

**HJR**

**54**

# Alaska State Legislature

Member:  
House Finance  
Subcommittee Chair:  
Transportation  
Environmental Conservation  
Subcommittee Member:  
Fish and Game



Representative William K. Williams

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

## Sponsor Statement House Joint Resolution 54

House Joint Resolution 54 was introduced to protest yet another politically motivated attack on the working people of Alaska. The President of the United States has proposed policy that would end any further road building in the National Forest system. As Alaska is home to the two largest National Forests in the country and the health and diversity of our economy is directly related to our resource industries, I vehemently object to the inclusion of the Tongass and Chugach National Forests in the proposed plan.

There are several specific reasons for my objections and I will summarize a few in the following paragraphs. First, the policy is illegal. The Alaska National Interest Lands Conservation Act (ANILCA) specifically prohibits such withdrawals without the express direction of Congress. The clear intent of Congress in ANILCA is that the Congress will oversee any further land withdrawal proposals regarding Alaska.

Second, we spent over 10 years and \$13,000,000 to create the Tongass Land Management Plan (TLMP). This dedication of time, money and public process to create a plan that would bring "peace in the valley" will be thrown out the window if the roadless policy is adopted in Alaska. This attack is yet another attempt at circumventing proper forest management for the sake of political science and posturing.

Third, we are currently spending time and money creating a plan for the Chugach National Forest. Once again the public process is being followed to produce a plan for the different uses of the forest. Of great concern to many that live and work in the Chugach is the spruce bark beetle infestation. This infestation will continue, against the sound forest management opinion of many forestry professionals, if the roadless policy is implemented. The proper place for any 'roadless' issue to be brought up and debated is in each forest's planning process, not a nationwide edict.

Enough is enough. I, like many Alaskans, am frustrated with the level of Federal intervention in our lives. The timber industry has been at the forefront of this intervention during the last decade. Application of the roadless policy in Alaska will not only negatively impact our timber industry, but also restrict access for our mining and tourism industries as well as residents. We must continue to strongly oppose such Federal actions. I urge your support in sending our message back to Washington, D.C.

Hyder • Ketchikan • Meyers Chuck • Saxman

Representative\_Bill\_Williams@legis.state.ak.us

FISCAL NOTE

No: 1

Bill version: HJR 54

(H) Publish Date: 2/23/00

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

Revision Date: 2-21-2000  
 Title: Exclusion of AK NATIONAL FORESTS  
From Roadless Initiative  
 Sponsor: Rep. Williams  
 Requester: \_\_\_\_\_

Dept. Affected NONE  
 BRU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Component Serial No. \_\_\_\_\_

Expenditures/Revenues		(Thousands of Dollars)				
OPERATING EXPENDITURES	FY 01	FY 02	FY 03	FY 04	FY 05	FY 06
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

FUND SOURCE		(Thousands of Dollars)				
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY98) cost: \_\_\_\_\_

POSITIONS						
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by Elizabeth Cabrera  
House Resources Committee

Phone 465-6890

Phone \_\_\_\_\_

Date 2-21-2000

**THE FOLLOWING PAGES MAY  
NOT FILM LEGIBLY BECAUSE OF  
THE POOR QUALITY OF THE ORIGINAL**

the enactment of this Act, (2) on the timber, fishing, and measures instituted by the and wildlife in the forest; and (4) the business set aside program in the Tongass Forest. The study required by this section shall be conducted in cooperation and consultation with the State, affected Native Corporations, the southeast Alaska timber industry, the Southeast Alaska Conservation Council, and the Alaska Land Use Council.

ADMINISTRATION

SEC. 707. Except as otherwise expressly provided for in this Act wilderness designated by this Act shall be administered in accordance with applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture for areas designated in sections 701 and 702 shall, as applicable, be deemed to be a reference to the Secretary of the Interior.

Whereas \*

#3

RARE II RELEASE

SEC. 708. (a) The Congress finds that—

- (1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and
- (2) the Congress has made its own review and examination of national forest system roadless areas in Alaska and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II Final Environmental Statement (dated January 1979) with respect to national forest lands in States other than Alaska, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Alaska;

(2) with respect to the National Forest lands in the State of Alaska which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), except those lands remaining in further planning upon enactment of this Act or the area listed in section 704 of this Act, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle;

(3) areas reviewed in such Final Environmental Statement and not designated as wilderness or for study by this Act or remaining in further planning upon enactment of this Act need not be

managed for the purpose of protecting their suitability for wilderness designation pending revision of the initial plans; and

(4) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Alaska for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

16 USC 1600  
note.  
16 USC 1600  
note.

scientific purposes designated, or this Act, the rural roadside (2) nonwas renewable resource such resource to restrict to fish or wildlife of such population

YUKON FLATS NATIONAL WILDLIFE REFUGE

16 USC 3211.

SEC. 1324. Nothing in this Act or other existing law shall be construed as necessarily prohibiting or mandating the development of agricultural potential within the Yukon Flats National Wildlife Refuge pursuant to existing law. The permissibility of such development shall be determined by the Secretary on a case-by-case basis under existing law. Any such development permitted within the Yukon Flats National Wildlife Refuge shall be designed and conducted in such a manner as to minimize to the maximum extent possible any adverse effects of the natural values of the unit.

TERROR LAKE HYDROELECTRIC PROJECT IN KODIAK NATIONAL WILDLIFE REFUGE

16 USC 3212.

SEC. 1325. Nothing in this Act or the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) shall be construed as necessarily prohibiting or mandating the construction of the Terror Lake Hydroelectric Project within the Kodiak National Wildlife Refuge. The permissibility of such development shall be determined by the Secretary on a case-by-case basis under existing law.

FUTURE EXECUTIVE ACTIONS

16 USC 3213.

\* 4

SEC. 1326. (a) No future executive branch action which withdraws more than five thousand acres, in the aggregate, of public lands within the State of Alaska shall be effective except by compliance with this subsection. To the extent authorized by existing law, the President or the Secretary may withdraw public lands in the State of Alaska exceeding five thousand acres in the aggregate, which withdrawal shall not become effective until notice is provided in the Federal Register and to both Houses of Congress. Such withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress.

Publication in Federal Register, notification of Congress.

(b) No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.



Whereas #5

ANILCA



TONY KNOWLES  
GOVERNOR  
[governor@gov.state.ak.us](mailto:governor@gov.state.ak.us)

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500  
Fax (907) 465-3532  
[www.gov.state.ak.us](http://www.gov.state.ak.us)

October 12, 1999

Mr. George Frampton, Chair  
Council on Environmental Quality  
722 Jackson Place  
NW Washington, DC 20503

Dear Mr. Frampton:

It is our understanding the White House may be considering a directive to the U.S. Forest Service to include the Tongass National Forest in the services' national roadless area review. If so, I would consider this to be an outrage and a doublecross.

