

HJR

49

HOUSE COMMITTEE REPORT

(9)

Date Referred to Committee: January 23, 1998

FURTHER REFERRALS:

Date of Committee Action: 1/29/98

The RESOURCES Committee considered:

SSHJR 49

SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 49

NAT'L FOREST ROAD-BUILDING MORATORIUM

Relating to opposition to a moratorium on the building of roads in the roadless areas of national forests.

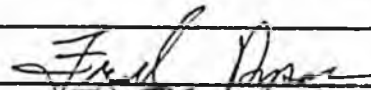
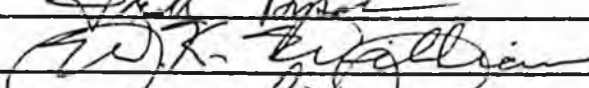
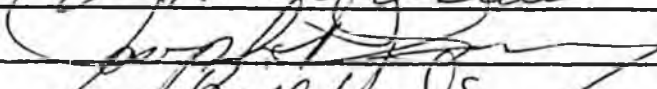
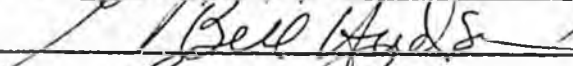
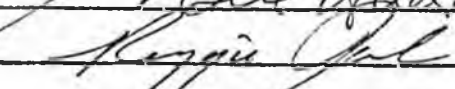
recommends it be replaced with the following committee substitute CSSSHJR 49 (RES) the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
 FRED DWYER	✓			
 W.K. WILLIAMS	✓			
 ROBERT GREEN	✓			
 BILL HUDSON	✓			
 REGGIE GALT			✓	

CHAIR'S SIGNATURE Bill Hudson Co.

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

NO. _____
BILL VERSION: HJR 49
PUBLISH DATE: _____

Revision Date: _____
Title: "Relating to opposition to a moratorium
on the building of roads in the roadless areas of"
Sponsor: Williams
Requestor: House Resources Committee

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

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact to the Legislative Affairs Agency.

Prepared By: Karla Schofield, Deputy Director
Division: Administrative Services

Karla Schofield

Phone: 465-3852
Date: 1/30/98

Approved By: Pamela A. Varni, Executive Director
Agency: Legislative Affairs Agency

Pamela A. Varni

Date: 1/30/98

Alaska State Legislature

Committees:
Transportation, Chairman
Resources
Economic Development
Rules



During Session
State Capitol
Juneau, AK 99801-1182
(907) 465-3424
Fax (907) 465-3793

In Ketchikan
50 Front Street, Suite 203
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-7157

Representative William K. Williams **Sponsor Statement**

House Joint Resolution 49

The Forest Service recently announced a sweeping two-year moratorium on development of 'roadless' areas of national forests. Although the announced 'land freeze' appears to have exempted the Tongass National Forest from the policy, that is not necessarily the case.

The public has 30 days to comment on the roadless policy, after which the Tongass could be included in the moratorium. Also, the Chief of the Forest Service, Mike Dombeck, has said that the final, long term policy will apply to all forests.

The resolution speaks to the inappropriate manner in which the White House is dictating management of our national forests. The Forest Service has turned the public process upside down by announcing their policy first, then searching for scientific evidence to support their position and reaching out for public participation.

The resolution also speaks to the Tongass Land Management Plan. We spent over 10 years and \$13 million dollars revising how we manage the Tongass. It would be wrong to come back later with unilateral amendment which alters the balance struck in the plan.

