,042,000	2.9%	600,000	0.9%	-80%	
OR	11,371,700	600,000	11,971,700	2,202,000	18.4%	1,995,000	16.7%	-10%	
PA	29,840,000	997,120	30,837,120	3,127,000	10.1%	990,000	3.2%	-66%	
RI	1,710,000	110,000	1,820,000	142,000	7.8%	61,000	3.3%	57%	
SC	49,470,200	600,000	50,070,200	6,610,000	13.2%	4,190,000	8.4%	-37%	
SD	64,411,000	600,000	65,011,000	2,711,000	4.2%	700,000	1.1%	-83%	
TN	26,470,200	841,000	27,311,200	1,917,000	7.0%	707,000	2.6%	-59%	
TX	160,305,000	2,700,000	163,005,000	11,000,000	6.7%	7,012,000	4.3%	-52%	
VT	12,721,000	1,422,000	14,143,000	812,000	5.7%	140,000	1.0%	-80%	
VT	1,041,000	210,000	1,251,000	542,000	43.3%	230,000	18.4%	-58%	
VA	29,400,000	1,700,000	31,100,000	1,000,000	3.2%	670,000	2.2%	-62%	
WA	47,000,120	170,000	47,170,120	1,140,000	2.4%	400,000	0.8%	-83%	
WV	11,013,700	42,000	11,055,700	140,000	1.3%	102,000	0.9%	-20%	
WI	54,200,000	1,301,000	55,501,000	9,000,000	16.2%	6,113,000	11.0%	-66%	
WY	67,200,000	670,000	67,870,000	2,000,000	2.9%	1,200,000	1.8%	-59%	

SUBTOTAL									
CONTIGUOUS U.S.	2,200,150,000	27,802,000	2,227,952,000	221,070,000	10%	116,370,000	5.2%	-48%	51%
ALASKA	62,110,000	12,700,000	74,810,000	17,200,000	23%	17,000,000	23%	-2%	97%
HAWAII	6,117,000	1,200,000	7,317,000	54,000	0.7%	11,000	0.1%	-98%	12%
TOTAL U.S.	2,268,377,000	31,702,000	2,300,079,000	238,324,000	10.3%	133,381,000	5.8%	-45%	56%

*1970 Surface Area - Based on water distribution between the four surface area categories. These estimates are probably due to data gaps from channels having small amounts. The only year in that presented by the U. S. Geological Survey. National Atlas of the United States, 1970.
Wetland distribution and change are dramatically shown when overlaid on their geographical map - see map on page 100.



NATIONAL WILDLIFE FEDERATION

750 W. Second Ave., Suite 200, Anchorage, AK 99501 (907) 258-4800

February 21, 1994

FEB 23 1994

The Honorable Loren Leman
Alaska State Senate
State Capitol
Juneau, AK 99801-1182

Loren Leman, Atty

Dear Senator Leman:

We are writing on behalf of the National Wildlife Federation and our 2,300 Alaska members to express opposition to House Joint Resolution No. 27 (HJR27), which requests that Congress weaken the Clean Water Act by increasing the flexibility of federal wetlands regulation in Alaska.

The resolution proceeds upon the unsupported premise that federal "wetlands regulation has placed an increasing and unnecessary burden on private landowners, Native organizations, and local and state governments by inhibiting reasonable community growth and environmentally benign, sensitive resource development." This concern was examined and rejected--at great public expense--just last year.

In late 1993, federal agencies established the Alaska Wetlands Initiative in response to the allegations of industry, the Alaska congressional delegation, and others that the Clean Water Act's section 404 program places a heavier burden on Alaskans than on people in other states. The purpose of the Initiative was to consider "environmentally appropriate means to assure regulatory flexibility" in Alaska. Interest group "stakeholders," including representatives from the oil and gas, timber, and mining industries, were asked to help the federal agencies identify "legitimate concerns" with wetlands regulation in Alaska and provide "relevant factual information" in support of those concerns.