It would be an outrage because we were assured previously that the Tongass would not be included in this review because of the finalization of the Tongass Land Management Plan (TLMP). In fact, Undersecretary Jim Lyons recently visited Southeast Alaska and, to our knowledge, said nothing about the Tongass' inclusion in national roadless planning.

TLMP took 15 years and millions of dollars to complete, and was one of the most elongated and thorough resource planning processes in the history of the nation. The public was involved on numerous occasions. The roadless area review, together with harvest cycles and other relevant matters, was very much a part of this process.

A purpose of TLMP was to bring stability and certainty to the economy of Southeast Alaska. Many jobs and families, not only in the timber industry, are dependent on such stability.

When I brought all the mayors of Southeast Alaska to speak with White House Chief of Staff Leon Panetta on this subject, we were assured that TMLP would be concluded with finality to provide that needed stability to the families of Southeast Alaska. A change now in that course and direction would constitute a doublecross of the citizens of the State of Alaska.

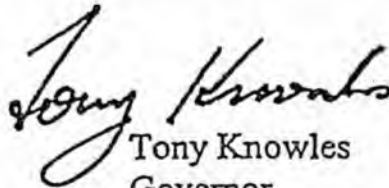
Mr. George Frampton  
-- October 12, 1999  
Page 2

Application of a new roadless area policy in the Tongass would constitute a major modification of the current management plan. If modifications are deemed necessary for this or any other reason, they should be accomplished through the structured and well-established process for amending a forest plan.

My Administration has long advocated the "doing it right" principle of resource planning and management. This approach involves sound science, prudent management, and an open and fair public process. A unilateral decision by the White House to include the Tongass in the Forest Service's roadless area review would be a complete repudiation of this policy.

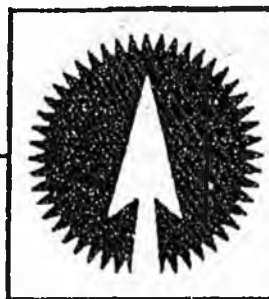
Accordingly, as Governor, I would be compelled to do everything within my power to protect the families of Southeast Alaska.

Sincerely,

  
Tony Knowles  
Governor

cc: John D. Podesta  
Chief of Staff to the President

# Alaska Forest Association, Inc.



111 STEDMAN SUITE 200  
KETCHIKAN, ALASKA 99901-6599  
Phone 907-225-6114  
FAX 907-225-5920

## Effect on the Tongass National Forest If it is Included in President Clinton's Proposed Roadless "No-Entry" Policy October 29, 1999

### Tongass Land Management Plan, 1999 Record of Decision:

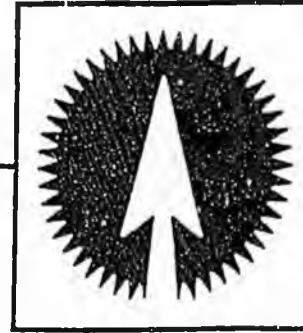
938,000 acres	Suitable and Available Commercial Forest Land
576,000 acres	After Management Implementation Reduction Factor (MIRF) is applied
187 mmbf	ASQ asserted by ROD based on 576,000 acres [No one knows if this is accurate. FORPLAN was never run.]

### Under Proposed No-entry Policy:

938,000 acres	Suitable and Available Commercial Forest Land
403,000 acres	Currently unroaded - would be withdrawn from available acres
-----	
535,000 acres	Suitable and Available <u>before</u> MIRF applied
230,000 acres	Currently in second growth
-----	
305,000 acres	CFL available for harvest <u>before</u> MIRF is applied
183,000 acres	Assuming a 40% reduction after MIRF is applied
ASQ unknown	No FORPLAN model has been run Probable result would be an ASQ of less than 50 mmbf*

\* Furthermore, the NEPA analysis for nearly every timber sale project currently under development on the Tongass would have to be scrapped, since most of the NIC I timber lands still available under the 1999 Record of Decision are in areas which qualify under the applicable "roadless" definition. Prior to the 1999 ROD, the NEPA "pipeline" stood at approximately 1 bbf; it now encompasses less than 500 mmbf.

# Alaska Forest Association, Inc.



111 STEDMAN SUITE 200  
KETCHIKAN, ALASKA 99901-6595  
Phone 907-225-6114  
FAX 907-225-5920

December 20, 1999

USDA Forest Service-CAET  
Attn: Roadless Area NOI  
P.O. Box 221090  
Salt Lake City, UT 84122

Via email, facsimile and Certified U.S. Mail

Dear Project Team Leader:

The letter constitutes the comments of the Alaska Forest Association in response to the Notice of Intent (NOI) to prepare an environmental impact statement (EIS), published at Federal Register Volume 64, pages 56306-56307, on October 19, 1999. The NOI seeks comments on "1) the effects of eliminating road construction activities in the remaining unroaded portions of inventoried roadless areas on the National Forest System; and 2) the effects of establishing criteria and procedures to ensure that the social and ecological values, that make both inventoried roadless areas and other un-inventoried roadless lands important, are considered and protected through the forest planning process."

The Alaska Forest Association is the trade association for the forest products industry in Alaska. A statewide organization, the AFA represents approximately 90 regular and 180 associate member companies doing business in the forest products sector throughout Alaska. Regular member companies are loggers, roadbuilding firms, sawmills and other primary manufacturing facilities, secondary wood products manufacturers, forest landowners and others directly engaged in the forest products industry. Associate member companies are businesses having some interest in or association with AFA regular member firms, such as vendors, lending institutions, and other related businesses. Nearly all AFA members (regular and associate) are small business firms.

The AFA, its members, their employees and the timber dependent communities of Alaska depend on the Forest Service to provide economic timber sales of sufficient volume to meet the needs of that portion of the Alaska timber industry that relies, either directly or indirectly, on purchases of timber from the Tongass and Chugach National Forests. Under the recently adopted Tongass Land Management Plan, a significant portion of the projected timber offerings must come from currently unroaded areas, some of which are RARE II inventoried areas.

In addition, some AFA members own private timberlands that are surrounded by, or are adjacent to, national forest lands. Roads across "remaining unroaded portions of inventoried roadless areas" may be necessary to provide access to these private lands. These private landowners are entitled to the reasonable economic uses of their lands which could be precluded by the proposed rulemaking.

AFA members also have a direct interest, both aesthetic and economic, in the health of the national forest lands in Alaska. In the Chugach National Forest particularly, this interest also includes public safety because of the increased fire hazard associated with heavy fuel loading. The proposed roadless action, particularly Part 1, would have a detrimental effect on forest health by limiting the agency's access to NFS lands for management purposes.