I urge your swift passage of the resolution, as the 30 day public comment clock is ticking

CS FOR SPONSOR SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 49(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES WILLIAMS, Austerman, Hodgins, Hudson

A RESOLUTION

1 **Relating to opposition to a moratorium on the building of roads in the roadless**
2 **areas of national forests.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** the Clinton Administration has directed the United States Department of
5 Agriculture to establish an interim policy regarding roadless areas in national forests; and

6 **WHEREAS** the United States Department of Agriculture, Forest Service, is
7 considering a proposed two-year moratorium on the building of roads in those roadless areas;
8 and

9 **WHEREAS** the National Forest Management Act of 1976 requires that amendments
10 to a forest plan be done in accordance with regulations that, among other things, allow the
11 public to participate in the development, review, and revision of land management plans for
12 national forests such as the Tongass National Forest and the Chugach National Forest; and

13 **WHEREAS**, after an extensive public process, the Tongass Land Management Plan
14 has already considered the management of roadless areas on the Tongass National Forest; and

15 **WHEREAS** the application of such a moratorium to the Tongass National Forest
16 would be a unilateral amendment to the Tongass Land Management Plan, which the Forest

1 Service has just revised at a cost to taxpayers exceeding \$13,000,000; and

2 **WHEREAS**, under the Tongass Land Management Plan, the United States Department
3 of Agriculture, Forest Service, plans to offer an average of only 200,000,000 board feet of
4 timber annually, which is far below the 300,000,000 board feet needed for the timber industry
5 as determined by the Governor's Timber Task Force; and

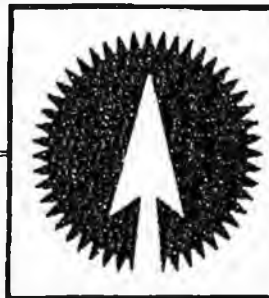
6 **WHEREAS** the proposed moratorium could eliminate the timber industry that remains
7 in Southeast Alaska by reducing the allowable sale quantity on the Tongass National Forest
8 to nearly zero; and

9 **WHEREAS** application of the proposed moratorium in the state also violates the spirit
10 of the "no more" provision of the Alaska National Interest Lands Conservation Act
11 (ANILCA), which prohibits federal agencies from establishing new wilderness areas in the
12 state without an act of Congress;

13 **BE IT RESOLVED** that the Alaska State Legislature opposes any moratorium on the
14 development of the roadless areas of national forests that overrides the forest planning process
15 provided for by the National Forest Management Act of 1976, which allows full public
16 participation in decisions affecting the multiple use of national forest lands; and be it

17 **FURTHER RESOLVED** that the Alaska State Legislature opposes any moratorium,
18 restriction, or unilateral amendment to the Tongass Land Management Plan and the Chugach
19 Land Management Plan that overrides the forest planning process required by the National
20 Forest Management Act of 1976, which allows full public participation in decisions affecting
21 the multiple use of national forest lands.

22 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
23 United States; the Honorable Al Gore, Jr., Vice-President of the United States and President
24 of the U.S. Senate; the Honorable Dan Glickman, Secretary of Agriculture; and to the
25 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
26 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.



Statement of Support House Joint Resolution 49

The forest products industry in Southeast Alaska is heavily dependent upon the purchase of timber from the Tongass National Forest. The Tongass Land Management Plan Revision of 1997 has greatly reduced the land within the Tongass that is available for timber harvest from 1.7 million acres to a mere 676,000 acres, and the maximum average annual allowable sales quantity from 520 million board feet (mmbf) to 267 mmbf. This is considerably below the amount the industry needs to sustain the remaining mills in the region. The promises made by Congress in 1990, at the time the Tongass Timber Reform Act was made law, that sufficient volume would be made available to sustain direct timber employment in Southeast Alaska have now proven to be hollow.

The impact on Southeast Alaska of the reduced harvest of Tongass timber has been drastic. Thousands of jobs have been lost through mill closures, and Federal payments to communities in the form of timber receipts have fallen to a tiny fraction of what they were previously. Recently released data indicate that timber receipts this year will be down by 83 percent compared to last year. This money is used for schools and road maintenance, so the decline hurts all the residents of the region.