After eight months of public meetings and debates, a statewide teleconference, several notice and comment periods, and an analysis of thousands of pages of correspondence and agency documents, the agencies reached an inescapable conclusion: Alaska's section 404 program is already fair, flexible, and adequately accommodates the reasonable expectations of development interests. The fact of the matter is:

- Alaska has a permit denial rate of only 2.4 percent, less than half that of the rest of the nation;

- Alaska has over sixty general permits, far more than any other state; and
- compensatory mitigation is required in less than one percent of the cases in Alaska, compared to thirty-five percent in the rest of the nation.

Based on the facts and public comments, the agencies recommended, and we supported, greater program efficiency and public education, rather than the deregulation of activities harmful to wetlands. A copy of the Alaska Wetlands Initiative Summary Report is enclosed for your review.

HJR27 is also factually inaccurate. It contains several "whereas" clauses copied from a bill introduced last month in Congress, the Alaska Wetlands Conservation Credit Procedures Act of 1994, S. 49. S. 49 relies upon incorrect "findings" and misleading statistics to justify stripping Alaska of much of the wetlands protection enjoyed by other states. A copy of a IMF analysis of S. 49 is enclosed.

For instance, HJR27 and S. 49 both wrongly claim that sixty million acres of Alaska wetlands are "conserved" by federal ownership, and suggest that the rest ought to be opened to development. However, the fact that wetlands are publicly owned does not ensure their protection. Roads, buildings, and recreation facilities are often constructed in national parks and refuges. Placer mines operate in wetlands in Denali National Park, farming occurs in wetlands areas in the Yukon Delta National Wildlife Refuge, and oil is produced on the Kenai National Wildlife Refuge. Many wilderness areas allow the exercise of existing mineral claims, limited timber harvesting, and the construction of reservoirs, transmission lines, and other public works. Although development is restricted on some federal lands, wetlands destruction has occurred--and continues to occur--everywhere in Alaska.

In conclusion, the National Wildlife Federation strongly urges you to reject this resolution. The flexibility already built into the section 404 program is adequate to accommodate the "unique" Alaska circumstance of pristine and abundant wetlands. Further weakening the program would serve no legitimate purpose and would jeopardize the vitality of many Alaska industries, such as commercial fishing and tourism, which increasingly depend upon the health of wetlands ecosystems.

Sincerely yours,


Scott Federabend, Director


Anthony N. Turrini, Counsel

cc: Tony Knowles, Governor

104TH CONGRESS
1ST SESSION

S. 49

To amend the Federal Water Pollution Control Act to modify the wetlands regulatory program corresponding to the low wetlands loss rate in Alaska and the significant wetlands conservation in Alaska, to protect Alaskan property owners, and to ease the burden on overly regulated Alaskan cities, boroughs, municipalities, and villages.

IN THE SENATE OF THE UNITED STATES

— JANUARY 4, 1995 —

Mr. STEVENS for himself and Mr. MURKOWSKI introduced the following bill, which was read twice and referred to the Committee on Environment and Public Works:

A BILL

To amend the Federal Water Pollution Control Act to modify the wetlands regulatory program corresponding to the low wetlands loss rate in Alaska and the significant wetlands conservation in Alaska, to protect Alaskan property owners, and to ease the burden on overly regulated Alaskan cities, boroughs, municipalities, and villages.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This act may be cited as the "Alaska Wetlands Con-

5 servation Credit Procedures Act of 1994"

1 SEC. 2. FINDINGS.

2 The Congress finds that—

3 (1) according to the United States Fish and
4 Wildlife Service, approximately 170,200,000 acres of
5 wetlands existed in Alaska in the 1780s and approxi-
6 mately 170,000,000 acres of wetlands exist now,
7 representing a loss rate of less than one-tenth of 1
8 percent through human and natural processes;

9 (2) according to the United States Fish and
10 Wildlife Service more than 221 million acres of wet-
11 lands existed at the time of Colonial America in the
12 area that is now the contiguous United States and
13 117 million of those acres, roughly 53 percent, have
14 been filled, drained, or otherwise removed from wet-
15 land status;

16 (3) Alaska contains more wetlands than any
17 other State, and more wetlands than all other States
18 combined;

19 (4) 88 percent of Alaska's wetlands are publicly
20 owned, whereas only 26 percent of the wetlands in
21 the contiguous 48 States are in public ownership;

22 (5) approximately 98 percent of all Alaskan
23 communities, including 200 of 209 remote villages in
24 Alaska, are located in or adjacent to wetlands;