☞ For these reasons and others, AFA and its members are directly affected by, and have an interest in, the roadless area rulemaking proposed by the subject NOI.

### The Public Scoping Process is Flawed

#### 1. Violation of NEPA and NFMA regulations

The public scoping process implemented by the Forest Service under the NOI is inadequate and is contrary to provisions of the National Environmental Policy Act (NEPA) and its implementing regulations. It is also contrary to provisions of the National Forest Management Act (NFMA) and its implementing regulations. NEPA regulations require "an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action." (40 C.F.R. 1501.7). NFMA regulations, developed under 16 U.S.C. § 1604(d), require the agency to provide for meaningful public participation in the development, review or revision of a forest plan. (36 C.F.R. 219.6).

Contrary to both these regulations, the Forest Service has failed to provide adequate information to the public for the public to meaningfully participate in the scoping process and to have any ability to help define the alternatives to be considered in the draft environmental impact statement (DEIS).

The Forest Service did not, in the NOI nor in any subsequent forum of which the AFA is aware, provide information on the location of lands within the NFS that will be affected by Part 1 of the proposed roadless rule. While some maps may be available for some forests, there apparently are no comprehensive maps available which would allow the public to get a clear indication of the extent and location of the areas which would be affected by the proposed rule. In fact, at a Senate Subcommittee on Forests and Public Land Management hearing, held on November 2, 1999, Forest Service Chief Mike Dombeck said he was not sure how many acres would be directly affected by the rule. He indicated it could be anywhere from 40 million to 60 million acres, but said he did not know the actual number. Yet, without more accurate information than this, the public is expected to meaningfully participate in a scoping process that will set the direction for management of huge areas of public land. The public cannot meaningfully suggest an appropriate range of alternatives when it does not even know where the affected lands lie.

Additionally, the Forest Service has not made available to the public information that would help it understand the relationship between the proposed entry restrictions on roadless areas and those parts of the National Forest System that are at high risk of catastrophic fire. According to Forest Service figures, there are approximately 39 million such acres. As of November 3, 1999, the Forest Service did not have maps showing the overlap between those acres and the inventoried and un-

inventoried roadless areas that would be subject to Part 1 of the NOI, according to testimony provided before the Senate and House hearings on November 2 & 3, 1999. AFA has still not seen such maps and, so far as we can determine, they were not made available at any public meetings held during this scoping period.

The Forest Service has also failed to provide other information important to the public's ability to comment on the proposed policy. This includes the status of lands on which existing roads have been or will be decommissioned. The Forest Service has been actively abandoning, obliterating, decommissioning and otherwise removing roads on several national forests, including those in Alaska. Given the definitions contained in the handouts provided at public meetings during this scoping process, the public is left with legitimate unanswered questions as to the status of such lands. Without knowing that these lands might be included in the un-inventoried roadless areas discussed in the NOI, the public may be unlikely to consider this issue in its scoping comments.

Finally, the Forest Service has left an important term undefined. While a list of definitions was distributed to the public at the "listening sessions" and other public meetings, the term "protection" remains undefined. This is an important omission, since to some people the active management techniques generally associated with commercial timber production are "protective" activities with respect to insect and disease control and fire management. The point could also be made that all areas within the National Forest System are "protected" by virtue of their inclusion in the NFS (i.e., they are protected for multiple use forest purposes and cannot be converted to non-forest land use). Thus, in the absence of a definition of "protection," the Forest Service cannot know with any degree of certainty what a particular commentor might mean by saying he or she wants roadless areas "protected." Without a definition of the term "protection" many of the public comments received by the agency have been rendered meaningless or at least are open to various subjective determinations as to their meaning.

## 2. Unexplained relationship to other rulemaking

So far as the AFA can determine, the Forest Service has yet to clarify the intended relationship between the roadless proposal (both parts) and the proposed changes to the rules governing the National Forest transportation system (36 C.F.R., Part 212). Nor has the Forest Service clarified the relationship between the proposed roadless policy and the proposed amendments to the NFMA regulations which were announced in Federal Register Volume 64, page 54074, on October 5, 1999. To ask the public to set forth scoping issues on the roadless proposal without clarifying for the public the interrelationship between these clearly connected actions frustrates the purpose of scoping as envisioned by both NEPA and NFMA.

☞ The public scoping process set forth in the NOI is, for all the reasons stated above, fatally flawed and should be withdrawn. Comments resulting from this process can be expected to be skewed by the lack of information (or possibly in some cases the provision of misinformation) made available to the general public during the scoping period. Efforts to get the Forest Service to extend the comment period to correct these flaws have fallen on deaf ears, so the AFA has no choice but to insist that the NOI be withdrawn.

### National venue improper for dealing with roadless issues

In 1982, the Forest Service demonstrated that it had learned something from the frustrating experience of RARE I and RARE II (both of which failed NEPA tests). Because issues relating to roadless areas are complex and are interrelated with other decisions affecting the use and management of national forests, decisions on roadless area management are properly made in the context of individual forest plans. Thus, 36 C.F.R. 219.17 sets forth the proper venue for roadless area planning. The action contemplated under this NOI is inappropriate on a nationwide basis.

Decisions about the status of inventoried and un-inventoried roadless areas should be made through the forest planning process at the national forest level as envisioned in NFMA and its implementing regulations. A rulemaking process that will affect all roadless areas on all national forests through a single nationwide decision cannot address the unique forest conditions of individual roadless areas. The AFA therefore strongly opposes the unilateral decision to "protect" all roadless areas of the NFS, as set forth in the NOI. If the Forest Service persists in the present action under the NOI, it will frustrate the public's expenditure of countless man-hours in developing individual forest plans on forests where plans have been recently adopted or are in the process of being revised.

For all the above-stated reasons, the AFA urges the Forest Service to withdraw the NOI and reconsider the decision to deal with unroaded areas in the National Forest System on a nationwide, rather than a forest-by-forest basis. If the agency is determined to go forward, it should take steps to make the public scoping process meaningful by providing needed information to the public prior to seeking the public's comments on the proposed action. This likewise will necessitate canceling the NOI and beginning a new public scoping period.