Now comes the Clinton Administration with its proposed roadless moratorium. This policy is being superimposed upon the National Forest System in violation of the national Environmental Policy Act and the National Forest Management Act, both of which require a public process, not unilateral government actions unrelated to sound science and public review. The government's new roadless policy is top-down management of the worst sort. It subverts public process and asserts a political strategy in place of sound, scientific, professional forest management. It is bad public policy and is aimed only at promoting the radical environmental agenda of stopping all logging on federal land. The much-touted 'exemption' for the Tongass and other Western forests is not, in fact, an exemption, but an announcement that the policy will be applied through a different mechanism; that is, through forest plan amendments.

The recent TLMP revision took more than 10 years to write and cost the taxpayers more than \$13 million. It includes protection of some 90 percent of the roadless areas remaining on the Tongass. The Chugach Land Management Plan revision is just beginning, and the Chugach National Forest is more than 98 percent roadless. Application of the new roadless policy to the Chugach amounts to predetermining the plan revision in the direction of no development at all. Among other consequences, this will effectively prevent the Forest Service from addressing the growing spruce bark beetle devastation through active forest management. In the case of both Alaska national forests, the roadless policy is unnecessary and very harmful to Alaska's economic future.

forests, the roadless policy is unnecessary and very harmful to Alaska's economic future.

The estimated impact on the Tongass timber program is 202.5 mmbf per year over the life of the plan. Given an Allowable Sale Quantity of 267 mmbf, and expected offerings of around 200 mmbf, it doesn't take a rocket scientist to figure out that this would finally spell the end to industrial logging in the Tongass. Furthermore, full implementation of the roadless policy (whether through direct application or through a plan amendment) will immediately result in a further reduction in timber receipts— amounting to as much as \$2.5 million in FY98. Alaska simply cannot afford this government boondoggle into anti-development politics.

In short, the government's proposed roadless policy is bad for national forests, bad for the American public, and particularly bad for Alaska. The Alaska Forest Association urges the legislature to take immediate action to protest this terrible public policy by quickly passing House Joint Resolution 49. We should send a message to the Clinton Administration on behalf of Alaskans and on behalf of our counterparts in other states, that the Alaska people will not tolerate the Administration's attempts to force a radical agenda upon the people of this state and of this country.

Logging policy ————— Continued from page 1

feels its input is being ignored, Smith said.

"I think it is very possible that we simply will act in the Congress to hold the Clinton administration to its word and its plan, not to end run us with a new political proposal," he said.

Mike McCurry, White House press secretary, said Wednesday he didn't think the Forest Service would act without input from key members of Congress.

"They've been talking to all those who have got some stake in the economic livelihood of the forests and uses of the forests," McCurry said.

"They're not going to adopt any new roadless policies without first taking input from all interested parties, and I would presume that they would want to consult very closely with members of the Senate as well."

1/16/98

K.D.N.

Smith: Logging policy based mostly on politics

By SCOTT SONNER
Associated Press Writer

WASHINGTON (AP) — It is "very possible" Congress will act to blunt President Clinton's new logging policy if he goes forward with an anticipated moratorium on harvests in roadless areas of national forests, a senator said Thursday.

"They are dictating to Congress a policy that is more based on politics than good forest policy," Sen. Gordon Smith, R-Ore., said in an interview. "These are extremists who are simply trying to subvert all responsible policy on good forest health management."

The extremists include Vice President Al Gore and environmentalists who are "pushing a policy that has little to do with science," he said.

'President Clinton is no longer executing the nation's laws, he's dictating this nation's laws.'

— Rep. Helen Chenoweth, R-Idaho

Rep. Helen Chenoweth, R-Idaho and chairwoman of a House subcommittee with jurisdiction over national forests, expressed similar concerns.

"President Clinton is no longer executing the nation's laws, he's dictating this nation's laws," she said in a statement.

The Forest Service is expected in the next two to three weeks to unveil a policy that could ban logging on millions of acres where there are no roads.