25 (6) approximately 62 percent of all federally
26 designated wilderness lands, 70 percent of all Fed-

1 eral park lands, and 90 percent of all Federal refuge
2 lands are located in Alaska, thus providing protec-
3 tion to approximately 60 million acres of wetlands;

4 (7) more than 60 million acres of wetlands are
5 conserved in some form by land designations that re-
6 strict utilization or degradation of wetlands;

7 (8) 104 million acres of land were granted to
8 the State of Alaska at statehood for purposes of eco-
9 nomic development;

10 (9) approximately 43 million acres of land were
11 granted to Native Alaskans through regional and vil-
12 lage corporations and native allotments for their use
13 and between 45 percent and 100 percent of each
14 Native corporations' land is categorized as wetlands;

15 (10) development of basic community infra-
16 structure in Alaska, where approximately 75 percent
17 of the non-mountainous areas are wetlands, is often
18 delayed and sometimes prevented by the wetlands
19 regulatory program for minimal identifiable environ-
20 mental benefit.

21 (11) the 1899 Rivers and Harbors Act formerly
22 regulated disposition of dredge spoils in navigable
23 waters, which did not include wetlands, to keep navi-
24 gable waters free of impairments;

1 (12) the 1972 Clean Water Act formed the
2 basis for a broad expansion of Federal jurisdiction
3 over wetlands by modifying the definition of "navigable waters" to include all "waters of the United
4 States";
5

6 (13) in 1975, a United States district court ordered the Corps to publish revised regulations concerning the scope of the section 404 program, regulations that expanded the scope of the program to
7 include the discharge of dredged and fill material
8 into wetlands;
9

10 (14) the wetlands regulatory program was expanded yet again by regulatory action to include isolated wetlands, those that are not adjacent to navigable waters, and such an expansion formed the
11 basis for burdensome intrusions on the property rights of Alaskans, Alaskan Native Corporations, the State of Alaska, and property owners in Alaska;
12

13 (15) expansion of the wetlands regulatory program in this manner is beyond what the Congress intended when it passed the Clean Water Act and the expansion has placed increasing and unnecessary economic and administrative burdens on private property owners, small businesses, city governments, State governments, farmers, ranchers, and others
14
15
16
17
18
19
20
21
22
23
24
25

1 for negligible environmental benefit associated with
2 wetland permits;

3 (16) for Alaska, a State with substantial con-
4 served wetlands and less than 1 percent private,
5 non-corporate land ownership, the burdens of the
6 current wetlands regulatory program unnecessarily
7 inhibit reasonable community growth and environ-
8 mentally benign, sensitive resource development;

9 (17) Alaska villages, municipalities, boroughs,
10 city governments, and Native organizations are expe-
11 riencing increasing frustration with the constraints
12 of the wetlands regulatory program because it inter-
13 feres with the location of community centers, air-
14 ports, sanitation systems, roads, schools, industrial
15 areas, and other critical community infrastructure;

16 (18) policies that purport to achieve "no net
17 loss" of wetlands reflect a Federal response to the
18 53 percent loss of the wetlands base in the south 48,
19 a calculation that excludes Alaska wetlands;

20 (19) total wetlands loss in Alaska is less than
21 one-tenth of 1 percent of the total wetlands acreage
22 in Alaska;

23 (20) individual landowners in Alaska have expe-
24 rienced devaluations of up to 97 percent of their
25 property value due to wetlands regulations and the

1 tax base of many communities has diminished by
2 those regulations.

3 **SEC. 3. AMENDMENT TO THE FEDERAL WATER POLLUTION**
4 **CONTROL ACT.**

5 The Federal Water Pollution Control Act (33 U.S.C.
6 1251 et seq.) is amended—

7 (a) in section 101(a) (33 U.S.C. 1251(a)) by—

8 (1) striking “and” at the end of paragraph
9 (6);

10 (2) striking the period at the end of para-
11 graph (7) and inserting in lieu thereof “; and”;
12 and

13 (3) adding the following new paragraphs:

14 “(8) it is the national policy to—

15 “(A) achieve a balance between wetlands
16 conservation and adverse economic impacts on
17 local, regional, and private economic interests
18 and