### The proposed roadless policy should not be applied in Alaska

Notwithstanding the AFA's position that the proposed roadless policy (especially Part 1) is inappropriate on a national basis, the Association asserts that the policy will be particularly egregious if it is applied in Alaska. This is true for the following reasons:

#### 1. The terms of the NOI make the proposed policy illegal to apply in Alaska

The NOI calls for a review of non-roaded areas in national forests with the purpose of determining the appropriateness of limiting or prohibiting road access and other development activities. The NOI specifically states that one possible alternative for the DEIS would be an alternative "prohibiting the implementation of all activities, subject to valid existing rights, that do not contribute to maintaining or enhancing the ecological values of roadless areas in remaining unroaded portions of inventoried roadless areas." If applied in Alaska, this would constitute a statewide review of roadless areas under Forest Service control. The roadless policy is therefore illegal in Alaska because it involves a statewide analysis of roadless areas in Alaska intended to create new set-asides, an action which is specifically and expressly prohibited by the Alaska National Interest Lands Conservation Act of 1980 (ANILCA). ANILCA states that the need for set-asides for conservation system units and other

special restricted areas is met by ANILCA and that there shall be **no more withdrawals in Alaska, except by act of Congress.**

This was stated in Section 101(d) as an over-arching guideline for the entire Act:

(d) This act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for the satisfaction of the economic and social needs of the State of Alaska's people; accordingly, **the designation and disposition of the public lands in Alaska pursuant to this act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas or new national recreation areas has been obviated thereby.** (Emphasis added.)

ANILCA also specifically and individually addressed administrative closures and studies by federal agencies. Section 1326(a) states specifically that administrative closures of more than 5,000 acres can no longer be used in Alaska and that if a larger area is administratively withdrawn,

(s)uch withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress.

Moreover, and especially applicable to the current roadless initiative, ANILCA Section 1326(b) states that **federal agencies are not even allowed to study lands for consideration for CSUs or other similar restrictive designations unless Congress specifically authorizes the study:**

(b) **No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.** (Emphasis added.)

## 2. The Tongass National Forest merits exemption because of its peculiar circumstances

With respect to the Tongass, the NOI specifically solicits comments as to whether the Tongass National Forest should be included in the proposed Part 1 of the policy. Alaska's elected representatives have spoken with unanimity on this issue. The Governor, the Alaska Congressional delegation, members of the state legislature and many city councils and community leaders have spoken out against the application of the roadless policy to the Tongass. Governor Tony Knowles went so far as to distribute a press release and a letter addressed to CEQ Chairman George Frampton saying that it would be "a double cross" and "an outrage" were the proposed policy to be applied to the Tongass.

There is good reason for this. The Tongass has just gone through an extensive, 11 year plan revision process which cost the American taxpayers more than \$13 million. The 1997/99 Plan withdrew more than half of the land previously available for development in the Tongass, leaving such a small amount of acreage available for timber harvest that a further decline in industrial timber jobs in the

region is a virtual certainty. At a gathering of Southeast Alaska mayors and other community leaders in Sitka in late September, Under Secretary Jim Lyons stated that the 1999 Record of Decision (ROD) for the Tongass Land Management Plan (TLMP) was the final action of this Administration with respect to Tongass management. According to Mr. Lyons' statement, every effort from this time forward was to be made toward implementation of the new plan. Yet, a mere four weeks later the President announced the initiative which is reflected in the subject NOI. That initiative, if applied to the Tongass, would obviate the land allocations arrived at in the development of TLMP, and directly contradict Mr. Lyons' statement to the Southeast Conference.

AFA points out that it is currently in litigation with the Forest Service over the legality of the revised TLMP as adopted in the 1997 ROD, and as amended by Mr. Lyons' 1999 ROD. We believe that the revised TLMP (pursuant to either the 1997 or 1999 ROD) will ultimately be enjoined and remanded to the agency by the Courts. Those facts notwithstanding, given implementation of the revised TLMP presently governing the management of the Tongass, it is completely inappropriate for the government to further reduce the available land base and force an additional reduction in the Allowable Sale Quantity by application of a national roadless policy to the Tongass National Forest.

We therefore agree with Governor Knowles that application of the proposed roadless policy to the Tongass would amount to a double-cross, and urge the Forest Service to specifically exempt the Tongass from any further consideration of roadless "protections" under any nationwide action. As stated previously in these comments, the only appropriate venue for considering land allocations on any national forest is through the NFMA-mandated individual forest plans in which all multiple use considerations and social and economic impacts must be considered.

Most of the non-roaded areas of the Tongass are already under some form of protection (even prior to the 1999 TLMP ROD). These include Wilderness, Congressionally designated LUD II areas, administrative land use designations for non-development such as "remote recreation," and Wild and Scenic River designations. The only roadless acreages actually under consideration for protection in this proposed policy are those few areas currently left open for resource (primarily timber) extraction. Forest Service data indicate that approximately 403,000 acres of the 938,000 presently listed as "suitable and available" under the Forest Plan would fall under the terms of the NOI. After application of the Management Implementation Reduction Factor (MIRF), this would likely force the agency to reduce the area open to timber harvest down to a mere 183,000 acres. It is impossible to believe that this small land base could produce more than a third of the current NIC I ASQ of 153 MMBF. It is further impossible to justify a reduction in the suitable land base because it will only further frustrate the Tongass Timber Reform Act's § 101 directive to the Forest Service to seek to provide a supply of timber to meet market demand.

Finally, it should be noted that Mr. Dombeck told Congress that the Forest Service will not request a reprogramming of funds to do the roadless analysis required under the NOI. He said the agency would use existing funds to pay for the initiative. Mr. Dombeck stated the initiative is estimated to cost \$6 million and the agency will pay for it **out of land management planning funds**. Given the promises made to Southeast Alaska at the time TTRA was passed by Congress, statements made by former Region 10 Regional Forester Phil Janik to the Senate Energy Committee during the TLMP revision process, and the recent declarations by Mr. Lyons in Sitka, the Forest Service simply cannot

reasonably take money from timber planning allocations in the Tongass and use them to perform a roadless review which has as its purpose (or at least its result) the further reduction of available timber from the Tongass. This is all the more true in light of the fact that the action is illegal under ANILCA, as detailed previously in these comments.

☞ The AFA, while again noting its objection to the intent of the NCI as a whole, urges the exclusion of the Tongass from any and all alternatives which may be developed under the proposed DEIS. The provisions of ANILCA and the unique circumstances of the Tongass and its recent plan revision demand this exclusion. Such an exclusion would also be in line with the expressed position of the Western Governor's Conference (including Alaska's Governor Knowles) which recently passed a resolution urging the Forest Service to exclude from the proposed roadless initiative any forest with a recently completed forest plan or a forest plan which is projected to be completed by the end of 2000.

### 3. The Chugach National Forest merits exclusion

The Chugach National Forest is afforded the same protection as the Tongass under ANILCA and therefore the establishment or study for establishment of roadless area withdrawals under the present NOI should not be considered for the Chugach.