Forest Service officials briefed congressional aides on the progress on the policy Thursday, but several aides said few details were provided. Forest Service spokesman Chris Wood said no final decisions have been made.

Smith and Chenoweth are among several Western Republicans who have been pressing the administration to exempt from the policy forests in Alaska, the Pacific Northwest and Columbia River Basin, on grounds that new man-

agement plans are being developed or are already in place there.

Critics fear that if a new roadless policy is implemented, the Forest Service will be unable to make good on Clinton's promise to log 1 billion board feet of timber from national forests in Oregon and Washington under a plan in effect there since 1993.

"All I'm saying is we have a Northwest forest plan. We have a Columbia Basin plan in the works. A lot of time and effort have gone into the development of these policies," Smith said.

"Don't do an end run on the people of the Northwest who want to believe still in the word of this administration."

The Republican-led Congress likely will respond in a "hostile" manner if it

See 'Logging policy,' page 3

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ALASKA RAINFOREST CAMPAIGN

CONSERVING FOREST HABITAT FOR FISH AND WILDLIFE IN COASTAL ALASKA

Statement in opposition to HJR49
"Opposition to a moratorium on the building of roads
in the roadless areas of national forests"
by Alaska Rainforest Campaign

HJR49 opposes including Alaska's Tongass National Forest in the proposed moratorium on new roads in roadless areas of the country's national forests. The Alaska Rainforest Campaign strongly opposes HJR49

The findings statements in HJR49 show a misunderstanding of the roadless policy and the new Tongass forest plan

The Tongass plan did not consider "management of roadless areas on the forest." There was no alternative in the plan that would have concentrated logging in areas where roads already exist or areas easily reachable by helicopter logging. The Forest Service simply assumed that the majority of Tongass timber had to come from roadless areas without studying any alternative. We estimate that some 8 BILLION board feet of timber - some 80 years worth of supply - lies within 1 mile of the existing road system. Not all of that timber can be harvested without undue environmental impact, but it does provide a substantial timber base for a new way of managing the Tongass.

The resolution says 200 million board feet of timber annually "is far below the level needed for the timber industry that remains in the area." In reality, the Forest Service's own economic study (Brooks and Haynes) said timber demand through the year 2002 would be between 96 to 112 million board feet.

The resolution says "the proposed moratorium could eliminate the timber industry that remains in Southeast Alaska." In reality, there is more than 400 million board feet of Tongass timber under already contract -- timber that would be unaffected by the moratorium. At current harvest levels, that 400 million board feet is some 4 years' worth of supply - more than enough to keep today's timber industry going while new management of roadless areas is considered.

Ideally, every forest plan would have already fully considered new management options for roadless areas. Especially in Alaska, these areas are critical to protecting hunting, sport fishing, commercial fishing, water quality and wildlife. However, the Tongass forest plan did not consider any meaningful protection for roadless areas, so it cannot be a reason to exclude the Tongass from the proposed moratorium.

Please do not move HJR49 from House Resources Committee

419 Sixth Street, #318 • Juneau, AK 99901

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CHUGACH ALASKA CORPORATION

HJR 49

Testimony of Michael F. G. Williams January 29th 1998

My name is Michael Williams and I am a Vice President of Chugach Alaska Corporation. We are here today to give our support to HJR 49.

Chugach Alaska Corporation is an Alaskan Native Corporation, established under the Alaska Native Claims Settlement Act. As part of this Act, significant areas of land were conveyed to the Corporation, including 73,000 acres situated in the Carbon Mountain area, some 25 miles east of the Copper River. Access to this property requires a road to be built across part of the Chugach National Forest. The original Settlement Agreement between Chugach and the Federal Government recognized this, and guaranteed Chugach a right of way to its property, across federal land.

It is not only the Carbon Mountain tracts that will be affected by the Clinton proposal on No New Roads. CAC owns approximately one million acres of land, rich in natural resources of which approximately 40% requires road access across Forest Service lands.