19 “(B) to eliminate the regulatory taking of
20 private property by the regulatory program au-
21 thorized under section 404;

22 “(9) it is the national policy to encourage local-
23 ized wetlands planning, without mandating it and by
24 providing funds to encourage it, and such planning
25 shall allow local political subdivisions and local gov-

1 ernments to apply differential standards for the issu-
2 ance of wetlands permits based on factors that in-
3 clude the relative amount of conserved wetlands
4 habitat and the wetlands loss rate in the State in
5 which such political subdivision or local government
6 is located; and

7 "(10) it is the national policy that compen-
8 satory mitigation on wetlands or potential wetlands
9 located outside the boundaries of a State shall not
10 be required, requested, or otherwise utilized to offset
11 impacts to wetlands inside that State.";

12 (b) in section 404(b) (33 U.S.C. 1344(b)) by
13 inserting immediately after "anchorage" the follow-
14 ing—

15 " *Provided, however,* That the guidelines adopt-
16 ed pursuant to clause (1) for a State with substan-
17 tial conserved wetlands areas—

18 "(A) shall not include requirements or stand-
19 ards for mitigation to compensate for wetlands loss
20 and adverse impacts to wetlands;

21 "(B) may include requirements or standards for
22 minimization of adverse impacts to wetlands; and

23 "(C) may include standards or requirements for
24 avoidance of impacts only if the permit applicant is

1 not required to establish that upland alternative
2 sites do not exist.”;

3 (e) in section 404(e) (33 U.S.C. 1344(e)) by in-
4 serting at the end the following new paragraph—

5 “(3) Notwithstanding the requirements of para-
6 graphs (1) and (2), at the request of a State with
7 substantial conserved wetlands areas, the Secretary
8 shall issue general permits for such States and the
9 requirements under which such general permits are
10 issued shall contain a regulatory standard for dis-
11 charge of dredged or fill material into navigable wa-
12 ters in such State, including wetlands, that is no
13 greater than the standard under subsection (b).”;

14 (d) in section 404(f)(1) (33 U.S.C. 1344(f)(1))
15 by—

16 (1) striking the comma at the end of sub-
17 paragraph (F) and inserting in lieu thereof a
18 semicolon; and

19 (2) adding the following new subpara-
20 graphs—

21 “(G) associated with airport safety (ground
22 and air) in a State with substantial conserved
23 wetlands areas, and in any case associated with
24 airport safety (ground and air) when the Sec-
25 retary of Transportation determines that it is

1 advisable for public safety reasons and deems it
2 necessary;

3 “(H) for construction and maintenance of
4 log transfer facilities associated with log trans-
5 portation activities;

6 “(I) for construction of tailings impound-
7 ments utilized for treatment facilities (as deter-
8 mined by the development document) for the
9 mining subcategory for which the tailings im-
10 poundment is constructed;

11 “(J) for construction of ice pads and ice
12 roads and for purposes of snow storage and re-
13 moval.”; and

14 (e) by adding at the end of section 404 (33
15 U.S.C. 1344) the following new subsections—

16 “(s) DEFINITIONS.—For purposes of this section the
17 term—

18 “(1) ‘conserved wetlands’ means wetlands that
19 are located in the National Park System, National
20 Wildlife Refuge System, National Wilderness Sys-
21 tem, the Wild and Scenic River System, and other
22 similar Federal conservation systems, combined with
23 wetlands located in comparable types of conservation
24 systems established under State and local authority
25 within State and local land use systems.

1 “(2) ‘economic base lands’ means lands con-
2 veyed to, selected by, or owned by Alaska Native en-
3 tities pursuant to the Alaska Native Claims Settle-
4 ment Act, Public Law 92-203, as amended, or the
5 Alaska Native Allotment Act of 1906 (34 Stat. 197),
6 and lands conveyed to, selected by, or owned by the
7 State of Alaska pursuant to the Alaska Statehood
8 Act, Public Law 85-508, as amended.

9 “(3) ‘State with substantial conserved wetlands
10 areas’ means any State which—

11 “(A) contains at least 15 areas of wetlands
12 for each acre of wetlands filled, drained, or oth-
13 erwise converted within such State (based upon
14 wetlands loss statistics reported in the 1990
15 United States Fish and Wildlife Service Wet-
16 lands Trends report to Congress entitled ‘Wet-
17 lands Losses in the United States 1780’s to
18 1980’s’); or

19 “(B) the Secretary of the Army determines
20 has sufficient conserved wetlands areas to pro-
21 vided adequate wetlands conservation in such
22 State, based on the policies set forth in this
23 Act.