Additionally, the Chugach is presently suffering from a pandemic of spruce bark beetles which has devastated more than 30,000 acres of Forest Service land on the Kenai Peninsula. An arbitrary ban on road construction in areas along the Seward Highway which qualify as "roadless" (whether inventoried or un-inventoried) would preclude some management options presently available to the Forest Service to deal with the extremely high forest mortality that has resulted from this insect problem. At this time, ecological and silvicultural considerations argue strongly against foreclosing options until the extent of appropriate management techniques can be fully assessed.

Furthermore, as is often the case throughout Alaska, there are private land access issues which must be considered with respect to the Chugach National Forest. The CNF has a long history of frustrating the attempts by private landowners with holdings adjacent to the forest to establish permanent access to their lands. Any permanent "protections" afforded to roadless areas in the Chugach will only exacerbate this problem.

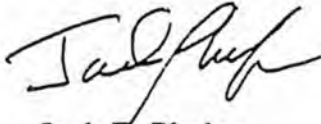
Finally, the Chugach Land Management Plan Revision has been in process for more than two years and is now at the stage of finalizing alternatives for the draft EIS. The Alaska Forest Association and several other user groups and individuals have spent countless hours working with the IDT on the Plan revision process. As with the Tongass, including the Chugach National Forest in national roadless policy would make a sham of the Forest Service planning process established under NFMA.

☞ The AFA therefore urges you to exclude the Chugach National Forest from all alternatives developed for the DEIS under the NOI. The provisions of ANILCA and the unique management challenges and access issues indicate that it should not fall under the aegis of the proposed policy. As with the Tongass, such an exclusion would also be in line with the expressed position of the Western Governor's Conference which recently passed a resolution urging the Forest Service to

exclude from the proposed roadless initiative any forest with a recently completed forest plan or a forest plan which is projected to be completed by the end of 2000.

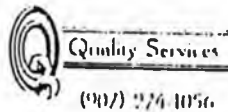
Thank you for the opportunity to comment on the roadless NOI. Should you have any questions concerning any of these comments, please contact me at (907) 225-6114.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack Phelps".

Jack E. Phelps  
Executive Director

cc: The Honorable Tony Knowles  
The Honorable Ted Stevens  
The Honorable Frank Murkowski  
The Honorable Don Young



Date DEC 11 9 1999

PETERSBURG PILOT

Client No. 386

## Council firm against USFS roadless initiative

PH 167 346

By **BRIAN F. JOHNSON**  
*Pilot writer*

The Petersburg City Council voted unanimously Monday night to support a resolution which opposes the inclusion of the Tongass National Forest in the Department of Agriculture's National Roadless Area Review.

The nationwide initiative grew out of a moratorium passed in January 1998 on building new roads in a roadless area. Since that moratorium came into being the USFS has received some 80,000 comments requesting that the moratorium be made permanent. The initiative is the next step in that process.

So far the Tongass is the only National Forest not included in the plan.

Right now about 70 percent of the Petersburg District is roadless and about 65 percent of the land use areas open to timber harvests on the Petersburg District are roadless, according to District Ranger Patty Grantham.

Some are concerned that the initiative, if put into effect on the Tongass, could effectively choke the few remaining timber companies out of business, while others feel that timber sales should be designed around existing road systems.

Councilor Dave Carlson, in a heated tone Monday night, said that "whole issue is a travesty...a travesty to this community."

"Take a look at what's happening with our schools, the school enrollment, fund, the population of this town," he yelled.

Referring to comments made earlier in the meeting Carlson continued, "Jim Whitethorn was talking about getting fish to market. I don't know how you're going to do it without roads." Commenting on those opposed to roads because they reason that they negatively affect fish habitat, he said, "We have one record run of fish after another and I guess these roads have really killed the fish populations."

Continued on page 8

# Roadless

341 367 396

Continued from page 1

Councilor Sheila McFadden concurred, saying that she thought the measure was "another clueless resolution from the Lower 48." "I can see some forests down south going roadless...but here it doesn't hold any water for me," she said.

Councilor Barry Bracken also said that he disagreed with the measure because among other things, it undermines the public process of the Tongass Land Management Plan and the recent Record of Decision. "It almost conveys the message that any part of the Record of Decision on the TLMP planning process is open for revision or discussion, before the ink is barely dry," he said.

Several area residents turned out to voice the opinions on the issue as well.

George Rice, said that as an employee in the timber industry "It's a bad feeling to know that your livelihood is being taken away from you."

Bob Zorich and Pete Litsheim both supported the council's resolution.

Zorich, who cited the history of the TLMP process said, "I don't think this is in the best interest of people living in the Tongass."

Zorich said that he was very nervous that pressure from organizations down south could force the initiative to go through. Holding up a card from an environmental group he explained

that pre-printed cards supporting the plan are being distributed. He explained that people can simply sign their name and send it off to the Forest Service. He said those cards will be counted as public comments too. "I'm afraid that people who have never even heard of the Tongass may have greater input than those who live and work here," he said.

Zorich also commented that if put into place the Roadless ini-

---

**"We have one record run of fish after another and I guess these roads have really killed the fish population."**

— COUNCILOR DAVE CARLSON

---

tiative would have negative effects on the Southeast Alaska Area Transportation Plan and the Southeast Intertie.

Litsheim said that the initiative to him looks like "a last ditch effort to lock up our National Forests to the point

where we're helpless."

Only one resident spoke in support of the Roadless initiative. Resident Becky Knight said that she couldn't see the justification of more roads when there are already 380,000 miles of roads in National Forests across the country and that there is only 20 percent of the needed funds budgeted to maintain them.

Knight said that fish habitat issues are the major concern to her. "Culvert failures that can impede fish passage are a growing concern," she said.

She added too that being included in the Roadless initiative would not negatively affect the timber industry in Southeast. "Including the Tongass in the roadless policy will not 'shut down' the timber industry. Billions of board feet of Tongass timber are accessible from the existing road network and helicopter logging may be an option in some areas," she argued.

She added too, "Although some claim that TLMP solved all the problems on the Tongass, certainly there were many ignored or left unsolved."

The council passed its resolution 7-0.

The USFS will be accepting comments until Dec. 20. All comments will become part of the public record. Comments will be accepted until Dec. 20 and can be mailed to USDA Forest Service CAET, ATTN: Roadless Area NOI, P.O. Box 221090, Salt Lake City, UT

84122. Email submissions will also be included and can be sent to [roadless/wo\\_caet-slc@fs.fed.us](mailto:roadless/wo_caet-slc@fs.fed.us)

District Ranger Patty Grantham said that the USFS

would be happy to make presentations to groups in town and that those who wish such a presentation can call the District office at 772-3871.