CHUGACH ALASKA CORPORATION

We are very concerned that the moratorium on no new roads, will delay or kill Chugach's plans to log the Carbon Mountain area, and the exploitation of its natural resources in other areas.

The social consequences of the proposed moratorium are:

- The roadless policy will frustrate the intent of ANCSA by making it impossible for Alaska Natives to achieve a fair and just settlement of aboriginal land claims and prevents the realization of "...maximum participation by Natives in decisions affecting their rights and property...".
- The roadless policy will frustrate the intent of ANILCA by disrupting the balance struck between preservation, traditional use and economic utilization.
- This roadless policy will result in costly and time consuming appeals and litigation thereby harming local economies and disrupting the flow of business.
- The Forest Service is already subverting their own planning regulations under Title 36 of the Code of Federal Regulations which require the agency to solicit tribal and Alaska Native input into all planning processes that impact management of Native and Indian owned lands.

CHUGACH ALASKA CORPORATION**The economic consequences of this action will be:**

- If Chugach cannot get access to its land across federal lands, the Company will be restricted from developing its resources valued in excess of 1 billion dollars.
- Employment value (i.e. payroll) for such development is estimated to be about 25% of total value which makes jobs lost by this roadless policy worth about \$250 million from Chugach alone.
- The impact of loss of resource revenue is statewide due to the ANCSA 7(i) sharing provisions between Regional and Village Corporations.

This proposal is bad policy because :

- The Forest Service actions have been developed in a vacuum. They forget that their policies impact inholders and adjacent landowners.
- No provision is being made in the roadless policy to acknowledge valid existing rights of adjacent State and private lands and inholdings.
- 98.8 % of the Chugach National Forest is inventoried as roadless, virtually all of this roadless area is either within or adjacent to Conservation System Units which will result in an automatic lock-up of almost the entire National Forest under the proposed roadless area policy.

Conclusion:

With so much of the Chugach National Forest and the State of Alaska already protected and in a "roadless" condition there is no public need for this policy in Alaska.

ROADLESS AREA DECISION CALLED "BITTERSWEET"
Tongass Exempted But Chugach Included In Withdrawals

HTR 49

(JUNEAU) -- Legislative leaders reacted angrily to Thursday's announcement by the U.S. Forest Service that it is instituting an eighteen-month moratorium on construction in so-called "roadless areas" of the National Forest System. The Tongass National Forest in Southeast Alaska was exempted from the sweeping mandate, as were several other national forest areas in the Pacific Northwest which have recently revised or amended their management plans. The Chugach National Forest in Southcentral Alaska was not exempted, however.

"The Clinton Administration is turning the public process on its ear," said Representative Bill Williams (D-Saxman). "They've implemented their policy first, then they're going to go through the public process. This runs counter to the spirit of many environmental laws, which mandate research first, then decisions, all based on sound scientific evidence and public comment. They've reached a conclusion and are now setting about constructing a hypothesis to support it," Williams said.

"It's a bittersweet decision for Alaska," Williams said. While we're glad they've exempted the Tongass from this withdrawal, they've included the Chugach and that will slow or stop efforts to manage the enormous spruce bark beetle problem they have there."

The decision, announced this morning in Washington, DC, allows the public thirty (30) days to comment on the decision and Williams urged Alaskans to contact the Forest Service and register their concerns. The roadless areas withdrawals are part of the Forest Service's proposed New Transportation Policies, which include a major overhaul of the forest road system. The public will have sixty (60) days to comment on the overall plan.

"I hope every Alaskan will take the time time to write or call the Forest Service," Williams said. "The roadless moratorium is going to have grave economic and social consequences for timber dependent communities everywhere. This policy is like a doctor who kills his patient, performs an autopsy to find out what's wrong, the tries to apply a cure," Williams said. "How many timber operators are going to be left after two years of greatly reduced harvests?"

#