24 “(t) ALASKA NATIVE AND STATE OF ALASKA
25 LANDS.—

1 “(1) IN GENERAL.—The Secretary shall issue
2 individual and general permits pursuant to the
3 standards and requirements of subsections (a) and
4 (b) for a State with substantial conserved wetlands
5 areas.

6 “(2) PERMIT CONSIDERATIONS.—For permits
7 issued pursuant to this section for economic base
8 lands, in addition to the requirements in subsections
9 (a) and (b), the Secretary shall—

10 “(A) balance the standards and policies of
11 this Act against the obligations of the United
12 States to allow economic base lands to be bene-
13 ficially used to create and sustain economic ac-
14 tivity;

15 “(B) with respect to Alaska Native lands,
16 give substantial weight to the social and eco-
17 nomic needs of Alaska Natives; and

18 “(C) account for regional differences in the
19 abundance and value of wetlands.

20 “(3) GENERAL PERMITS.—For permits issued
21 under this section on lands owned by Alaska villages,
22 the Secretary shall issue general permits for disposi-
23 tion of dredged and fill material for critical infra-
24 structure including water and sewer systems, air-
25 ports, roads, communication sites, fuel storage sites.

1 landfills, housing, hospitals, medical clinics, schools,
2 and other community infrastructure in rural Alaska
3 villages without a determination that activities au-
4 thorized by such a general permit cause only mini-
5 mal adverse environmental effects when performed
6 separately and will have only minimal cumulative ad-
7 verse effects on the environment.

8 “(4) OTHER CONSIDERATIONS.--The Secretary
9 shall consult with and provide assistance to Alaska
10 Natives (including Alaska Native Corporations) and
11 the State of Alaska regarding promulgation and ad-
12 ministration of policies and regulations under this
13 section.”.

Alaska State Legislature

Representative Joe Green

Sponsor Statement

HJR 27 - Requesting the US Congress to Accommodate Alaska's Wetlands Circumstances

HJR 27 requests Congress to provide regulatory flexibility in the reauthorization of the Clean Water Act, in recognition of Alaska's unique wetlands circumstances.

For the past several years Alaskans have been seeking administrative remedies to the problems caused by strict adherence to federal wetlands policy, including the "no net loss" provision. These efforts have been largely unsuccessful. Now, with members of our congressional delegation in leadership positions, it appears likely that a legislative remedy may be possible.

Senators Ted Stevens and Frank Murkowski have introduced S.49, currently in the Senate Environment and Public Works committee, which seeks to relax the restrictions on the use of wetlands in Alaska. A similar bill has also been introduced in the House of Representatives, where it sits in the House Transportation and Infrastructure committee.

HJR 27 puts the 19th Alaska Legislature on record in support of modifications to the wetlands management program.

This edition
sponsored by:

National Bank of Alaska

Resource Review

June 1994

A monthly publication of the Resource Development Council, Inc.

Inside this issue:

• Latest
wetlands
regulations
released
Pages 1-2

• ARCO to cut
750 workers
Page 3

• RDC
supports
logging of
'infested'
Kenai trees
Pages 3-6-7

• RDC
elects new
officers at
20th
Annual
Meeting
Page 3

• "Unholy
Trinity"
Page 7

New wetlands report falls short of recognizing Alaska's unique circumstances

Report fails to clarify how regulations will be applied in Alaska

The Clinton administration's newly proposed guidelines on how wetlands development should proceed in Alaska doesn't go far enough in recognizing that a "no overall net loss of wetlands" policy will not work in Alaska, according to industry and community leaders.

As part of the administration's August 1994 Wetlands Plan, the Environmental Protection Agency (EPA) and the Corps of Engineers convened a panel of "stakeholders" and solicited public comments in a series of meetings across Alaska from November through March to identify and address concerns with federal wetlands policy in the state. The Clinton administration dubbed the six-month effort the "Alaska Wetlands Initiative," which the product of was to guide regulators in formulating new, flexible guidelines recognizing Alaska's unique wetlands circumstances.