## The Alaska Delegation urges a state suit to stop the roadless initiative in the State of Alaska

The Alaska Congressional Delegation recently urged Alaska Governor Tony Knowles to file a state suit to stop the federal government from proceeding with a plan to ban road construction in the Chugach National Forest.

Alaska's Senators Stevens & Murkowski, & Congressman Young said the Alaska National Interest Lands Conservation Act [specifically Section 1326 (b)] bars the federal government from conducting studies for the single purpose of adding to conservation system units unless authorized by Congress. In a letter to Alaska's Governor Tony Knowles they argued that Alaska thus should be exempted from the Clinton Administration's current 60-day public comment period that eventually will lead to crafting an Environmental Impact Statement for possible designations of new roadless areas in our national forests.

"If any part of Alaska is reviewed for the purpose of considering conservation measures, it's a violation of the *no more* clause (of ANILCA). The state has standing to challenge restrictive federal land use policies affecting Alaska. We urge you to initiate a court action to enforce the *no more* clause & enjoin the Forest Service from conducting in Alaska (a) review process," wrote the Delegation to Governor Knowles.

The Delegation noted that putting whole blocks of the national forest off limits to road construction in the State of Alaska would affect not just the timber industry, but also other extraction industries and the tourism industry. A study of roadless areas, "Promises another divisive, national debate over the State's control over its own future. But we simply don't need to go there," wrote the Delegation.

"If it quacks like a duck, & walks like a duck, it is a duck, it is an attempt to create an additional conservation area, and ANILCA prevents that without specific congressional authorization in Alaska," said Murkowski, chairman of the Senate Energy & Natural Resources Committee.

Congressman Don Young, chairman of the House Committee on Resources, said, "The Administration's review is explicitly prohibited in Alaska. Legislation should not be necessary because the state already has a law [ANILCA 1326(b)] that bars the President's action. If the government breaks the *no more* compromise, it's the Governor's duty to stop this in the courts."

The Delegation quoted ANILCA:

"No further studies of federal lands in Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further act of Congress."

Last month, the Clinton Administration proposed to proceed with a proposal to stop the road construction on at least 40 million acres of the national forest.

# Alaska Forest Association, Inc.



111 STEDMAN STREET, SUITE 200  
KETCHIKAN, ALASKA 99901-6599  
Phone 907-225-6114  
FAX 907-225-5920  
Web Site [www.akforest.org](http://www.akforest.org)

March 20, 2000

The Honorable Rick Halford  
Alaska State Senate  
State Capitol  
Juneau, AK 99801

MAR 22 2000

## Re: House Joint Resolution 54

Dear Senator Halford:

Thank you for scheduling HJR 54, relating to the President's roadless policy, for a hearing in Senate Resources. The Alaska Forest Association fully supports HJR 54 because Alaska will be disproportionately harmed if the federal government imposes the President's proposed roadless withdrawal on the Tongass and Chugach National Forests.

As you are well aware, the Tongass Land Management Plan was revised in 1997 after the Forest Service spent 11 years and \$13 million on the revision. In 1999, Under Secretary of Agriculture Jim Lyons unilaterally amended the plan under the guise of granting appeal points to some radical environmental groups. Whether his action was legal under federal laws and regulations is presently the subject of a complaint filed in federal district court by the AFA, the Metlakatla Indian Community, Coffman Cove, Wrangell, Ketchikan Gateway Borough, the City of Craig, Southeast Conference, Concerned Alaskans for Resources and Environment (C.A.R.E.) and some individuals. The result of Mr. Lyons' decision was a plan that is able to produce a maximum annual offering level of only 153 million board feet of timber, and is likely to produce much less, based on historic Forest Service performance. As a point of reference, existing sawmills in Southeast Alaska (including some that are currently closed) have a normal annual operating capacity of 355.5 million board feet.

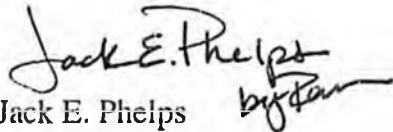
If the roadless policy is applied to the Tongass, the land available for scheduled timber sales will likely be reduced to approximately 183,000 acres, from the 576,000 acres presently available. If this occurs there will certainly be more mill closures and loss of employment in the region. Given the dramatic decline in timber-related economic activity in Southeast Alaska over the past decade, it is time Alaska said "enough is enough" to these unnecessary and unacceptable federal preservation actions.

Aside from the immediate harm that will accrue to the industry and communities of Alaska's coastal region, the roadless policy should also be opposed by the State of Alaska because of the promises embodied in ANILCA. As HJR 54 clearly spells out, ANILCA contains provisions which were intended to prohibit the very kinds of actions that are at issue here. Whether the Clinton Administration chooses to call these roadless withdrawals "wilderness" or not, it amounts to the same thing. As HJR 54 states, these new areas will be *de facto* wilderness, the designation of which,

or *even the study* of which, is prohibited by ANILCA.

With respect to the Chugach National Forest, 98 percent of that forest is presently inventoried roadless. Application of the President's proposal would prohibit all new transportation infrastructure in that forest without the benefit of a public planning process specific to the Chugach. The Chugach Land and Resource Management Plan is presently undergoing revision under terms set forth in the National Forest Management Act of 1976. AFA and several other user groups have been very actively involved in the Chugach planning process. That is the proper venue for land use allocation decisions to be made in the Chugach, as it is with all the other national forests in this country. Such decisions should not be made through a national super-EIS initiated for the purposes of establishing an "environmental legacy" for the President and furthering his political aims.

Sincerely,

A handwritten signature in cursive script that reads "Jack E. Phelps". To the right of the signature, there is a smaller, less legible handwritten mark that appears to be "by [unclear]".

Jack E. Phelps  
Executive Director

cc: The Honorable Tony Knowles, Governor of Alaska  
Representative Bill Williams



# ALASKA + WOMEN IN TIMBER

111 STEDMAN ST.  
KETCHIKAN, ALASKA 99901  
PHONE/FAX: (907) 247-2946

## STATEMENT OF SUPPORT

The Board of Directors of Alaska Women In Timber would like to go on record in support of House Joint Resolution No. 54.

Our national forests should be managed in accordance with existing federal laws. The proposed roadless withdrawal is bad public policy, which is being pursued for purely political reasons. It is not appropriate on all national forests and it is particularly unacceptable in the case of the Tongass National Forest. After an extensive plan revision period that lasted more than eleven years and cost the public more than \$13 million dollars, more than half of the land previously available for development in the Tongass was withdrawn. Additional roadless withdrawals would be economically devastating to the communities of the region.

The elected representatives of Alaska have spoken with rare unanimity on this issue – this is a blatant double cross by the federal government. The years of planning and millions of dollars spent to craft the Tongass Land Management Plan and the planning currently taking place for the Chugach National Forest will all have been for nothing.

