

SB

236

HFIN

FILE



ALASKA MINERS ASSOCIATION, INC.

3305 Arctic #202, Anchorage, Alaska 99503 FAX: (907) 563-9225 Telephone: (907) 563-9229

May 7, 1998

Honorable Mark Hanley
Honorable Gene Therriault
Co-Chairs, House Finance
Capitol Building
Juneau, AK 99801

RE: Senate Bill 236, Extending Citizens Advisory Committee of Federal Areas

Dear Representatives Hanley and Therriault,

We are writing to express our strong support for Senate Bill 236 which extends the Citizens Advisory Committee on Federal Areas.

This Committee has been extremely important in dealing with federal land management agencies. The Committee has provided badly needed continuity from one State Administration to the next to help insure that the intent of the promises that have been made, especially in ANILCA, is recognized

We urge passage of Senate Bill 236. If we can be of further assistance in this matter please contact me.

Sincerely,

Steven C. Borell, P.E.
Executive Director

cc: House Finance Committee Members

Alaska State Legislature

Senate



Official Business

State Capitol
Juneau, AK. 99801-1182

Senate Labor & Commerce Committee

Sponsor Statement

SB 236: CITIZENS ADVISORY COM ON FED AREAS IN AK

The Citizens Advisory Commission on Federal Management Areas in Alaska was created in 1981. CS SB 236 (RES) extends the Commission another 5 years to June 30, 2003. Temporary legislation (Section 4, ch. 81, SLA 1981, as amended by sec. 1, ch.25, SLA 1988) created this commission, which will expire June 30, 1998.

This Commission does not have a wind-down year following its expiration. It ceases to exist after June 30, 1998, if not extended by the Legislature.

The Commission is tasked with the following duties:

- Evaluate federal management, operation, planning, development for consistency with federal law and congressional intent;
- Hold hearings on the impact of federal regulations and federal management decisions
- Make recommendations to state or federal land agencies
- Report annually to the Governor and the Legislature

The Senate Labor and Commerce Committee introduced the bill to ensure the extension could be considered by the Legislature.

SB 262 Extending CACFA

I testified in front of CACFA members early in the 90's on the Glacier Bay fisheries issue.

At the time, I was impressed by the thoroughness of questions asked by committee members in their effort to achieve a greater understanding of the issues.

On this year's stakeholder meetings of the Glacier Bay Working Group, I have found that CACFA's participation - has lent a much-needed perspective. Through an extensive interview process of Alaskan residents over many preceding years, their perspective has been invaluable. They are also able to cite examples of similar developments elsewhere in the state, that ^{then} serve as a corrective of some of our decisions.

Please continue funding of this working committee. Their advocacy can be of considerable weight in future testimony and they are looked at as being very evaluative before reaching a position or stand.

Debra Woodruff (907) 697-2293


Box 77

Glacier House, AK. 99824

→ (C stayed in Juneau an additional day in order to state my desire for continued funding of CACFA. C hope this gets added to future comments).

**CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS
3700 AIRPORT WAY
FAIRBANKS, AK 99709
(907) 451-2775
FAX (907) 451-2761**

TO: Senate Resource Committee

FROM:  Stan Leaphart- Executive Director

DATE: February 20, 1998

SUBJECT: Activities of the Citizens' Advisory Commission on Federal Areas

In order to provide Resource Committee members with information which may be useful in your consideration of SB 236 "An Act extending the termination date of the Citizens' Advisory Commission on Federal Areas in Alaska," we have prepared the following brief overview of the Commission's functions and activities. Additional information about activities during the previous year can be found in the Commission's 1997 Annual Report.

Routine Activities

In its 1981 enabling legislation, the Commission is mandated to "consider, research, and hold hearings on the consistency with federal law and congressional intent on management, operation, planning, development, and additions to federal management areas in the state." To that end, the majority of the Commission's efforts are focused on the review and analysis of proposed federal regulations and policies; management plans of various types for the conservation system units in Alaska; and proposed federal legislation. Commission staff works closely with other state agencies in these efforts. In addition, Commission staff maintains regular contact with federal agency personnel at both the unit and regional/state office level in order to discuss issues of concern and identify existing or potential management problems.