The final report, however, offers little in the way of substantive improvements in the Clean Water Act Section 404 program, RDC and other stakeholders claim. Although the guidelines were designed to be flexible, the final report still does not clarify how the regulations will be applied in Alaska, a major concern of stakeholders.

For instance, the report basically states that the "no net loss" goal will not always be achieved on a permit-by-permit basis in Alaska, but it doesn't clearly state how, when and where it will be implemented.

"What continues to worry Alaskans is the uncertainty involved in the permitting procedures," said Becky Gay, Executive Director of the RDC. "Which permits will be required to compensate with a net gain in order for some permits to allow a net loss?" Gay asked. "Certainty of how 'no net loss' would be implemented in Alaska was not achieved, and removing the uncertainty was a goal of all stakeholders."



Virtually all development in Alaska, from homeless shelters to schools, hospitals, utility corridors and roads requires land regulated as wetlands. Land that is not considered wetlands is mainly mountainous terrain, leaving little option for where to develop.

(Continued on page 2)

Wetlands proposal offers little substantive improvements for Alaska

(Continued from cover)

Since the report doesn't clearly say Alaska is exempt from "no net loss" or identify which permits will be required to fulfill such a goal, Gay and local community officials fear the new policy could leave all construction open to court challenges from environmental groups.

Many stakeholders, including RDC, repeatedly stressed throughout the Alaska Wetlands Initiative process that compensatory mitigation does not make sense in Alaska because of the abundance of wetlands in the state, the minimal loss of wetlands in Alaska and the general lack of restoration sites. Compensatory mitigation is usually unavailable on-site, with 74 percent of the non-mountainous lands in Alaska considered jurisdictional wetlands. Practical alternatives mostly do not exist.

RDC believes minimizing a project's impact fulfills the primary purpose of sequencing when applied to Alaska. Rigid sequencing, the steps of avoiding wetlands, minimizing impacts, then compensating for wetlands used, represents onerous treatment in a state which contains more pristine wetlands than the rest of the U.S. combined.

Most stakeholders would like to see the state's wetlands classified by their value, then have simpler and flexible rules for the least valuable ones.

RDC believes minimizing a project's impact fulfills the primary purpose of sequencing when applied to Alaska. Rigid sequencing, the steps of avoiding wetlands, minimizing impacts, then compensating for wetlands used, represents onerous treatment in a state which contains more pristine wetlands than the rest of the U.S. combined.

Gay noted that in the final report, the Section 404 program still overrides previous Congressional action. RDC would like to see the socio-economic imperatives of prior land set-asides (the Alaska Native Claims Settlement Act, the Alaska National Interest Lands Conservation Act and the Statehood Act) given priority status over the 404 program.

"In Alaska, Congressional man-

dated land compacts and conservation efforts to date should be given precedence, particularly if any alternatives test is required," Gay said.

"In the interest of fair public policy, Congress must recognize Alaska's wetlands situation. With over 50 percent of the nation's total wetlands base, any national policy affects Alaska first and most."

The Alaska delegation is mounting a campaign to gain regulatory flexibility through the reauthorization of the Clean Water Act which may arrive on the Senate floor later this summer. Gay was in Washington recently for a series of meetings with administration and congressional officials on the clean water bill.

Gay said preventing "takings" should be a policy outcome in reauthorization of the Clean Water Act. "If takings occur, compensation should be given for lands with economic value diminished or taken by wetlands regulation."

The Resource Development Council (RDC) is Alaska's largest privately funded nonprofit economic development organization working to develop Alaska's natural resources in an orderly manner and to create a broad based, diversified economy while protecting and enhancing the environment.

Executive Committee Officers

President	David J. Parish
Sr. Vice President	Elizabeth Renick
Vice President	Scott L. Thomson
Secretary	Lyle Von Bergen
Treasurer	Allen Brigham
Past President	James L. Cloud

Staff

Executive Director	Becky L. Gay
Communications Director	Carl R. Parman
Special Assistant Finance	Jude Schreier
Projects Coordinator	Kan Freeman
Staff Assistant	Ferris Becker

Resource Review is the official monthly publication of the Resource Development Council. RDC is located at 121 W. Fireweed, Suite 250, Anchorage, AK 99503. (907) 276-6700 Fax: 276-2887.

Material in the publication may be reprinted without permission provided appropriate credit is given.

Writer & Editor
Carl Parman



Only about 200,000 acres (less than one percent) of Alaska's wetlands have been used for all types of development, ranging from community infrastructure to oil field development.



Message from the Executive Director by Becky L. Gay

RDC, delegation work on new wetlands bill

On the opening day of the 104th Congress, Alaska's Congressional delegation wasted no time in launching an aggressive agenda addressing top priorities of the 49th state. At the top of the Alaska agenda is a bill jointly introduced by Senators Stevens and Murkowski, "The Alaska Wetlands Conservation Credit Procedure Act of 1995."

Senate Bill 49, previously the legislative number assigned to proposed wilderness bills, is slated to reform Section 404 of the wetlands permitting program under the Clean Water Act by introducing balance, common sense and

reason into wetlands regulation in Alaska.

The new measure includes changes addressing Alaska's unique circumstances, as well as national wetlands policy. The bill specifies that a "no net loss" of wetlands policy is not applicable in Alaska, was not designed for Alaska circumstances, and should not be applied here, a long-standing policy omission sought by RDC.

Provisions specific to Alaska include changes to the sequencing methodology, the elimination of compensatory mitigation requirements of current permit processing, and the expansion and applicability of general permitting standards.

Federal law will be amended to ensure national policy will "achieve a balance between wetlands conservation and adverse economic impacts on local, regional, and private economic interests" and "eliminate the regulatory taking of private property by the regulatory program authorized under section 404."

RDC highly endorses a number of important segments, including the exemption of log transfer sites and ice pads from mitigation sequencing requirements. RDC also highlighted the need to make airport safety a priority over the conservation of wetlands in a commercial air zone.

The bill further recognizes that

Alaska should get credit for those wetlands already in protected status. This change to federal law ensures "conserved wetlands" will include those wetlands located in federal, state and locally designated conservation systems. This change is important when designing mitigation banking systems in Alaska.

Also noted in other provisions of this legislation, lands owned by Alaska Native entities and the State of Alaska shall be considered economic base lands, highlighting the importance of the social and economic needs of Alaska Natives and the citizens of Alaska and recognizing prior agreements under other federal laws.

Congressman Young will form a wetlands task force this session addressing wetlands policy and its application to Alaska and the nation. The task force will include members from the House Resource, Transportation and Infrastructure, and Agriculture committees. Congressman Young will reportedly introduce a wetlands bill in the House of Representatives later this session.

Much thanks goes out to the Alaska delegation and staff for the introduction of a bill recognizing a wetlands regulatory fix for the uniquely qualified state of Alaska. For a copy of this bill, call RDC. Remember, Alaska is not just a state of mind.

The Resource Development Council (RDC) is Alaska's leading policy-based resource management organization working to develop Alaska's natural resources in an orderly manner and to create a broad-based, diversified economy while protecting and enhancing its environment.

Executive Committee Officers

President: **Carl J. Parish**
 Sr. Vice President: **Elizabeth Rensch**
 Vice President: **Scott L. Danson**
 Secretary: **Lyle Van Bergen**
 Treasurer: **Alan Bergman**
 Past President: **James L. Cloud**

Staff

Executive Director: **Becky L. Gay**
 Communications Director: **Carl R. Portman**
 Special Assistant/Treasurer: **Judith Schwitzer**
 Projects Coordinator: **Ron Frouman**
 Staff Assistant: **Perry Giffner**

Resource Review is the official quarterly publication of the Resource Development Council. RDC is located at 121 W. Flower St., Suite 250, Anchorage, AK 99502. (907) 276-0200. Fax: 276-0867.

Material in this publication may be reprinted without permission provided appropriate credit is given.

Writer & Editor: Carl Portman



RDC Executive Director Becky Gay, member of the OCS Regional Stakeholders Task Force, participates in a recent hearing in Anchorage at the U.S. Minerals Management Service. The Task Force will develop recommendations to MMS on the upcoming 5-year leasing program. Pictured at left is Kenai Peninsula Borough Mayor Don Gilman.