Inclusion of Alaska's Tongass and Chugach National Forests in this roadless proposal denies the rights of those most affected by policy changes to play any sort of significant role in the decision making process.

Alaska Women In Timber urges the full support of the Alaska State Legislature for HJR 54.



United Southeast Alaska Gillnetters  
PO Box 22427  
Juneau, Alaska 99802  
(907) 586-5860 Fax (907) 586-5648  
E-mail: usag@gillnetters.org

February 18, 2000

House Resources Committee,  
Representative Bill Hudson, Co-Chair  
Representative Beverly Masek, Co-Chair  
State Capitol, Room 124  
Juneau, AK 99801-1182

RE: HJR 54

The United Southeast Alaska Gillnetters Association supports HJR 54 sponsored by Representative Williams and Phillips. We have enclosed the letter we submitted to the Forest Service on the roadless initiative.

Sincerely,

Kathy Hansen  
Executive Director



United Southeast Alaska Gillnetters  
PO Box 22427  
Juneau, Alaska 99802  
(907) 586-5860 Fax (907) 780-6621  
E-mail: usag@gillnetters.org

December 14, 1999

USDA Forest Service CAET  
Attn: Roadless Area NOI  
Box 221090  
Salt Lake City, UT 84122

Dear U.S. Forest Service:

RE: Roadless Proposal  
Position: Oppose

The United Southeast Alaska Gillnetters Association (USAG) would like to state that we oppose the roadless initiative suggested by President Clinton. In particular, we oppose the inclusion of the Tongass National Forest in Alaska as part of the policy.

This initiative is bad public policy based on the desire of the President to leave a legacy and has no basis in sound science. The current planning process mandated by the National Forest Management Act (NFMA) and NEPA takes in the needs of the fish, wildlife, habitat and the public while allowing reasonable access to the land by all. We question the appropriateness of performing a nationwide "super-EIS" that will overturn decisions made through the land management plan process which involves local decisions based on public and agency review. Let the decisions be made at the local level involving the people involved in the area and not by Washington DC politics and nationwide environmental groups.

The Tongass National Forest should not be included for the following reasons:

- The Tongass had just gone through an extensive, 11 year plan revision, which cost the public more than 13 million. The 1997/99 TLMP withdrew more than half of the land previously available for development in the Tongass.
- Most of the non-roaded areas of the Tongass are already protected in some fashion. This includes wilderness area; Congressionally designated LUD II areas, administrative land use designations for non-development such as "remote recreation," and Wild and Scenic River designations. The only roadless acreage under consideration for protection in this proposed policy are those few areas currently left open for resource (primarily timber) extraction. The available timberlands have already been reduced to the point that mills have closed and more may yet be forced to close.
- The 1999 Record of Decision placed many thousands of acres of unroaded areas off-limits to development, reducing the land available for timber production to approximately 10 % of the Commercial Forest Land in the Tongass. This has already put serious restraints on the economy of Southeast Alaska. Additional roadless withdrawals would be economically devastating to the communities of the region.
- The State of Alaska Governor, Congressional Delegation, members of the State Legislature and many community leaders have all spoken out against the

application of the roadless policy to the Tongass. Governor Knowles has classified this decision as a "double cross and an outrage" were the policy be applied to the Tongass. We agree, and urge the Forest Service to specifically exempt the Tongass from any further consideration of roadless "protections".

- Any application of the roadless policy to the national forests of Alaska would violate the Alaska National Interest Lands Conservation Act (ANILCA). This act was passed in Congress in 1980 and includes in law the agreement between Congress and the Carter White House Administration that any further conservation unit decisions in Alaska would be under the sole purview of Congress.

President Clinton's original announcement of the withdrawal of roadless areas was to encompass some 40 million acres. His inclusion, of the Tongass and of additional smaller non-inventoried unroaded areas may push that number to higher than 60 million acres. How much land is actually being considered in this policy decision and how much of that area is in Alaska? If the public is to evaluate the effect of this policy proposal, it needs to know with some precision where the areas in question are located. To make the scoping period meaningful and effective, the Forest Service should produce maps showing where the roadless areas are located, and should extend the public scoping comment period to allow sufficient time for the mapped information to be reviewed by the public. At a minimum, the extension should last for 120 days (until late April 2000).

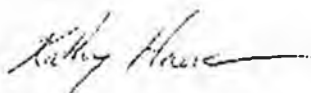
At a recent Senate hearing the Forest Service will not request a reprogramming of funds to do this roadless analysis. The Forest Service has said they will use existing funding to pay for the initiative. In the House hearing they stated that the initiative is estimated to cost \$8 million and the agency will pay for it out of land management planning funds. What planning activities in Region 10 will go unattended to offset the money and time devoted to the roadless initiative?

In summary, we would like re-state our opposition to this roadless policy and in particular the inclusion of the Tongass National Forest in the policy. Our national forests should be managed in accordance with existing federal laws. The comment period should be extended - the sixty day comment period which affects 37 states and 40-60 million acres of forest land does not allow sufficient time for the public to comment. To date, the forest service has not identified the specific parcels of land to be included which essentially asks the public to make uninformed comments on this proposal. That situation tends to make a person feel that this is a pre-determined decision and that you are pretending to solicit public comments. We hope that we are wrong.

United Southeast Alaska Gillnetters Association is a non-profit group representing Southeast Alaska drift gillnet fishermen since 1978.

Please count this testimony as our formal comments on the Roadless Proposal.

Sincerely,



Kathy Hansen

CC: Congressional Delegation, Governor Knowles, Lt. Governor Ulmer  
Alaska Forest Association, United Fishermen of Alaska, Alaska Trollers Assoc.,  
Southeast Alaska Seiners, Petersburg Vessel Owners Assoc.