Probably the most important of the Commission's responsibilities is ensuring the public is made aware of management issues and proposals that may impact their abilities to use federal public lands. This is accomplished primarily through contacts with various organizations and interests groups who, in turn, can inform their membership directly. The Commission also solicits input from these same organizations and groups to help with our analysis of issues and preparation of comments and recommendations. Commission members and staff regularly participate in federal agency sponsored public meetings and workshops.

A small, but important, part of staff duties involves working in an ombudsman's role to resolve problems between individuals and federal agencies regarding use of public lands. This includes helping to secure permits for access to private property, use and construction of

Senate Resources Committee
February 20, 1998

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cabins and temporary facilities, guiding and outfitting, and for conducting other activities on federal lands. While the Commission cannot offer legal assistance, problems can often be resolved by helping an individual through the administrative process or by meeting with a land manager and the individual to find a solution to the problem.

Current and Future Issues

Commercial Fishing in Glacier Bay National Park. Resolution of this issue continues to be one of the Commission's highest priorities. The Commission's 1997 Annual Report summarizes the most recent regulatory proposal by the National Park Service and the working group meetings held in November and December of last year. Since then, meetings were held on January 8-9 and on February 3-5. At those meetings considerable progress was made toward development of an acceptable compromise solution. While many points of disagreement remain and although legislation to implement a final solution will be necessary, there is optimism for success. An additional meeting is scheduled for mid-March to work on remaining details.

Chugach National Forest Plan Revision. The U.S. Forest Service is in the process of revising the forest plan for the Chugach National Forest. Major issues for this plan revision include: wild and scenic river recommendations, management of wilderness study areas, timber harvest, and recreation. The "scoping" phase of the revision process ended December 31. Alternatives that address issues of the forest plan are expected to be available for public comment sometime in Spring 1998, with a draft forest plan and environmental impact statement out by Fall 1998. Target completion date for a final plan is June 1999.

National Petroleum Reserve- Alaska Draft IAP/EIS. The Bureau of Land Management has released a draft Integrated Activity Plan and Environmental Impact Statement for the Northeast National Petroleum Reserve-Alaska(NPR-A). The document presents 5 alternatives for a land management plan for the 4.6 million acre planning area within NPR-A. The alternatives range from a status quo (no action or no leasing) alternative to one which would make the entire area available for oil and gas leasing. Additionally, various alternatives contain proposals for designation of "Special Areas" for geologic and biologic resources, recommendations to designate the Coville River under the Wild and Scenic Rivers Act and creation of a Bird Conservation Area under the Partners in Flight Program. Public comment period for the draft plan closes on March 12, 1998.

U.S. Fish & Wildlife Service CCP Revisions. Comprehensive Conservation Plans for the 16 National Wildlife Refuges in Alaska were prepared between 1982 and 1988. In 1998 the FWS will begin revising these 16 management plans. The first revision is scheduled for release in 1999, with the remaining 15 to be completed by 2007. This revision process will be critical, as many changes have occurred within these refuges since adoption of the original plans. These changes include: management of fish and game under the Federal Subsistence Management Program, management of big game hunting guides and outfitters, and extensive changes in land status and ownership.



LAWS OF ALASKA

1981

Chapter No.

81

Source

CSSSB 36(R1s)

AN ACT

Establishing the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 10

Permitted to become law without signature
Actual Effective Dates: Secs. 1 - 2 effective July 17, 1981;
Sec. 3 effective June 30, 1988

his Act lapse into the general fund on June 30,

its effect immediately in accordance with AS 01.10.

AN ACT

Establishing the Citizens' Advisory Commission on Federal Management Areas in Alaska; and providing for an effective date.

* Section 1. AS 41 is amended by adding a new chapter to read:

CHAPTER 37. CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS IN ALASKA.

Sec. 41.37.010. CITIZENS' ADVISORY COMMISSION ON FEDERAL AREAS IN ALASKA. (a) The Citizens' Advisory Commission on Federal Areas in Alaska is established.

(b) The commission is a temporary advisory agency of the executive branch of the state but is not allocated to a principal department of the executive branch. In the exercise of its responsibilities, the commission shall consider the views of citizens of the state and officials of the state.

Sec. 41.37.020. MEMBERSHIP AND OFFICERS. (a) The commission is composed of 16 members appointed in accordance with this section.

(b) The membership of the commission shall represent each judicial district in the state.

(c) The governor shall appoint eight members of the commission.

(d) The speaker of the house of representatives shall appoint two members of the commission from the membership of the state house of representatives and two members who are residents of the state.

(e) The president of the senate shall appoint two members of the

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1 commission from the membership of the state senate and two members who
2 are residents of the state.

3 (f) The commission shall select a presiding officer of the com-
4 mission from its membership. The commission may elect other officers.

5 Sec. 41.37.030. QUALIFICATIONS OF MEMBERS. The members of the
6 commission appointed by the governor under AS 41.37.020(c) and members
7 appointed under AS 41.37.020(d) and (e) who are not members of the
8 legislature shall be representative of the diversity of users and users
9 of federal land in the state.

10 Sec. 41.37.040. TERM OF MEMBERS OF THE COMMISSION. (a) A
11 member of the commission appointed by the governor serves for a term
12 four years and until his successor is appointed and qualifies.

13 (b) A member of the commission appointed from the legislature
14 serves for his term of office as a legislator.

15 (c) A member of the commission appointed by a member of the
16 legislature serves for two years and until his successor is appointed
17 and qualifies.

18 Sec. 41.37.050. REMOVAL OF A MEMBER. (a) A member of the com-
19 mission may be removed by the appointing authority for cause after
20 notice and hearing or after missing three consecutive meetings of the
21 commission. The presiding officer of the commission shall inform the
22 appointing authority if a member misses three consecutive meetings.

23 (b) After a member of the commission misses two consecutive
24 meetings and before the third meeting, the secretary of the commission
25 shall notify the member in writing that failure to attend the next
26 meeting may result in the removal of the member. The failure of the
27 secretary of the commission to notify a member under this subsection
28 does not prevent the appointing authority from removing a member under
29 (a) of this section.

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Sec. 41.37.060. COMPENSATION, EXPENSES, AND PER DIEM. (a) A
member of the commission who is a legislator or a full-time employee of
the state or of a municipality of the state shall suffer no loss of
compensation from the state or a municipality of the state as a result
of service to the commission.

(b) A member of the commission is entitled to travel expenses and
per diem prescribed for state boards and commissions.

Sec. 41.37.070. STAFF OF THE COMMISSION. The commission may
employ staff and contract for services relating to matters within its
authority. Staff employed under this section are responsible to the
commission.

Sec. 41.37.080. DUTIES OF THE COMMISSION. (a) The commission
shall consider, research, and hold hearings on the consistency with
federal law and congressional intent on management, operation, planning,
development, and additions to federal management areas in the state.

(b) The commission shall consider, research, and hold hearings on
the impact of federal regulations and federal management decisions on
the people of the state.

(c) The commission may, after consideration of the public policy
concerns under (a) and (b) of this section, make a recommendation on
the concerns identified under (a) and (b) of this section to an agency
of the state or to the agency of the United States which manages federal
land in the state.

(d) The commission shall consider the views, research, and reports
of advisory groups established by it under AS 41.37.090 as well as the
views, research, and reports of individuals and other groups in the
state.

(e) The commission shall establish internal procedures for the
management of the responsibilities granted to it under this chapter.

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(f) The commission shall report annually to the governor and the legislature within the first 10 days of a regular legislative session.

(g) The commission shall cooperate with each department or agency of the state or with a state board or commission in the fulfillment of their duties.

Sec. 41.37.090. ADVISORY GROUPS OF THE COMMISSION. (a) The commission may establish advisory groups in the state.

(b) The commission shall invite nominations for the membership on the advisory groups and shall consider the nominations in making its appointments to the groups.

(c) The membership of each advisory group shall be broadly representative of individuals involved in activities affected by the establishment or management of units of federal land within the state.

Sec. 41.37.100. SUIT. The commission may request the attorney general to file suit against a federal official or agency if the commission determines that the federal official or agency is acting in violation of an Act of Congress, congressional intent, or the best interests of the State of Alaska.

Sec. 41.37.110. AGENCY COOPERATION. Each state department, agency, board, and commission shall cooperate with the commission in the fulfillment of the duties of the commission under AS 41.37.020.

Sec. 41.37.150. DEFINITION. In this chapter, "commission" means the Citizens' Advisory Commission on Federal Management Areas in Alaska.

* Sec. 2. The terms of the first members of the Citizens' Advisory Commission on Federal Management Areas in Alaska appointed by the governor under AS 41.37.020 as enacted in sec. 1 of this Act are as follows: two members shall be appointed for four-year terms, two members shall be appointed for three-year terms, two members shall be appointed for two-year terms, and two members shall be appointed for one-year terms. The governor

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shall specify the term of office of each member appointed under this section.

* Sec. 3. AS 41.37 is repealed.

* Sec. 4. Section 3 of this Act takes effect June 30, 1988.

* Sec. 5. Sections 1 and 2 of this Act take effect immediately in accordance with AS 01.10.070(c).

STATE OF ALASKA
Boards and Commissions

FEDERAL AREAS

BOARD: Citizens' Advisory Commission on Federal Areas in Alaska

BOARD IDENTIFICATION NUMBER: 036

DEPARTMENT: Department of Natural Resources

AUTHORITY: AS 41.37.010

STATUS: Active

TERM DATE: June 30, 1998

TERM: 4 years

DESCRIPTION: 16 members: 8 appointed by Governor, plus 8 legislative appointments. House Speaker appoints 2 representatives and 2 Alaskan residents (public members serve 2 years); Senate President appoints 2 senators and 2 Alaskan residents; commission selects chair; members who are not legislators represent the diversity of users and uses of federal land in Alaska; represent each judicial district.

FUNCTION: Researches/holds hearings on consistency with federal law and congressional intent on management, operation, planning, development and additions to federal management areas; considers views of the citizens, officials, and advisory groups.

CHAIR: Commission selects.

SPECIAL FACTS: May be removed for cause (includes missing 3 consecutive meetings); annual report to Governor/Legislature.

COMPENSATION: Standard Travel and Per Diem. No additional compensation.

MEETINGS: 2 times per year; 4 days maximum.

FOR FURTHER INFORMATION CONTACT: Stan Leaphart, Executive Director, Citizen's Advisory Commission on Federal Areas, 3700 Airport Way, Fairbanks, AK, 99709 4699, Phone: 907 451 2775, Fax: 907 451 2761

STATE OF ALASKA

Boards and Commissions

Membership Roster FEDERAL AREAS (036)

Member	Appointed	Reappointed	Term Exp.
Vacant Public			12/31/97
Del Ackels Public P.O. Box 61520 Fairbanks, AK 99706	05/02/83	07/15/91	12/31/94
Charles Bussell House Appointment/Public P.O. Box 91325 Anchorage, AK 99509	03/23/93	04/25/97	12/31/98
William E. Dam, Sr. Public 211 East Cook Avenue Anchorage, AK 99501	04/14/92	12/17/93	12/31/97
Grant Doyle House Appointment/Public F.O. Box 81183 Fairbanks, AK 99706	03/03/95	04/25/97	12/31/98
Don Finney Public P.O. Box 739 Ward Cove, AK 99828	03/01/93		12/31/96
Clarence E. Furbush Public HC01 Box 6001 Palmer, AK 99645	07/15/91	12/31/92	12/31/96
Rick Halford Legislature/Senator Alaska State Senate State Capitol Juneau, AK 99801-1182			
Bill Hudson Legislature/Representative State Representative State Capitol Juneau, AK 99801-1182	04/25/97		
L. Jo King Public P.O. Box 169 Glenallen, AK 99588	04/14/92		12/31/95

STATE OF ALASKA
Boards and Commissions

Membership Roster
FEDERAL AREAS (036)

Member	Appointed	Reappointed	Term Exp.
Scott Ogan Legislature/Representative Alaska State Representative State Capitol Juneau, AK 99801-1182	04/25/97		
Steven B. Porter Public 122 First Avenue, Suite 102 Fairbanks, AK 99701	01/01/92		12/31/95
Arthur Robinson Public 35401 Kenai Spur Highway Soldotna, AK 99669-7698	07/15/91		12/31/94
Bert Sharp Legislature/Senator Alaska State Senator 119 North Cushman Street, Suite 201 Fairbanks, AK 99701	03/11/93		
Thyes Shaub Senate Appointment/Public 217 Second Street, Suite 206 Juneau, AK 99801	01/23/89	10/01/97	12/31/99
Kathleen A. Weeks Senate Appointment/Public Law Office of Kathleen A. Weeks 425 G Street, Suite 850 Anchorage, AK 99501	03/11/93	10/01/97	12/31/99

FISCAL NOTE

No. 1

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL Bill Version: SB 236
(S) Publish Date: 3/10/98

Revision Date: _____ Dept Affected: Natural Resources
 Title: An Act extending the termination date of the BRU: Statehood Defense
 Citizens' Advisory Commission on Federal Areas in Alaska... Component: CACFA
 Sponsor: Senate Labor & Commerce
 Requestor: Senate Resources Component Serial No. #2225

(Thousands of Dollars)

Expenditures/Revenues	FY99	FY00	FY01	FY02	FY03	FY04
OPERATING EXPENDITURES						
PERSONAL SERVICES	76.0	76.0	76.0	76.0	76.0	76.0
TRAVEL	10.0	10.0	10.0	10.0	10.0	10.0
CONTRACTUAL	6.0	6.0	6.0	6.0	6.0	6.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	93.0	93.0	93.0	93.0	93.0	93.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

(Thousands of Dollars)

FUND SOURCE	FY99	FY00	FY01	FY02	FY03	FY04
1002 Federal Receipts						
1003 GF Match						
1004 GF	93.0	93.0	93.0	93.0	93.0	93.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	93.0	93.0	93.0	93.0	93.0	93.0

Estimate of any current year (FY98) cost: \$ none

POSITIONS

POSITIONS	FY99	FY00	FY01	FY02	FY03	FY04
FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS:

(Attach a separate page if necessary)

Expenditures are necessary for the continued operation of the Citizens' Advisory Commission on Federal Areas. Personal services covers the Executive Director, a permanent full-time position, budgeted for 11.1 months per year. Travel costs cover travel and per diem for Commission members for 2 meetings per year and staff travel and per diem necessary to conduct Commission business. Other expenditures are necessary for the day to day operation of the Commission's Fairbanks office.

Prepared by: Stan Leaphart, Executive Director *Stan Leaphart* Phone: 451-2275
 Division: CACFA Date: 13-Feb-98
 Approved by Commission: *Mico Burr for John King* Date: 2-13-98
 Agency: Natural Resources

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 15, 1998

FURTHER REFERRALS:

Date of Committee Action: 5/10/98

The FINANCE Committee considered:

CSSB 236(RES)

CS FOR SENATE BILL NO. 236(RES)

CITIZENS ADVISORY COM ON FED AREAS IN AK

“An Act extending the termination date of the Citizens' Advisory Commission on Federal Areas in Alaska; and providing for an effective date.”

recommends it be replaced the same title
 with the following committee substitute _____ a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____
 fiscal note(s) _____

APPROVES PREVIOUS: (Dept/Date) _____
 HI ^{Senate} fiscal note(s), DNR 3/10/98

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Edon W. Lued</i> Mulder	X			
<i>Terry Martin</i> Martin	X			
<i>Vig Kohring</i> Kohring	X			
<i>J. Waynes</i> J. Davies	X			
<i>Rose Kelly</i> Kelly	X			
<i>Capitol Moses</i> Moses	X			
<i>Terry L. Davis</i> G. Davis	X			

CHAIR'S SIGNATURE *Edon W. Lued*