750 W. 2nd Ave. #109, Anchorage AK 99501 / Ph. 907-258-6171 / Fax 907-258-6177

P.O. Box 22151, Juneau AK 99802 / Ph. 907-463-3366 / Fax 907-463-3312 / unite@akvoice.org

---

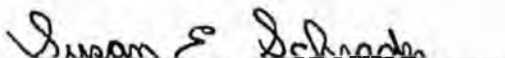
## **HJR 54 ~ Excluding Alaska's National Forests from the Roadless Policy**

TO: Senate Resource Committee  
DATE: March 22, 2000

Alaska Conservation Alliance and Alaska Conservation Voters are sister nonprofit organizations dedicated to protecting Alaska's environment through public education and advocacy. Our 40 member organizations and businesses represent over 21,000 registered Alaskan voters, most of whom are frequent users of the Tongass and Chugach National Forests for subsistence, recreational, and commercial activities. We support efforts by the Clinton administration and the U.S. Forest Service to protect areas within our national forests that currently are roadless. Discussion surrounding HJR 54 has included some misconceptions and misinformation we would like to address:

- The roadless proposal does not create wilderness; it is not a wilderness proposal. It is, rather, another tool in the Forest Service's tool box of management options for protecting currently roadless areas to maintain water quality for fish, protect wildlife habitat, and ensure opportunities for remote recreation. Only Congress can create wilderness which is a far more protective classification than what is being proposed here. Because the roadless policy is not creating new parks, refuges, or wilderness areas, de facto or otherwise, it does not violate the "No More" clause of ANILCA.
- The roadless proposal does not affect existing roads – no roads currently in existence will be closed under this proposal. In fact, money saved from building new roads into roadless areas will be available for use by the Forest Service to help maintain existing roads and keep them open and safe for use by Alaskans.
- The roadless proposal would not mean the end of the timber industry in Alaska. In the Tongass, billions of board feet of timber outside of roadless areas would still be available for logging. This timber, that can be accessed by the 4,650 miles of existing road, is enough to support a moderately – sized timber industry. And while there are no timber-dependent communities on the Chugach, the current small-scale operations for house logs, firewood, and safety reasons can continue in the existing roaded areas.
- The roadless proposal will not compromise existing rights guaranteed under ANILCA and other relevant laws. Existing rights, including RS 2477, will be maintained.

We only need to look south to the national forests in Washington state to see the "collateral damage" that comes with extensive road building, including landslides, damage to salmon streams, problems with game poaching and increased risk of human-caused fires. We can do it differently here in Alaska – we can give the Forest Service the tools it needs to manage the Tongass and the Chugach for the benefit of all users – subsistence, recreational and commercial. The roadless policy is simply another one of the tools. ACA/ACV urges you not to support HJR 54.

  
Susan Schrader, Conservation Advocate

Conserve Alaska. It's Only Natural.

TO: Senate Resource Committee Members  
FROM: Rion Schmidt (phone: 274-3674)  
DATE: March 22, 2000  
RE: HJR 54: Position Statement of the Alaska Center for the Environment on HJR 54

Alaska Center for the Environment believes it is appropriate for Alaskan forests to be included in the roadless initiative, particularly the Chugach, as it is our area of primary focus. For years, citizens have cited their concerns about the damaging effects of road building, and the use of taxpayer dollars to subsidize corporate development interests on our national forests. Clearly, public sentiment has moved towards the protection of our public resources, rather than the exploitation of them.

In HJR 54, the issue of timber dependant economies is brought forth as reasoning for exclusion of Alaskan forests in the President's policy. On the Chugach the reality is quite different from the position put forth in this resolution. There are no timber dependant communities on the Chugach, logging has never provided a substantial economic base for any of the areas in question, and the small amount of logging that does occur could still continue in un-inventoried areas. In fact, by maintaining the Chugach's roadless areas, rural economies are likely to enjoy greater economic benefits through a continued diversification of their economies. Tourism, recreation, Watchable Wildlife programs, outdoor guiding and sightseeing, cabin industries, local businesses, and enhancement of property values, are some of the ways in which local communities would benefit from this policy.

The next argument that HJR 54 makes on behalf of exclusion is the assertion that the Roadless Policy would be a violation of ANILCA. We strongly disagree. Section 1326(b) of the Alaska Lands Act provides: "No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress."

This section does not prohibit the continuing Forest Service review and planning for roadless area management. This process is not being conducted to consider the establishment of a conservation system unit or any other new congressionally designated "defacto wilderness area". The Forest Service review is only a process for the Forest Service to decide how to manage the lands under its jurisdiction. The process is not a study for the single purpose of establishing new protected areas by Congress.

In recent surveys conducted by Alaska Pacific University, Alaskans have indicated that they want the Chugach National Forest managed as it has been traditionally: for the protection of fish and wildlife and for low impact recreation/tourism uses. In these surveys, Alaskans have clearly stated that their prosperity and quality of life are closely linked to scenic values, habitat integrity, roadless areas and biological diversity on the Chugach. Local economies are directly tied to these values through: subsistence hunting, fishing and gathering of resources, as well as commercial and sport fisheries.

ACE's 9,700 members, including a thousand members who reside in Southeast, also support inclusion of the Tongass in the policy. Please reconsider your opposition of the National Forest Roadless Policy. The Chugach and Tongass National Forest should be considered for management under the roadless policy, and our public land is a treasure that should not be diminished by outside corporate dominated exploitation interests.

ALASKA STATE CHAMBER OF COMMERCE

Position 2000 - 33

United States Forest Service proposed "Roadless Policy"

The Alaska State Chamber of Commerce urges the Governor and Legislature to support all efforts to stop the United States Forest Service (USFS) proposed "Roadless Policy" by requesting the State of Alaska to sue the USFS and the U.S. Government to block application of the "Roadless Initiative".

RATIONALE:

The Clinton Administration is awaiting results of a public comment period on whether roadless areas of the Tongass National Forest should be included for review under its roadless initiative. The roadless issue for the Tongass was already completed in the 13 year, 10 million dollar Tongass Land Management Plan (TLMP). If any part of Alaska is reviewed for the purpose of considering conservation measures, it is a violation of the "No More" clause in ANILCA. The Chugach is currently under that review.

ADOPTED

December 3, 1999

BY Pamela La Bolle  
Pamela La Bolle  
President

BY Dennis Brandon  
Dennis Brandon  
Chairman

# SENATE COMMITTEE REPORT

DATE: 3/6/00

FURTHER:

DATE TURNED  
IN TO OFFICE: 3/22/00

Resources Committee considered

HOUSE JOINT RESOLUTION NO. 54

Relating to urging the exclusion of national forests in Alaska from President Clinton's proposal for withdrawal of roadless areas in the national forest system.

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:**
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Handwritten signatures]</i>	<input checked="" type="checkbox"/>	<i>[Handwritten signature]</i>			
<i>[Handwritten signature]</i>	<input checked="" type="checkbox"/>				
<i>[Handwritten signature]</i>	<input checked="" type="checkbox"/>				
<i>[Handwritten signature]</i>	<input checked="" type="checkbox"/>				
<b>CHAIR:</b> <i>[Handwritten signature]</i>	<input checked="" type="checkbox"/>	<b>CHAIR:</b>			

**NEW FISCAL NOTE(S):**

Department                      Date              Zero              Fiscal


**PREVIOUS FISCAL NOTE(S):\***

Department                      Date              Zero              Fiscal

House Resources	3/21/00	<input checked="" type="checkbox"/>	

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill