

HJR

6

Bill History/Action Display

BILL: HJR 6

SHORT TITLE: ROADLESS POLICY

BILL VERSION:

SPONSOR(S): WILSON, Williams , Hudson , Scalzi , Dyson , James

CURRENT STATUS: (H) RES

STATUS DATE: 01/17/01

HEARING: (H) RES Jan 24 1:00 PM CAPITOL 124


TITLE: Relating to opposition to the inclusion of national forests in Alaska within President Clinton's Roadless Area Conservation rule and supporting the overturning of this inclusion by litigation, by congressional action, or by action of President-elect Bush.

| Jrn-Date | Jrn-Page | Action |
|----------|-------------|-------------------------------------|
| 01/10/01 | <u>0044</u> | (H) READ THE FIRST TIME - REFERRALS |
| 01/10/01 | <u>0044</u> | (H) TRA, RES |
| 01/16/01 | <u>0104</u> | (H) COSPONSOR(S): JAMES |
| 01/17/01 | <u>0109</u> | (H) TRA RPT W/AMENDMENT 6DP |
| 01/17/01 | <u>0109</u> | (H) DP: KAPSNER, KOOKESH, OGAN, |
| 01/17/01 | <u>0109</u> | (H) SCALZI, WILSON, KOHRING |
| 01/17/01 | <u>0109</u> | (H) FN 1: ZERO (H. TRA) |
| 01/17/01 | <u>0109</u> | (H) REFERRED TO RESOURCES |

Similar Subject Match or Exact Subject MatchFORESTRYHIGHWAYSINTERGOVERNMENTAL RELATIONSRESOURCESBill Root:

**BASIS HAS BEEN RE-PROGRAMMED THIS YEAR
TO REPORT PROBLEMS WITH BASIS INQUIRY**

[Return to Basis Main Menu \(22 Legislature\)](#)[Return to Legislature Home Page](#)



We believe that the Southeast Alaska Electrical Intertie may be built as long as a road is not needed. Recreation and tourism developments that do not require roads could be developed.

“Timber may be cut, sold or removed when appropriate for personal or administrative use (such as firewood cutting) or to implement a management activity not prohibited by the rule (such as building a power line).”

Job Effects: In the long-term (after 5 years), the FEIS estimates that for the private sector, 370 direct timber jobs and 370 indirect jobs on the Tongass National Forest could be affected. It also estimates that 52 road construction jobs could be affected after 5 years and 104 indirectly related to road construction.

We do not know how the new President might influence the decision on the Final Rule. Congress does have oversight authority on new regulations, and within a given time period could vote to over turn a rule, subject to Presidential approval.

We do not know the amount of timber available from land outside the Tongass National Forest that could support the local mills. Both the State Forester and the local Native Corporations could supply estimates.

.....

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Introduced by: Mayor
Date: 01/23/01
Action: Adopted as Amended
Vote: 7 Yes, 2 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2001-012**

**A RESOLUTION SUPPORTING THE ALASKA LEGISLATURE'S HOUSE JOINT
RESOLUTION NO. 6 OVERTURNING THE ROADLESS AREA CONSERVATION
RULE IN THE TONGASS AND CHUGACH NATIONAL FORESTS**

WHEREAS, the Kenai Peninsula Borough Assembly passed three resolutions in the past three months dealing with the Chugach National Forest Revised Land and Resource Management Plan; and President Clinton recently adopted the Roadless Area Conservation rule in the Tongass and Chugach National Forests and the Alaska State Legislature is considering House Joint Resolution 6 opposing this rule; and

WHEREAS, in Resolution 2000-108, adopted November 21, 2000 the Kenai Peninsula Borough supports continued public access to the Chugach National Forest for all recreational users and encourages the Federal Government to upgrade and improve trails and parking lots to increase public access; and a roadless policy will discourage the development of improved public access to public lands which will cause increased congestion amongst various user groups creating unnecessary and avoidable conflicts; and

WHEREAS, the Kenai Peninsula Borough Assembly passed Resolution 2000-112 on December 12, 2000 which supports timber harvest on the hundreds of thousand of acres of the Chugach National Forest within the Seward Ranger District which has been infested by the spruce bark beetle; and the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting, and reforestation of the hundreds of thousands of acres of trees impacted by the spruce bark beetle infestation within the 5.45 million acre Chugach National Forest; and a roadless policy will further affect the economic loss of millions of board feet of potentially valuable and already dead spruce trees which could otherwise have provided a vital part of the economic foundation for residents and businesses of the borough; and

WHEREAS, a roadless policy will effectively eliminate the feasibility of exploration for and development of new and existing mineral deposits that lie within the Chugach National Forest; and KPB Resolution 2000-112 also supports the adoption of provisions within the Proposed Revised Land and Resource Management Plan that will provide for new road access to newly discovered and existing mineral deposits that will allow for viable commercial and recreational ~~minerals~~ extraction; and

WHEREAS, the Kenai Peninsula Borough Assembly in passing Resolution 2001-005 on January 9, 2001 expressed its support of a complete and thorough legal review by the Office of General Counsel for the United States Forest Service or other appropriate agency to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act and other appropriate federal laws;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Assembly strongly supports the passage of HJR 6 by the Alaska State Legislature for all the reasons stated, but in particular for the portions of the resolution that pertain to the Chugach National Forest.

SECTION 2. That a copy of this resolution be sent to the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, the Alaska Congressional Delegation, and the United States Forest Service.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 23RD DAY OF JANUARY, 2001.

Timothy Navarre

Timothy Navarre, Assembly President

ATTEST:

Linda S. Murphy

Linda S. Murphy, Borough Clerk



Baseline:

Roadless

NOI, mid Oct. 1999

Scoping Info Meeting & "Hearing", Dec. 1999

DEIS Info Meeting, May-June 2000

DEIS "Hearing", May-June 2000

FEIS, November 2000

ROD, mid January 2001

15 months TOTAL

58.5 million acres in 38 states (with vastly differing ecosystems)

Comparison:

Luck Lake

NOI, July 1997

FEIS, June 2000

3 years total

840 acres (12.9 mmbf timber sale offering)

Woodpecker

Scoping, Fall of 1998

DEIS, June 1999

FEIS, July 2000

no ROD yet

2 years so far (not including pre-project analysis)

1,140 acres (12 mmbf timber sale offering)

3 Mile

NOI, March 1999

DEIS, January 2001

no FEIS yet

no ROD yet

2 years so far

515 acres (14 mmbf timber sale offering)

North America at night; captured by satellite camera

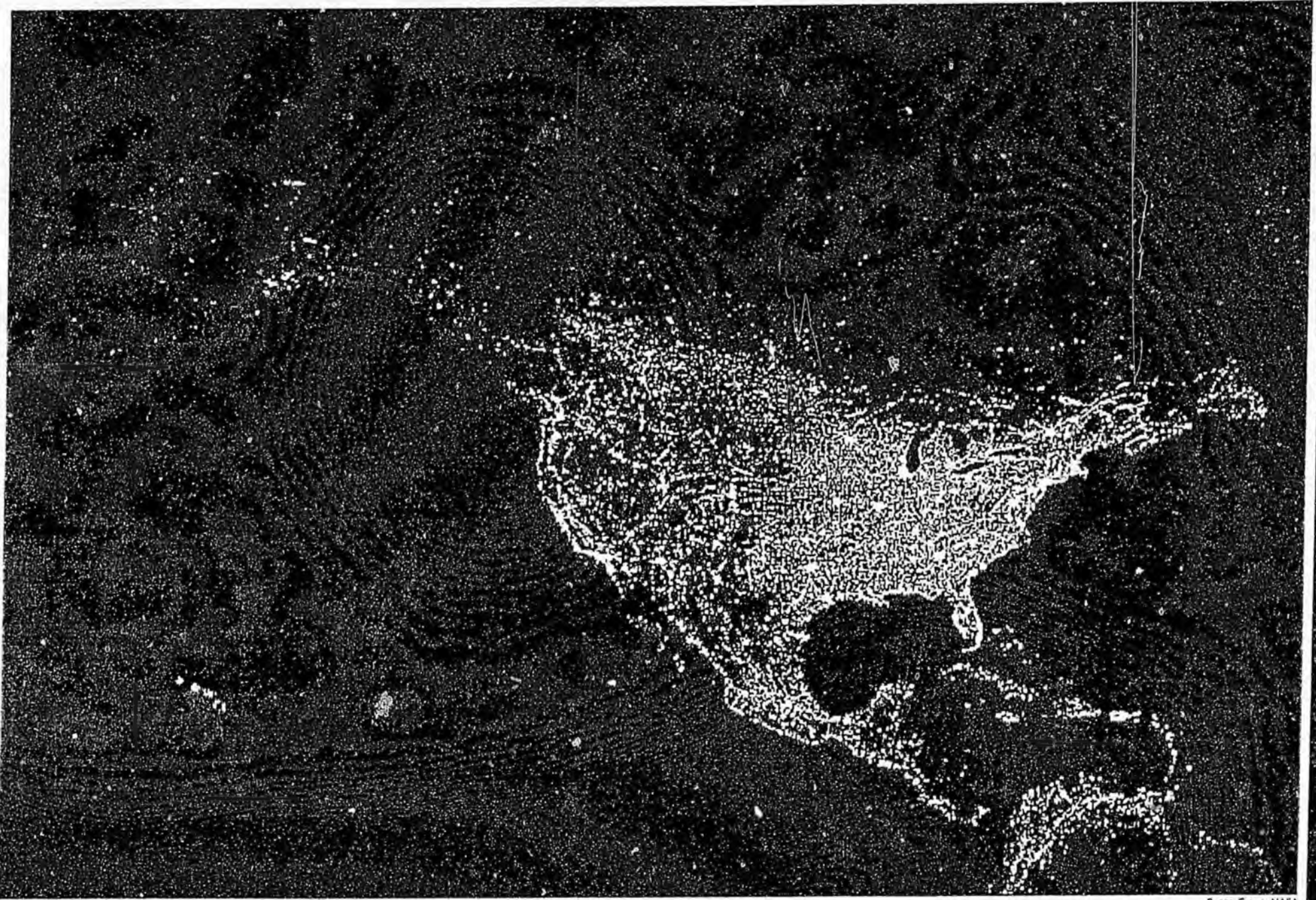


PHOTO CREDIT: NASA

The lights from towns and cities across the United States, Canada and Mexico reveal the scope and density of these nation's populations. In contrast, the view of Alaska presents a clear reminder of our state's minimal development and its extensive wildlife habitat. Alaska's largest concentration of light is located in its major population centers, the Kenai peninsula, Anchorage and Fairbanks. Prudhoe Bay's industrial complex, including gas flares, is also visible. Foresters, geographers, biologists and others are making increasing use of satellite photography to inventory existing values when development is planned.

**Testimony of Loren Gerhard, Executive Director, Southeast Conference
House Resources Committee 1/24/01**

I will speak mainly to the issues in the Tongass National Forest, as those are the ones I am most familiar with, as our organization focuses on issues in Southeast Alaska, although some of this applies to the Chugach National Forest as well. Southeast Conference and the Southeast Conference of Mayors are very concerned with the negative impacts the ex president's action will have on our regional economy. We are still trying to deal with the impacts from the dramatic 75% decline in the timber industry occasioned by the Tongass Land Management Process. The future impacts of the Roadless designation, if it remains intact, will deal a death blow to that once significant portion of our regional economic base.

Over 96% of the total area of the Tongass National Forest was protected from further development before the Roadless proposal. The Roadless designation reduces available timber harvest on The Tongass National Forest by 2/3rds, to an amount which cannot even support the single veneer plant in Ketchikan, a valiant effort by business and the community of Ketchikan to salvage some kind of timber industry there. There are twelve sawmills operating in Southeast Alaska, all under a cloud of unknown future harvest levels. If this administrative action stands, 2/3rds of them will be gone in 5 years. This action will cost the region another 1000 jobs, direct and indirect. The large multinational timber companies are gone, what we are talking about now are Alaskans doing business in Alaska, and they will be put out of work by this action. The environmental advocates asked for a smaller scale, sustainable level of harvest, supporting a scaled back, value added processing industry, and that's what they got. The Roads ban goes way beyond that to an almost non existent industry, way below the known thresholds of sustainability.

The directive is an affront to the legal process mandated in federal law to manage the national forests. It ignores the National Forest Management Act, the law that mandated the Tongass Land Management Plan, which has been in process for over 10 years with 13 million dollars spent on it. The roads ban is the crowning achievement of an administration determined to lock up lands without the consent or involvement of the U.S. Congress.

Advocates for the roads ban reference heavy support in Alaska for this proposal, citing percentages of attendees at public meetings held in the state



GATEWAY FOREST PRODUCTS

January 24, 2001

TO: House Resources Committee

RE: GFP Testimony supporting House Joint Resolution No. 6

Madam Chairman and distinguished Committee members:

My name is Cliff Skillings and I am testifying today on behalf of Gateway Forest Products and its 149 full time employees, urging you to support HJR 6 and seek expedited passage of this important Resolution.

Gateway Forest Products is a company of full time, year round employees operating a production Sawmill, a veneer mill, an operational sort yard and an industrial complex. Our mission is to provide a manufacturing process that best utilizes the lower quality sawlog from the Tongass and adds to the new integrated independent wood processing industry in Southeast. We are active participants in the Forest Service's independent/SBA timber sale program and rely on its continued existence at a level that supports not only our mill, but also the other independent wood products facilities located in Southeast.

The Clinton Roadless Initiative fails to recognize the fact that significant management initiatives have been applied to the Tongass. These include the Alaska National Interest Lands Act (ANILCA), the Tongass Timber Reform Act (TTRA) and continuously updated versions of the Tongass Land Management Plan (TLMP). Every one of these received a high level of commitment from regional Department of Agriculture employees, local citizens and time commitments from the United States Congress relative to ratification. In the 8 years of the Clinton Administration, Southeast Alaska has seen an ASQ that dropped from 550 million board feet (mmbf) to 267 mmbf (1997 TLMP ROD) to 187 mmbf (1999 TLMP Lyons ROD) and the loss of two production pulp mills and various independent sawmills.

This latest initiative offers no science but rather an emotional plea from national special interest groups and legacy opportunity for an outgoing Administration. You have heard the best probable numbers should this Initiative be applied to the Tongass: 50 mmbf board foot maximum harvest, further decrease in the manufacturing base in the region, etc. All of this is correct. Our present industry of 7 small independent sawmills will surely be decreased to two with implementation. Our veneer mill, although being able to

ADMINISTRATION
PO BOX 779
Ward Cove, Alaska 99828
907-247-1647
907-247-1846 (Fax)

INDUSTRIAL/MARINE
P.O. BOX 779
Ward Cove, Alaska 99828
907-247-1651
907-247-8660 (Fax)

MANUFACTURING
P.O. BOX 779
Ward Cove, Alaska 99828
907-225-0126
907-225-7824 (Fax)

**GFP Testimony on HJR 6
House Resources 01/24/01**

run on one shift in this scenario, will do so at the cost of our sawmill that may at best operate on a part time basis if the supply is available.

The Tongass is fully capable of supporting a viable timber manufacturing industry to the ASQ stated in the 1997 TLMP decision and then condoned by the Governor that same year. This ASQ decision of 267 mmbf provides a level of harvest that maintains year round, family supporting jobs, healthy local economies and an industry that has the ability to plan ahead for operations and make investments in manufacturing processes.

Under present land management plans and historical legislative actions, areas identified as environmentally sensitive are protected. In actuality, the industry is already limited as to areas it can access and the quality of timber that can be extracted. Numerous areas that are available for harvest and have high volume/quality timber are inaccessible due to Habitat Conservation Areas (HCA) set around the profitable timber, giving industry access to the lower quality timber and allowing the higher volume HCA classified stands to blow down in these small, exclusive set asides.

The Roadless Initiative also ties the hands of land managers in the future relative to forest practices to improve forest health and denies access of our resource rich region to those visitors who may be bound by physical limitations and wish to see it first hand.

In closing, I do not believe that a "majority of Alaskan's" support this action as you may hear in opposing testimony. Local representation is hardly met by visitors who may sign a prewritten post card after being coerced into signing. Significant locals submitted letters and memos of opposition to the Clinton Administration relative to this Initiative and I do not believe that one can base the opinion of the region by those who chose to stand at microphone.

Gateway Forest Products and the timber industry of Southeast Alaska can ill afford to be subject to additional inaccessibility to the resource due to management decisions based on emotional appeals over sound science. We adamantly support your actions to ratify HJR6, opposing the Roadless Initiative and supporting the Governors litigative efforts, and hope that you do so in an expeditious manner.

Alaska State Legislature
House Resources Committee

Public Testimony On HJR 6 —
January 24, 2001

ROADLESS AREAS

Thank you for the opportunity to testify on Resolution HJR 6. For more than two decades, Alaskans have been held to a separate standard from the other 49 states regarding the way the Federal Government has approached the management of lands in Alaska. Each time Alaskans and the Federal agencies have reached an agreement on land management policies in our National Forests, we've been told, "This is it. There will be no more withdrawal of lands". Recently, I served with fourteen other Alaskans on Governor Knowles Timber Task Force. At that time, former Secretary of Agriculture Dan Glickman told the Governor and our task force that the 1997 record of decision should be viewed as a conclusive decision after spending \$13 million and taking eleven years to revise the Tongass Land Use Plan. But as we all know, months later Undersecretary Lyons made wide sweeping changes to the Record Of Decision with no input from the public. Reasonable Alaskans were irked because certain selfish federal bureaucrats had duped us again. At the same time, the Roadless proposal for our national forests was being evaluated across the nation. Alaskans were told both the Tongass and Chugach would be exempt from inclusion because land use plans had just been completed. We know the rest of the story. Not only are we included, but as late as this past December, the effective date was to be the year 2004, but in the end, we were included with the same effective date and the other national forests. This is not a roadless policy for the Tongass. This can only be described as a **dead end** road policy. It is a **dead end** road to the sustainability of a viable wood fiber industry in Alaska. This presidential order brings a **dead end** road to access routes for hydro sites and power line corridors. It is a **dead end** road for funding for local schools that would have come from future timber sales receipts. It is a **dead end** road for entrance into watersheds to access public drinking water systems. It is a **dead end** road for hard surface linkage of our cities and towns. It is a **dead end** road for employment opportunities and further strangles local economies by forcing families to move on to seek other jobs — usually in a completely different field. Sadly and most important, this latest effort is a **dead end**

road for integrity and commitment made to Alaskans by the federal government. When there is no longer any trust in what our federal officials do and say, we are fraying the cords that bind democracy together.

The Governor has every reason to be outraged at this eleventh hour decision. And so should every reasonable Alaskan. The former President's Roadless decision violates numerous federal laws and I trust the Attorney General and other groups will be successful in quickly overturning this action in the courts. It is time for Alaskans to put up a **Dead End** sign to the heavy handed, selfishly motivated and non-involvement in the decision making process by our Federal government bureaucrats. I support the adoption of HJR 6 and commend the legislature for taking a strong stand opposing the Road less policy in Alaska.

However, please allow me to take another minute of your time because the Alaska timber industry desperately needs more legislative help than just the adoption of HJR 6. We are short on resources for fighting the legal battles that are associated with the environmental challenges brought by the well-healed environmental community. In addition, one of the biggest requirements we have is a current and objective report on the supply and demand for Alaska's wood fiber. To be really meaningful, this report must be expanded beyond the typical federal report of industry capacity and annual production. Other independent reports have stated that there is unlimited demand for Alaska type wood products. The constraint is the supply of timber from National Forest Land. For the past decade, these federal reports always conclude that production of manufactured wood products is declining and thus the federal supply of timber from the Tongass and Chugach should be further reduced. When USFS management sets annual harvest volumes using these incomplete reports, the outcome can best be described as sending the industry into a death spiral. We need a fresh in depth look from the state's perspective at the impacts of a shrinking forest products industry upon Alaska's citizens and communities. We must focus on the diminishing opportunity for jobs and the eroding ability for these communities to sustain their local economies. It is a very serious matter and time is of the essence to put forth the real facts about Alaska's remaining wood fiber industry. Thank you for the opportunity to testify this afternoon. I would be happy to answer any questions you may have.

And in the interest of time we will limit testimony on ~~HB48 to 30~~
Minutes and cease testimony on HJR6 at 2:20pm for committee
discussion.

• **Meeting:**

1. Rep. Coghill or Rynniva to elaborate on CS for HB48
Someone move to adopt CS for HB48 as working document.
Public Testimony HB48
Discuss HB48
~~Move~~ HB48 from committee to JUDICIARY

2. Rep. Wilson to elaborate on CS for HJR6.
Move to adopt CS for HJR6 as working document.
Public testimony HJR6
Discuss HJR6
~~Move~~ HJR6 from committee

• **Next Meeting:**

Will be Friday January 26th at 1:00pm

We will be having a joint meeting with the FISHERIES COMMITTEE

• **Adjourn Meeting: Note Time:**

Bewerly

Agenda

- Call to order ~~Time~~ Date: January 24th, 2001

- Roll Call:

Representative Masek, Co-Chair
 Representative Scalzi, Co-Chair
 Representative Fate, Vice-Chair

Representative Green
 Representative Chenault
 Representative McGuire ~~(is detained with other commitments until 2PM)~~
 Representative Stevens
 Representative Kapsner
 Representative Kerttula

- Sites for Teleconference:

Anchorage, Keni, Petersburg, Faribanks, and Mat-Su ~~LIOS~~

Welcome to those of you that are here
 We may have a few additions if we receive a call, and we will note that for the record.

- Subject:

Today we will be holding hearings on:

HB48 – Eliminating the requirement for Social Security Numbers in order to obtain a hunting and fishing license..... It is the intent of the chair to move this bill from the committee today in the form of the committee substitute we will be adopting as our working document.

} Coghill

We will also be hearing **HJR6** – Opposing the Roadless Policy. It is also the intent of the chair to move this from the committee today in the form of it's committee substitute.

} Wilson

We will be hearing ~~public testimony~~ on both of these items today. We will limit each person's testimony to 3 minutes. This will assure that as many people as possible are heard.

*up-date
new version*

22-LS0316\C
Luckhaupt
1/24/01

**CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION**

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES WILSON, Williams, Hudson, Scalzi, Dyson, James

A RESOLUTION

1 **Relating to opposition to the inclusion of national forests in Alaska within President**
2 **Clinton's Roadless Area Conservation rule and supporting the overturning of this**
3 **inclusion by litigation, by congressional action, or by action of President Bush.**

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

5 **WHEREAS** the forest products industry has been and continues to be an important
6 economic sector in Alaska that contributes significant employment income to the economy of
7 the state, and, through purchases of timber from National Forest System lands, contributes
8 significant revenue to local communities through the 25 percent revenue sharing provisions of
9 federal law; and

10 **WHEREAS** President ^{the} Clinton's Roadless Area Conservation rule is contrary to the
11 land management planning process for individual forests established by the National Forest
12 Management Act of 1976 and its implementing regulations; and

13 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
14 Tongass and Chugach National Forests designates significant additional acreage as
15 administrative, de facto wilderness areas within Alaska; and

1 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
2 Alaska is contrary to sec. 708(b)(4), Alaska National Interest Lands Conservation Act
3 (ANILCA), which specifically prohibits another roadless area review and evaluation (RARE)
4 on national forest lands in Alaska for the purpose of setting aside commercial forest land as
5 wilderness; and

6 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
7 Alaska is contrary to sec. 1326(a) of ANILCA, which prohibits the withdrawal of more than
8 5,000 acres, in the aggregate, of public lands within Alaska without the consent of the
9 Congress; and

10 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
11 Alaska is contrary to sec. 1326(b) of ANILCA, which expressly prohibits studies of public
12 lands for the purpose of considering the establishment of new conservation system units,
13 recreation areas, national conservation areas, or for related or similar purposes; and

14 **WHEREAS** the Tongass Timber Reform Act of 1990 and other Congressional and
15 administrative actions have withdrawn more than 97 percent of the Tongass National Forest
16 from availability for timber harvest and other resource development opportunities; and

17 **WHEREAS** the 1997 and 1999 revisions of the Tongass Land Management Plan
18 (TLMP) further reduced the available commercial forest lands in the Tongass to 576,000
19 acres out of nearly 6,000,000 suitable acres across the forest; and

20 **WHEREAS** the available commercial forest lands remaining after the 1999 TLMP
21 amendments are insufficient to satisfy the raw material needs of Southeast Alaska's forest
22 products manufacturing industry, given the plan's maximum annual economic offering level
23 of 153,000,000 board feet; and

24 **WHEREAS**, by applying the roadless policy to the Tongass, the federal government
25 has further reduced the available commercial forest lands in the Tongass to less than half the
26 currently available acreage and will further reduce the maximum annual offering level to less
27 than 50,000,000 board feet; and

28 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
29 Tongass, together with Under Secretary Lyons' 1999 unilateral TLMP amendment, nullifies
30 the results of the United States Forest Service's 1986-1997 planning process in the Tongass,
31 which cost the taxpayers more than \$13,000,000; and

1 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
2 Tongass, together with Under Secretary Lyons' 1999 unilateral TLMP amendment, will
3 further destabilize the already unstable timber-based economy of Southeast Alaska by forcing
4 the closure of most of the remaining forest products manufacturing facilities, resulting in loss
5 of employment and associated negative socioeconomic impacts within timber-dependent
6 communities and the Southeast Alaska region; and

7 **WHEREAS** the Chugach National Forest has spent three years and several million
8 dollars conducting a revision to its land management plan and is within a few months of
9 issuing the Final Environmental Impact Statement for that plan; and

10 **WHEREAS** a wide range of interests from the Alaska public has been involved in the
11 Chugach land management planning process, working to develop a range of plan alternatives
12 that respond to the public's interests, needs, and concerns, and President Clinton's Roadless
13 Area Conservation rule will render that involvement and expense pointless and undermine
14 public confidence in the planning process; and

15 **WHEREAS** the public, through the Chugach Land Management Plan revision
16 scoping process, has expressed deep concern that the approximately 130,000 acres of the
17 Chugach National Forest suffering from spruce bark beetle damage must be managed for the
18 restoration of a green, healthy forest, and President Clinton's Roadless Area Conservation rule
19 prevents access required by land managers to accomplish that restoration work; and

20 **WHEREAS** application of President Clinton's Roadless Area Conservation rule will
21 render it virtually impossible for inholders and adjacent landowners, particularly families and
22 small business owners, to obtain the access to their property that was promised them in
23 ANILCA;

24 **BE IT RESOLVED** that the Alaska State Legislature strongly opposes the Roadless
25 Area Conservation rule, and particularly opposes the illegal inclusion of the Tongass and
26 Chugach National Forests in the Roadless Area Conservation rule; and be it

27 **FURTHER RESOLVED** that the Alaska State Legislature fully supports Governor
28 Knowles' decision to litigate against the application of the Roadless Area Conservation rule to
29 National Forest System lands in Alaska; and be it

30 **FURTHER RESOLVED** that the Alaska State Legislature urges members of the
31 Alaska delegation in Congress to use all available means to set aside the Roadless Area

1 Conservation rule through Congressional action; and be it

2 **FURTHER RESOLVED** that the Alaska State Legislature urges President George
3 W. Bush to overturn the classification and inclusion of the national forests located inside
4 Alaska's boundaries.

5 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
6 of the United States; the Honorable Ann Veneman, United States Secretary of Agriculture;
7 Mike Dombeck, Chief of the United States Forest Service, United States Department of
8 Agriculture; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
9 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
10 delegation in Congress.

Alaska State Legislature

House of Representatives

*update
new version*

Official Business



State Capitol
Juneau, AK. 99801-1182

Representative Peggy Wilson

SPONSOR STATEMENT – HJR 6.

This resolution opposes the Clinton Administrations' decision on the Roadless Policy.

On January 5, 2001 then President Clinton announced the final Record of Decision for the roadless policy including the Tongass and Chugach National Forests.

Alaskans from across this state must join forces to overturn the inclusion of Alaska forests within former President Clinton's Roadless Policy.

This presidential action is an affront to all Alaskans and continues their history of breaking promises to Alaskans regarding land management.

This Roadless Policy is in blatant disregard of the processes that have been agreed to. Countless hours, over eleven years and 13 million dollars were spent making revisions to the Tongass Land Management Plan. The Chugach Forest Plan revision process has been underway for over three years requiring considerable investment of time money and resources. Now these processes have been completely disregarded

This Roadless Policy violates the "no-more" clauses of ANILCA and creates approximately 15 million acres of new defacto wilderness within Alaska.

I, like many Alaskans, am vehemently opposed to the inclusion of the Tongass and Chugach National Forests in this Roadless Policy and ask that we work together and support the overturning of this inclusion by litigation, by congressional action or by action of President Bush.

50 Front Street, Suite 203
Ketchikan, Alaska 99901
Phone: 907-225-9675
Fax: 907-225-8546

STATE OF ALASKA
Legislative Information Office



Fax

RSRCS. ATTN R25OURCES

To: *Michael Cmte* From: *KTN-LIO*
Fax: *465-1822* Date: *01-25-01*
Phone: _____ Pages: *(7)* INC. COVER

Re: *PLEASE ENTER THIS DOCUMENT INTO THE RECORD FOR YESTERDAYS MEETING ON HJR 6.*
Thanks!

JAN 25 REC'D

*yesterday's testimony
Faxed
From
Ketchikan*

12/10/00

To whom it may concern:

My name is Mike Sallee. I was born in Ketchikan and attended grades K-12 at Ketchikan schools. Except for close to ten years spent at Anchorage, Fairbanks, or points between those cities going to school or serving in the military, I've lived and worked out of Ketchikan most of my life.

As a deckhand I've worked since the early sixties in some form of commercial fishing between Monterey in California to Akutan and Bristol Bay in Southwest Alaska. In the mid to late sixties I saw much of Southeast Alaska from Lynn Canal in the north, to Prince of Wales Island in the west, to Dixon Entrance at the Alaska Panhandle's southern end, during numerous salmon packing trips from SE Alaska to Seattle. I've spent several weeks to months of each of the last two decades longline deckhanding for black cod, halibut, and rockfish along the coast from SE Alaska to SW Alaska.

I also currently harvest, dive and sell lumber sawn on my own small sawmill.

Although my brother, a career logger, has done about every job in the woods from pulling whistle wire to yarder engineer to truck driver and loader operator, I've only spent parts of two seasons as a choker setter.

For the last several decades I've watched from the decks of boats, or while hiking or flying, as island after island, watershed after watershed, get stripped of their standing old-growth timber and become converted to road accessed, even-aged tree farms.

Even my brother, ever the logger, expressed dismay at the wholesale clearcutting and export practices of the industry that pushed his small gypo operation out of the picture. He was pushed off Kasaan Island by ANCSA timber interests whose enormous clearcuts totally eclipsed his small A-frame sales there. He mentioned other instances of his small A-frame patches in bays along eastern Prince of Wales being later dwarfed by adjacent grand scale clearcuts. The KP/LP/USFS cartel's strongly implied message was; "If you want to log you'll have to work for us or one of our subcontractors."

The words of a hook tender that I worked under at Neets Bay were among the first that I'd heard mentioning that the timber harvests as done in SE Alaska were not sustainable.

As for roads, there are people in the world who've lived very long and productive lives without benefit of automobiles or roads upon which autos travel. Indigenous people of Southeast Alaska thrived here for centuries without benefit of autos or roads. Furthermore, those Tlingits, Haidas, and Tsimpsians thrived while still leaving a legacy of intact old growth forests that we hack down and export with impunity today.

It's distressing that JOBS rather than long term health of that legacy is the battle cry of those who claim to support progress. Those advocates of progress have continually

USDA Forest Service-CAET
Attention: Roadless Areas NOI
PO Box 221090
Salt Lake City, Utah 84122

12/18/99

Please include the Tongass National Forest in the consideration of a roadless policy for large blocks of unroaded areas in national forests.

- 1) The USFS is not adequately maintaining or otherwise dealing with the roads it has already built.
 - 2) The Tongass has already experienced major departures from its historical rural character over the last several decades due to road building. More than enough acreage of the Tongass has already been devoted to roaded, even-aged, grand scale tree farms.
 - 3) The TLMP will be due for revision in another decade. Yet again citizens will be required to respond to a huge federal bureaucracy's obsolete and over-optimistic timber harvest and development mandate.
 - 4) We will never develop small value-added timber operations that, for example, employ small portable mills and helicopter or trail accessed timber sales, as long as the remaining available wood is dedicated to roaded, even-aged, grand scale tree farms. Round log export of incidental species will continue to be the rule as long as we gear timber sales to large wood processing facilities.
 - 5) A development scenario precedent has been established on national forests that is unsustainable and reminiscent of the tobacco plantations of Jefferson's time. In Jefferson's time the landed gentry cleared land, grew tobacco until the soil was depleted, obtained more land, cleared it, planted, moved on, and because land was cheap, profited by perpetuating the cycle.
In SE Alaska we see a similar scenario, a management policy that perpetually targets virgin stands of old growth, the difference being we must wait for trees to grow back rather than for soil to renew itself, and the boom/bust cycle hasn't matured to the extremes that it has in the lower 48. Excluding Alaska from a roadless policy will mean the national forests of Alaska will be pressured to provide jobs for people displaced from the lower 48 forests.
- SE Alaska's forests differ from those of the Pacific NW by being naturally more fragmented due to Southeast's island geography, and by having a harsher climate due to its higher latitude.

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R. David Sallee
P.O. Box 9557
Ketchikan, AK 99901

Oct. 20, 1993

U.S. Senator Ted Stevens

To whomever receives this letter: = **Warning** = This letter is specifically intended only for Senator Stevens' perusal and carries with it the explicit demand that I receive a **PERSONAL** reply from Senator Stevens and no other. If I don't receive a reply to this letter from Senator Stevens within a reasonable time frame this letter will go public to local and regional newspapers as well as other parties, whom I believe will be quite interested in the contents herein as well as my experience with the Senators' accessibility.....

Dear Senator Stevens:

I, as you can probably tell by the above, am NOT a Happy Camper! I'm in no mood to soft-talk about what I have to say because **I-HAVE HAD ENOUGH!!**

I have been seething ever since I read in the local paper the headline, "House-Senate committee gives broad range for Tongass Sale". After all the time, money, and effort that went into the Tongass Timber Reform Act, the purpose of which was to cut back on the runaway timber industry program here in the Tongass, the issue was decided in a **COMMITTEE** meeting! The article went on to say, "The Tongass timber cutting level has been a perennial battle between the House and Senate in recent years during deliberations on the Forest Service budget". What couldn't be decided by the full contingent of both houses of Congress gets blasted into being by you and a few others. A Great example of the democratic system at its best!!!

With a government like that who needs enemies?

The article also quoted you as saying: "I am still committed to the Tongass Timber Reform Act. If the demand is there it will be cut". In other words, as long as there is a demand for the timber we'll cut it right down to the last stick, won't we?

I sound just like a radical lock-it-up preservationist don't I? One of those *Field and Stream*-reading, bleeding-heart spotted owl reactionary, Teddy Bear-cuddling, TV watching potato-heads who are led by the nose, that sign their names and put their money behind any smooth talking reactionary that tells a good story. Well, surprise, Mr. Senator, I am none of the above.

I am a born and raised lifelong resident of Alaska, so lifelong that I have been out of the country less than ten times during my almost 52 years living here. And I love Alaska. Or I did. I loved Alaska the way it was when I was a kid growing up here; a land full of mystery, a land full of history. A land tailor-made to satisfy the soul of one such as I who am a confirmed individual dedicated to self-sufficiency, living life on his own terms. That was the allure of Alaska, in addition to its incredible beauty, its tremendous bounty, it was a land that challenged a man, requiring the best from him but rewarding him with the best if he made it. It was all here! A man

1 chain saw, and let me tell you, no kid was ever more thrilled with his first car than I was with that
2 chain saw. I had ARRIVED! I was a LOGGER!

3
4 When I was sixteen and other kids were rodding around in their customized cars, chasing girls and
5 generally getting into mischief, I was out in this old slab of a boat with a 4 hp Wisconsin engine
6 with my chain saw, a peavey, a jack, and my little winch getting logs off the beach and taking
7 them into Totem Lumber Co., a small, two-man sawmill who gave me thirty dollars per M for
8 them. I bought a lot of hamburgers and ice cream as well as my "business" needs, but I also bought
9 my school clothes and helped out with the family finances. M./ mom didn't make much money.
10 During school season I cut firewood on evenings when the weather was good enough to do it, both
11 for our own use as well as for sale. And I didn't need a permit to do it either. Most of the money I
12 made went to help Mom make ends meet.

13
14 And the story goes from there. I worked in the woods for over 26 years before I ever did anything
15 else, and it was like a fish being out of water. For me, there IS no other thing to do.

16
17 I'm not logging now. I've been trying to do other things like pile and dock work and I worked in
18 the local rigging loft for a while where I got to work with brand new cable instead of the gnarly,
19 jaggery, kinky stuff we work with in the woods. I've driven truck. They're just jobs. They're not
20 fun. Logging used to be fun.

21
22 My attitude when I was young, working in the woods, was just like every other loggers'. In 1959,
23 when I got out of high school and into the woods the Ketchikan Pulp Co. had only been cutting
24 timber in S.E. for about 6 years. It was pretty much wide open and what we now know about the
25 forest and the environment we didn't know then. There seemed to be enough timber for everybody.
26 Nobody bid on anybody else's show because there was lots to be found everywhere else.
27 Everybody believed the renewable resource-sustained yield propaganda handed out by the Forest
28 Service and the industry. There had been no Native land selections yet either, nor any rubber-
29 stamped Wilderness Areas and National Monuments. Down below they had "tree farms". Already
30 there were areas that were being logged for the third time. I didn't see the significance then.
31 Because there was so much old-growth in the Northwest as well as this huge land of Alaska, the
32 tree farms sounded like a good idea but they were private timber owners little game, and, of
33 course, everybody knew that second growth timber was vastly inferior to old-growth.

34
35 But on the whole it seemed that the timber really was a renewable resource; we could see the areas
36 growing back from the previously logged land we believed would provide the next crop. But there
37 are a lot of things we didn't take into account, and from what I've observed, we're still very
38 reluctant to address these issues, or even admit they are issues.

39
40 When I went to work at the K-P camp in 1960 at the age of eighteen, they had the finest of
41 machinery then available. They were running 5 sides plus a cold deck side and they also picked the
42 roadsides with the grapple shovels. In addition they had a couple tractor-mounted "triple-drum"
43 units that were used as spare sides in case of breakdown or when another setting had been logged
44 out and was in the process of moving and rigging up, a process that could take from one to three
45 days. We worked eight-hour shifts then, not your nine- to ten-hour days commonplace today.

46

1 account for the year. Getting out the cut was paramount. Meeting legal requirements and Plan
2 Standards and Guidelines was secondary."

3
4 The bugs are starting to come out of the woodwork Senator Stevens. More and more people are
5 coming with evidence of the duplicity of the various Government branches' wrong-doing. I think it
6 is a good sign, because, I think, the Government has forgotten that it is not the ruler of the people,
7 but rather, that the people are the rulers of the Government. It's about time we put the Government
8 back into "lead".

9
10 In 1992, the two long-term contractors enjoyed the use of 298.4 million board feet of old-growth
11 high volume/high grade wood at a net loss to the taxpaying public of 64.1 million dollars!
12 Essentially, every person who paid taxes that year paid the two companies to clear-cut hundreds of
13 acres of trees with one for sure undeniable effect: those trees are gone and we will not see the likes
14 of them again where they once stood. Another aspect is that virtually none of the product was used
15 by the domestic populace; the average John Doe American citizen saw none of what those trees
16 provided, a substantial portion of which was manufactured into high grade LUMBER PRODUCTS
17 manufactured by Ketchikan Pulp Co at their Ward Cove plant, at Metlakatla's Annette Hemlock
18 Mill, and at Alaska Pulp's subsidiary, Wrangell Forest Products' mill. With very little exception, all
19 was exported to Pacific Rim markets. The two industrial giants took their profits and ran, leaving
20 not only a wounded environment, but a 64.1 million dollar deficit in OUR wallets. We would have
21 been better off to have distributed the cash around to all of the participants involved and **LET**
22 **THE TREES STAND!**

23
24 According to a very good book that I have depicting the development of the timber industry from
25 its very inception; in this country, as well as Canada, commercial lumbering began up around the
26 St. Lawrence River in the 1760's with the export of broad-axed square timbers to the West Indies.
27 It didn't take long for large, powerful timber entities to evolve and those entities have jealously
28 dominated timber and its use and have ruthlessly crashed and slashed their way through the
29 American forests from coast to coast. The eventual demise of the old-growth ecology, or, I should
30 say, the concept of such a thing has very apparently been given little credence, because the same
31 old attitude prevails today. Dominate at any cost. Snow-job the masses into believing or at least
32 accepting their story that old-growth is "over-ripe" and that second growth is healthier and more
33 productive, and anyway we have TECHNOLOGY! To overcome the vast difference in quality
34 between old-growth and second-growth. TECHNOLOGY!..... In the hands of man it is not so
35 slowly destroying our planet.

36
37 I get the message that [it] doesn't matter to some folks: That economy concerns, balance-of-trade
38 deficits, (and of course, we mustn't forget that the United States MUST CONTINUE to aspire to be
39 the No. 1 World Power), the jobless rate, to name but a very few, totally eclipse any concern for
40 the necessity to retain a healthy, multiple use, sustained yield, old-growth forest ecology, an
41 ecology that would support a host of small individual endeavors like the one I used to have,
42 carefully husbanding the resource.

43
44 My government hears but it doesn't listen. Tremendously valuable input is being handed to our
45 leaders, such as yourself, but, in the end it just goes ahead and does what it damn well pleases
46 anyway!

1 There was life before Ketchikan Pulp and Alaska Pulp and there'll be life after them. I don't believe
2 they are some kind of gods we need to placate continuously with pounds of our flesh or that of
3 future generations.

4
5 They can learn how to tighten up their belts just like the rest of us. Or they can get to hell out.

6
7 I am very much interested in your comments and explanations as to why you have acted in the
8 fashion that you have.

9
10
11 Sincerely,
12 David Sallee

13
14 *[A sticky note attached to the foregoing reads:]*

15
16 To Mr. Dave Katz - or whomever else that this concerns:

17 I would like to become more acquainted with your organization, its attitudes and goals. Therefore I
18 am submitting this copy of a letter for your review. You, I am sure, are well versed in the topical
19 content. But it will also serve as an introduction as to who I am, where I'm coming from, my
20 attitude toward the issues, and the motives behind them, as well as my own motives for writing the
21 letter. I'm interested in your comments.

22 Yours,
23 Dave Sallee

24
25 *Dave has done about every logging job in the woods. From whistle punk at Hollis during pre-*
26 *"Talkie-Tooter" days he's set chokers, chased (unhooked the chokers at the landings), been riggin'*
27 *slinger, hook tender, yarder engineer on the big log sled-mounted yarders as well as mobile steel*
28 *towers, grapple yarders, and skyline carriage operations. He's been a loader operator and dump*
29 *machine operator. He's built several log floats, A-frames, and yarder sleds, been a busheler, boom*
30 *man, and high rigger during the wood spar tree days and later on the towers. He's gypped on his*
31 *own and worked in several small mom and pop operations. He was a good mechanic and*
32 *proficient enough welder to rebuild his own aluminum boat. He has collected quite a few hooks on*
33 *logging and has been an accomplished artist and draftsman. I considered him a master at applied*
34 *mechanics as it pertains to logging.*

35
36 *Within the last year Dave has been diagnosed with dementia. I suppose those who disagree with*
37 *his interpretation of things would accuse him of slipping when the above letter was written. I*
38 *would disagree with that assessment. While Dave and I didn't always see eye to eye on some*
39 *philosophies I think his understanding of the evolution of forest management was pretty accurate.*

40
41 *Mike*
42 *January 24, 2001*

43

6) Gravina Island, a place I've resided at for at least part of each year since 1956 when I was nine is now on the chopping block for the USFS's grand scale road and clearcut management prescription. Gravina's existing roads consist of those immediately tied in with its airport, the alder-overgrown logging roads extending a few miles from Vallenar Bay, and some short access roads to development near Lewis Reef and some old mining activities in Seal Cove.

My own use of Gravina has primarily been tied closely to the beaches. My numerous inland excursions on foot were primarily subsistence hunting for deer or grouse, or for recreational hiking. It would be difficult to condense forty plus years of activity into a few pages. I learned many skills: field dressing deer and grouse, marksmanship and handling firearms, becoming at ease while alone in the woods, moving quietly in the woods, brushing and blazing my own trails, learning how far I can hike in a day, bag a deer and pack it back to the beach before midnight, identifying waterfowl; scoters, teals, goldeneyes, buffleheads, mallards, sandpipers, snipes, herons, as well as hawks, geese, and swans. I learned balancing on floating logs, sawing and splitting firewood, climbing trees, pulling stumps, small boat handling, outboard motor operation and maintenance, how fuel hoses can become clogged with ice in freezing weather, how to navigate in fog, storm, and darkness, and what happens when you try to mount a 15 horsepower outboard motor on the unbraced transom of an eight foot homemade plank dinghy. Ad infinitum.

Perhaps I need to realize I was blessed to have experienced the freedom of a time and place unencumbered by contentious ownership and activities. Much of the freedom is still there in the heart of Gravina's 63,000-acre wilderness in Ketchikan's front yard, but I'm seeing few restraints to privatization for profit being advocated by my local, state, and federal government.

I'm not averse to cutting timber on Gravina, I own a sawmill and recognize a future need for wood for myself and the community around me. But given the plethora of roads on POW, Annette, Rev. Agigedo, and all other major islands in SE Alaska I would advocate a much more conservative development scheme for Gravina. Keep the 40 million board feet available for harvest on the 1800 acres but parcel it out at the rate it grows, about 300bf/acre/year. If the wood is there people will figure out how to get it without roads. No more roads on Gravina. Limit that variety of access, development, and urbanization to the islands where it's already occurred. Thank you.

Sincerely,



Mike Sallee

PO Box 7603

Ketchikan, AK 99901

argued that the technology available to us does not allow us to enjoy healthy economies by keeping the old growth qualities of our surroundings intact.

Even more exasperating, we're relentlessly reminded that we cannot live healthy, productive lives in SE Alaska without being kept on a federal welfare umbilical, i.e., substantial infusions of federal dollars to keep our economy running. A vicious myth persists that large, road-accessed clearcuts must be perpetuated in order to afford education and maintain our ties to the land.

My mother homesteaded twenty six acres on Gravina Island in the late fifties. I was nine when we started our annual spring migrations by fourteen foot skiff to the remote site. As I grew older I learned to hunt and spent many hours hiking the hills, muskegs and beaches of Gravina. I've dive-harvested geoducks, sea urchins, and sea cucumbers from Gravina's subtidal shores.

Now that Prince of Wales, Revillagigedo, and other parts of Southeast Alaska have either been worked over by logging or placed off limits to logging, Gravina remains one of the last large unroaded landscapes on which to deploy the great roaded timber sale layout machine that brought loggers to Southeast by droves in the last forty-some years. Yes, Gravina is on the chopping block for not only the USFS but also state and private interests. While there's some effort by the different timber stakeholders to coordinate their efforts in timber extraction, I haven't seen much agency interest or initiative toward leaving the island in an unroaded condition.

With the foregoing comments I hope it's clear how profoundly the place in which I live has colored my thinking about that place. I am a part of that place and it is a part of me. I have an emotional stake in this place I've called home. That stake is apparently not shared by many others who have immigrated here. It's an emotional stake apparently unrecognized even by some who were born and/or grew up here.

Thank you.

Michael Salleg
Sincerely,
Mike Salleg

Subj: RE: No Exemption for Tongass in Roadless Rule
Date: 1/5/01 11:17:44 AM Pacific Standard Time
From: rachaelmoreland@att.net (Rachael Moreland)
To: Thyes@aol.com

For Immediate Release
January 5, 2001

Contact: Jack Phelps or Rachael Moreland
907-225-6114

Roadless rule
includes Tongass
immediately.

NO EXEMPTION FOR TONGASS IN ROADLESS RULE

The Alaska Forest Association today voiced strong opposition to the pending announcement by President Clinton that he would prohibit road access to 58.5 million acres of National Forest System land in 39 states, including Alaska. "By law, these are multiple use lands that are supposed to be managed under locally developed plans, not turned into wilderness by Presidential fiat," said Executive Director, Jack Phelps. "In Alaska alone access to 87% of the Tongass and Chugach National Forests will be denied under the new rule. That is just not acceptable in a state that is already home to more Wilderness than exists in all the rest of the states put together."

~~Thyes~~ Shaub
463-5118 ph
463-5128 fax

The Clinton announcement will finalize the roadless Environmental Impact Statement which was released in November. Secretary of Agriculture Dan Glickman is expected to sign the Record of Decision (ROD) sometime after the President unveils the plan in the District of Columbia's National Arboretum. The decision comes a month after a coalition of Southeast Alaska's leaders met with Glickman and George Frampton, Chairman of the Council on Environmental Quality, urging that they exclude the Tongass from the road ban.

The ROD applies the road ban to both of Alaska's national forests immediately. "This will create approximately 15 million acres of new defacto wilderness in Alaska," Phelps said. "This is an illegal, draconian measure that unnecessarily hinders reconfiguration of the Southeast timber industry and prevents all Alaskans from enjoying new economic development and recreational opportunities in both the Chugach and the Tongass."

The road ban decision prohibits road construction, reconstruction, and timber harvest except for minimal stewardship purposes in all designated roadless areas of America's national forests. The same prohibitions will be fully enforced in the Tongass. In the Tongass, the ROD will allow timber sales already approved by the Forest Service to continue. The implementation of the roadless rule in the Tongass will reduce the allowable sale quantity (ASQ) to approximately 50 mmbf, severely curtailing industry's efforts to reconfigure its product line for modern markets and value added products.

"Without new roads it will be tough to get a stable, steady and plentiful supply of wood," Phelps asserted. "60 percent of the Tongass second-growth has already been withdrawn by the Forest Service, and what is available for cutting is years away from being large enough to harvest. This new rule will make it very difficult to create a viable value-added industry manufacturing products like veneer and kiln-dried lumber." Nationally, the demand for wood products continues to rise. Implementation of the roadless rule means the U.S. will continue to export environmental concerns to

countries who lack the will and technology to abide by sound forest management practices.

By implementing the Roadless policy, President Clinton has summarily denied, without redress, the rights of millions of Americans to enjoy their National Forests. The Chugach and Tongass contain 25% of all the roadless acres in the National Forest System. As usual, with this latest of Clinton's heavy-handed and illegal actions, Alaskans and Alaska's visitors are the biggest losers.

—End—

—Original Message—

From: Thyes@aol.com [mailto:Thyes@aol.com]
Sent: Friday, January 05, 2001 10:13 AM
To: rachaelmoreland@att.net
Subject: Re: No Exemption for Tongass in Roadless Rule

For some reason your attachments come as zip documents. I can read Jack's attachments but not yours. Please send in body of the e-mail. Thanks.

Thyes

----- Headers -----

Return-Path: <rachaelmoreland@att.net>
Received: from rly-ye03.mx.aol.com (rly-ye03.mail.aol.com [172.18.151.200]) by air-ye01.mail.aol.com (v77.14) with ESMTP; Fri, 05 Jan 2001 14:17:44 -0500
Received: from mtiwmhc27.worldnet.att.net (mtiwmhc27.worldnet.att.net [204.127.131.52]) by rly-ye03.mx.aol.com (v77.27) with ESMTP; Fri, 05 Jan 2001 14:17:15 -0500
Received: from rachael ([12.12.210.42]) by mtiwmhc27.worldnet.att.net (InterMail VM.4.01.03.10 201-229-121-110) with SMTP id <20010105191714.DPUS2234.mtiwmhc27.worldnet.att.net@rachael> for <Thyes@aol.com>; Fri, 5 Jan 2001 19:17:14 +0000
From: "Rachael Moreland" <rachaelmoreland@att.net>
To: <Thyes@aol.com>
Subject: RE: No Exemption for Tongass in Roadless Rule
Date: Fri, 5 Jan 2001 10:16:28 -0900
Message-ID: <MABBLCBINBFKHAHJIFPEAEAPCAA.rachaelmoreland@att.net>
MIME-Version: 1.0
Content-Type: text/plain;
 charset="iso-8859-1"
Content-Transfer-Encoding: 8bit
X-Priority: 3 (Normal)
X-MSMail-Priority: Normal
X-Mailer: Microsoft Outlook IMO, Build 9.0.2416 (9.0.2910.0)
Importance: Normal
X-MimeOLE: Produced By Microsoft MimeOLE V5.00.2314.1300
In-Reply-To: <27.fabc0ba.278776d0@aol.com>



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

HJR 6 ~ A Resolution relating to the Inclusion of Alaska's National Forests in the Roadless Policy

TO: House Transportation Committee

DATE: January 16, 2001

Alaska Conservation Alliance and Alaska Conservation Voters are sister nonprofit organizations dedicated to protecting Alaska's environment through public education and advocacy. Our 44 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 U.S. Forest Service to protect roadless areas within our national forests. Discussions surrounding HJR 6 and last session's HJR 54 have included many misconceptions and much misinformation. We would like to address some of those issues here:

- The Roadless Policy does not violate open public process. During an 18-month long public process, over 600 hearings were held around the country. Over 1.6 million comments were received by the Forest Service. Here in Alaska, hearings were held in Anchorage, Girdwood, Seward, Cordova, Sitka, Ketchikan, Juneau, Yakutat, Kake, Tenakee, Hoonah, Petersburg, Thorne Bay, Craig, Angoon, Gustavus and Wrangell. Over 1,000 Alaskans attended these hearings; 62% of those testifying at the hearings supported the roadless proposal.
- The Roadless Policy does not violate the "No More" clause of ANILCA; it is not creating new parks, refuges or wilderness areas, de facto or otherwise. It is, rather, another tool in the Forest Service's tool box of management options for protecting currently roadless areas for multiple uses. For example, protection of roadless areas will help maintain water quality for community water supplies and a viable fishing industry and help preserve wildlife habitat for continued subsistence and sport hunting.
- The Roadless Policy does not affect existing roads. No roads currently in existence will be closed under this rule. 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 Policy will 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. In the Chugach, the current small-scale operations for house logs, firewood, and safety reasons can continue in the existing roaded areas.

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. The Roadless Policy will give us the opportunity to do it differently here in Alaska. This policy will allow better management of the Tongass and the Chugach for the benefit of all users – subsistence, recreational and commercial. ACA/ACV urges you not to support HJR 6.

Susan Schrader, Conservation Advocate

Conserve Alaska. It's Only Natural.

Eddie:

Per your request I've taken a quick look at HJR 6 to see if the ANILCA cites are accurate reflections of law. The simple answer is yes, they are relatively accurate, at least in spirit. There is some wordsmithing and doublechecking that would improve its accuracy to ward off nitpickers, particularly regarding the so-called "no more clause" in Sections 1326(a) and (b).

I've broken my suggestions into two areas:

1. The "No More Clause"-there are actually multiple sections of ANILCA that say "enough is enough".

* Consider adding before the 3rd Whereas:

"WHEREAS adoption of the roadless policy in Alaska defies Congress' findings and statements of intent in the passage of the Alaska National Interest Lands Conservation Act (ANILCA), wherein the "Purposes" of the Act Section 101(d) states:

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 satisfaction of the economic and social needs of the State of Alaska and its 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)

[For brevity sake, I would only include the bolded section; and with ANILCA spelled out in the above Whereas, it won't need to be spelled out in the one discussing Title VII in the current 4th whereas.]

* ANILCA Title VII has been amended, thus consider inserting another Whereas between the 3rd and 4th, or insert the following language in the beginning of the 4th, e.g.,:

"WHEREAS ANILCA 703(a) established 14 wilderness areas in the Tongass and the Tongass Timber Reform Act of 1990 amended ANILCA with an additional 5 wilderness areas in the Tongass."

(The 7th Whereas also refers to the Timber Reform Act, so these "whereas's" would be better in sequence, but also OK as written.)

* The 5th Whereas could use some tweaking because in fact 1326(a) does allow withdrawals greater than 5,000 acres IF noticed in the Federal Register and to Congress (which the administration did), but then is only in effect for

one year unless approved by Congress. So basically the Policy is legal in that they did the notices but only for one year. HOWEVER, it's clearly contrary to the spirit and intent of Section 1326. The addition of the underlined phrase and changing the word "prohibits" to "limits to one year" would help. OR, try a rewrite such as

"WHEREAS adoption of the President's roadless policy is contrary to the spirit and intent of ANILCA Section 1326(a), which limits the effect of executive branch actions that lack approval of Congress to withdraw more than 5,000 acres, in the aggregate, of public lands within Alaska to only one year."

* The 6th Whereas addressing 1326(b) needs the word "single" inserted before "purpose" and at the end, after "purposes" add ", unless authorized by Congress". Clearly the roadless policy was a single purpose study!

2. de facto wilderness by lower-48 standards. ANILCA both protected inholders rights and rights for future roads and utility corridors in conservation system units. The roadless policy prohibits those rights on regular forest lands as well as the monuments and wilderness areas.

* Consider adding:

"Whereas Congress believed they had completed reviews of wilderness and other special designations in the Alaska national forest lands but recognized the need for a thorough review of the refuges and park lands, ANILCA Section 1317 specifically directed the Secretary of the Interior to review the suitability of all the park and refuges lands not designated wilderness under ANILCA but similar authorization was not granted to the Secretary of Agriculture."

* The 16th Whereas referring to inholders could be beefed up in its reference to ANILCA, e.g.,:

"WHEREAS ANILCA Section 1110(b) specifically directs the Secretary shall authorize under reasonable regulations such rights as may be necessary to assure adequate and feasible access for economic and other purposes to State and private owners or occupiers of lands within or effectively surrounded by conservation system units, and ANILCA Section 1323(a) similarly provides for access across remaining forest lands for inholders, such rights will be virtually obviated under the President's policy thereby diminishing property and business opportunities Congress intended to protect;"

* Consider adding something which addresses the transportation and utility needs such as:

"WHEREAS Congress recognized the poor infrastructure in Alaska, thus specifically provided a process in ANILCA Sections 1105 and 1106 for approving the construction of needed transportation and utility systems in conservation system units, including wilderness areas with congressional approval. Adoption of the President's roadless policy prevents Forest administrators to act on applications, thus summarily overturning the Congressional provisions of ANILCA to meet access needs between villages and for community utility developments.""

* Also consider that Section ANILCA Section 1109 states "Nothing in this title shall be construed to adversely affect any valid existing right of access." The state has adopted legislation which accepts the grant of public rights of way under RS 2477. If the roadless policy does not recognize or include similar language as 1109, we likely will have difficulty with the Service over the use and improvements of these roads, trails, and section line easements. I have not had time to study the final to see if this also needs to be included in any congressional action or litigation.

Regardless of whether the policy includes exceptions for administrators to recognize some of these rights under ANILCA, the entire policy circumvents the planning processes directed by existing law.

People need to be aware that the Forest has policies in place now that require them to de-road existing roads under excuses such as no money for maintenance. Thus even where small trails/roads are used for public access, the service is tearing out bridges and trails so the area qualifies as "roadless". For example, many old forest roads in the Tongass have inadequate culverts for fish passage. These roads have been in place for decades and are used for recreation, hunting, trapping, general outdoor activities but will be declared roadless due to the need to tear out the culverts for fish passage.

The issue of whether adoption of the roadless policy violates public process is bereft with circular reasoning. Some argue that the majority of the public favors the roadless rule. The argument is moot. Laws currently on the books provide certain public processes for land management decisionmaking. Laws also provide Congressional protections for management of those lands including access, economic opportunities, etc. It doesn't matter what percentage of the nation supports administrative proposals that violate congressional direction-public process cannot turn congressional statutes on their head. It is incongruous that federal agencies put management options on the table for the public to consider that are not consistent with congressional direction or implementable without congressional action.

Hope this helps.

•FYI; From new Congressional House Resources Committee Chairman.
Peggy still hasn't called me. I'll put together a quick e-mail of additional points if you want. There are no inaccuracies in the resolution but some tweaking on the ANILCA stuff might make it better soundbites. Please advise ASAP as I've other deadlines today.

> -----Original Message-----

> From: Silva, Arturo

> Sent: Friday, January 05, 2001 10:31 AM

> Subject: Chairman Hansen Condemns Clinton Administration's Road Ban

>

>

> NEWS Committee on Resources

> U.S. Rep. Jim Hansen (R-Utah), Chairman

> U.S. House of Representatives - Website address:

> <http://resourcescommittee.house.gov/>

> Contact: Marnie Funk (Communications Director)

> (202) 225-2761 or Arturo Silva (202) 225-4063

>

> To: National Desk/Environmental Reporter

> January 5, 2001

>

> Chairman Hansen Condemns Clinton Administration's Road Ban

> and Promises a Vigorous Congressional Challenge

>

> Washington, D.C. - The Clinton Administration's hasty move today to impose

> a road ban on 60 million acres of the public's land appears to be illegal

> and will be subject to vigorous congressional review over the next 60

> legislative days, said House Resource Committee Chairman James V. Hansen.

>

> "This Administration has imposed an arbitrary, illegal road ban over a

> third of this nation's national forests. He has shut the American people

> out of their own lands, endangered wildlife habitats and guaranteed a

> dramatic increase in devastating wildfires.

>

> "Congress has the authority to review this and 60 legislative days to do

> so. I can promise you a thorough a vigorous review. I am stunned to see

> the President of the United States show such reckless disregard for the

> well-being and enjoyment of the American people. This hasty rule in the

> last 15 days of his administration means the U.S. Forest Service can't

> even build temporary roads to pull out the dead wood that starts wild

> fires. The 2000 wildfire season was one of the most devastating in recent

> memory. The most devastating fires were in the roadless areas. President

> Clinton has just promised the American people more frequent and more

> devastating forest fires.

>

> "President Clinton wanted to strike at American logging and energy

> companies with this ban. But he's hit John Q. Public even harder. The

> majority of vehicles on forest roads aren't owned by loggers, miners or

> drillers. They are owned by people like you and me. The American people

> like to recreate on these lands. They enjoy driving into our forests to

> hike with their families, picnic, hunt, fish and smell the pines.

> President Clinton has just shut the American public out of 60 million

> acres of their own land.

>

> "This is one of the most offensive examples I've seen of Washington, D.C.

Subject: FW: 1317

Date: Thu, 18 Jan 2001 15:30:56 -0900

From: "Tina Cuning" <tina_cuning@fishgame.state.ak.us>

To: "Ron S" <somerville@gci.net>, "Grasser, Eddie-Jun" <Eddie_Grasser@legis.state.ak.us>, <whorn@dc.bhb.com>

I was sent 3 questions, which you might be most interested in my response re ANILCA wilderness reviews. Let me know if I'm out to lunch.

-----Original Message-----

From: Tina Cuning [mailto:tina_cuning@fishgame.state.ak.us]

Sent: Thursday, January 18, 2001 2:59 PM

Three subjects, comments Number 3 is most important to follow up on:

1. Title XI's TUS application process is in regulation but nearly impossible to use, at least for big projects. Organizations like Cominco and CIRI find it's easier just to go to Congress than to jump the hoops and go to Congress anyway.

2. ANILCA 1317 Wilderness review deadline-yessiree! Deadline was 1985. They didn't meet the deadline but did finally submit recommendations from regional directors to Secretary of Interior, who never forwarded them to the President-see the wording of the statute. With the new CC's, they are redoing the wilderness reviews. I'll cut and paste in our objection in our internal review of a new CCP last week so you get the gist. It would be great if the new Secretary forwarded on the old reviews along with recommendations to the President about which to accept and forward to Congress and which to reject! That way we'd be done with this once and for all. See the actual language below:

Sec. 1317.(a) "Within five years from the date of enactment of this Act, the Secretary shall, in accordance with the provisions of section 3(d) of the Wilderness Act relating to public notice, public hearings, and review by State and other agencies, review, as to their suitability or unsuitability for preservation as wilderness, all lands within units of the National Park System and units of the National Wildlife Refuge System in Alaska not designated as wilderness by this Act and report his findings to the President.

(b) The Secretary shall conduct his review, and the President shall advise the United States Senate and House of Representatives of his recommendations, in accordance with the provisions of section 3(c) and (d) of the Wilderness Act. The President shall advise the Congress of his recommendations with respect to such areas within seven years from the date of enactment of this Act.

(c) Nothing in this section shall be construed as affecting the administration of any unit of the National Park System or unit of National Wildlife Refuge System in accordance with this Act or other applicable provisions of law unless and until Congress provides otherwise by taking action on any Presidential recommendation made pursuant to subsection (b) of this section.

Here's the excerpt from our recent unofficial red flag internal draft ccp review in which we note the final 1317 review ROD adopted in 1988a recommending y acreage-what's changed-see the text in bold. We've been unofficially told that they do not intend to address our questions in the draft plan.

Wilderness Recommendations

On September 30, 1988, Regional Director Stieglitz distributed the Final Supplemental EISs for both Wilderness proposals of the Final Becharof and Final Alaska Peninsula CCP/EIS/Wilderness Reviews: "This Final Statement has been prepared pursuant to Section 3(d) of the Wilderness Act of 1964, Section 1317 of the Alaska National Interest Lands Conservation Act of 1980 (Alaska Lands Act), and Section 102(2)(C) of the National Environmental

Policy Act of 1969." After four wilderness proposals were evaluated for the Alaska Peninsula unit, the Service concluded: "The proposed alternative in the Final Statement recommends that 640,000 acres be proposed for designation as wilderness." [The November 2, 1988, Record of Decision clarified this 640,000 acres is 14,000 acres in the Ugashik unit, 460,000 acres in the Chignik unit, and 166,000 acres in the Pavlof unit.] Analysis of three alternative wilderness proposals for the Becharof unit concluded: "The proposed alternative in the Final Statement recommends that an additional 347,000 acres be proposed for designation of wilderness." Stieglitz explained the extensiveness of the review of the lands suitable for wilderness designation and the relationship to the proposed management alternative in the final Plans and their Record of Decisions. In both letters, he stated "To ensure full compliance with the Wilderness Act and the National Environmental Policy Act, the Fish and Wildlife Service has prepared this Final Statement, clearly discussing the proposal for wilderness designation of the refuge and the environmental impacts of the proposal." Thus, the 1988 completion of the required ANILCA 1317 review resulted in a total recommended 987,000 acres in the combined Alaska Peninsula and Becharof refuges.

On October 31, 1988, the State of Alaska responded to the Service's final wilderness proposals above: "the state does not object, from a substantive standpoint, to the Wilderness recommendations for these refuges. We do, however, have a couple of procedural concerns with the SEISSs, which are described below On three occasions (May 12, 1988, August 12, 1988, and August 29, 1988) the state provided the FWS with a list of potential refuge uses, activities, and structures that could be affected by Wilderness designation. The state asked the FWS to identify which, if any, of these uses occur in the areas proposed for Wilderness designation in the Alaska Peninsula and Becharof refuges. We further asked that where these uses do occur, that the FWS clearly describe the effect Wilderness will have on them. On each occasion, the FWS failed to provide the requested information. We regret that this is the case. We believe this information would have helped the public evaluate the costs and benefits of designating Wilderness."

For several reasons, the Service should not expand wilderness recommendations beyond those in the existing refuge Supplemental EISs and Records of Decision for the Final Plans/EISs/Wilderness Reviews already completed as required by ANILCA Section 1317. First, we are disturbed that the state's concerns raised above have still not been addressed and the requested related information not provided to the public. Second, nowhere in the draft Plan does the Service explain why refuge lands not recommended for designation over a decade ago are now being recommended for wilderness, totaling 2,775,700 instead of the original proposed additions of 987,000 acres. The new proposal would bring the total of existing and proposed Wilderness designation and interim management prescriptions to 84.5% of the combined refuge units. This is a significant change with no adequate explanation of why or upon what information the Plan proposes to ignore the original Final determinations.

3. I just looked at the January 12, 2001 rule and it seems to indicate that the prohibition on road construction under 294.12 does not apply if the "responsible official" determines: "(3) A road is needed pursuant to reserved or outstanding rights, or as provided for by statute or treat." Thus ANILCA title XI and our RS 2477s may in fact be OK . . . just more difficult.

Jan 2-18-01

Collects are in a mess because of
the forest service not logging - SF.
Div. of habitat prod

Ervin's are trying to use orchestrated
public comments from an extremist special
interest groups and misrepresentation of the legal

- ↳ Rule making process -
- ↳ - NAD's forest service planning law - look in
- ↳ Hansen's letter from Vince.
- ↳ executive policy-making

adn.com

Anchorage Daily News

Road ban heavy on public process

Compass

(Published January 18, 2001)

It was not surprising that Gov. Tony Knowles and Sen. Frank Murkowski had strong responses to President Clinton's announcement that both the Tongass and Chugach national forests would immediately be included in the final national roadless policy. Both are long-time proponents of resource extraction and seem not to care that prevailing public attitude has shifted away from their point of view. What was surprising, however, were their gross errors and exaggerations following the announcement from the White House on Jan. 5.

Now, I am not so cynical as to believe that our elected representatives would actually tell big "whoppers" for political effect, so I can only guess that they both "misspoke" when Murkowski compared the president to Saddam Hussein and Knowles called the final Roadless Area Conservation rule a "double-cross." Their high-decibel complaints parrot the tired old rhetoric of the timber industry by claiming lack of "science" and "public process."

The roadless issue has been in both the Alaska and national media spotlight continuously for the last year. You would have had to have been in a coma to have not heard about it. Schoolchildren are heard mumbling about "roadless" while at play and parents are heard discussing "Final EIS's" over coffee.

Maybe that is an exaggeration, but certainly less so than claiming a "... a mockery of the public process."

Reams of government studies and independent reports support the preservation of Tongass roadless areas:

A letter to Clinton from more than 330 scientists (including 100 Alaska scientists) urging Tongass inclusion stated, "Unlike most national forests, the Tongass still encompasses many undisturbed watersheds with a full complement of all native species including productive populations of bald eagles, wolves, black-tailed deer, brown bears, and five species of anadromous salmon."

The Tongass Road Condition Survey Report, released by Alaska Department of Fish and Game in June 2000, indicated "... that 66 percent of the culverts across anadromous streams (FS Class I streams) are assumed not to be adequate for fish passage (a total of 179 culverts). Eighty-five percent of the culverts across resident fish streams (FS Class II streams that naturally do not support anadromous fish) are assumed not to be adequate for fish passage (a total of 531 culverts)."

The roadless policy is not a "fiat," as claimed by Knowles, but rather a thorough administrative rule-making process that afforded the maximum opportunity for public involvement:

The Forest Service held 617 public hearings (including 17 in Alaska) that were attended by more than 39,000 Americans. A total of more than 1.6 million comments were received, the vast majority of which

supported inclusion of the Tongass and the Chugach in the final rule. "In terms of volume, the roadless proposal is the largest public involvement project in the history of the Department of Agriculture or the Forest Service (FEIS)."

At the 17 hearings in Alaska, 62 percent of the people who spoke favored including the Tongass in the final rule.

In Southeast Alaska, 75 percent of the people who spoke in Juneau, Ketchikan, Sitka and Petersburg (Southeast's four largest cities), spoke in favor of including the Tongass.

Claims that this was not a legitimate public process insult the thousands of Alaskans and the 1.6 million Americans who participated.

Elected representatives in Alaska and nationwide should take note: An overwhelming majority of Americans support forest conservation. Attacks on this historic policy will be met with stiff resistance.

Alaskans would be better served if Murkowski and Knowles teamed up to help Southeast Alaska shift from "cut and run" industrial logging to a sustainable local timber industry supplied from the existing road system.

I am grateful to Clinton, Forest Service Chief Mike Dombeck, and the 1.6 million Americans who cared enough to set aside a national living legacy for future generations. They will be celebrated long after today's timber rhetoric is forgotten.

Pat Veesart is executive director of the Sitka Conservation Society.

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LOCKOUTGATE CLINTON/GORE'S PUBLIC-LANDS SCANDAL BY JAMES NORELL

Hunting Vehicles



HARDWARE



Gear & Gadgets

product reviews

LockoutGate Clinton/Gore Public Lands Scandal



We are a nation on wheels, and for the vast majority of us who hunt, getting there involves vehicles, especially if we hunt public lands. And vehicles move on roads. No roads; no access; no hunting. Simple enough.

In the waning hours of the Clinton/Gore Administration up to 60 million acres of now accessible prime hunting lands across the nation will become a vast quasi-wilderness-

where ultimately the only way to get there will be on foot, and then under strict government control. This action is being decreed through a series of executive edicts that totally bypass the Congress and violate virtually all Federal "sunshine laws" that require openness in government.

This is what the media calls an "environmental legacy," and it will all happen, step by step, under the benign-sounding heading, "roadless area initiative."

Perhaps the greatest threat to American hunters is not just in the denial of access, it is in the arrogant, dictatorial process that would physically remove the peoples' ability to use the peoples' land. This is raw power seized sleight-of-hand by an insider group of government officials, special interests, and radical environmental lobbyists meeting in secret. It is the work of the friends of Al Gore. The vice president is calling the shots.

Looking at the experience with the National Wilderness System-where all vehicular access and even "temporary" roads are totally banned--U.S. Sen. Orrin Hatch (R-UT)--warned of what is coming in the so-called roadless initiative: "The Forest Service acknowledges that only two percent of recreationalists make use of the 35 million acres of existing wilderness. The other 98 percent of the public who use our forests will lose access to an additional 40 million acres, so that the elite two percent will have sole access"

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LOCKOUTGATE CLINTON/GORE'S PUBLIC-LANDS SCANDAL BY JAMES NORELL



Support for all this has come in a letter to President Clinton from U.S. Sen Barbara Boxer (D-CA) and others well known to anyone who fears losing their firearms rights--Charles Schumer, Frank Lautenburg, Teddy Kennedy, Robert Torricelli, and Joseph Lieberman--in which they call the roadless lockdown an "an excellent first step." Sound familiar?

Between the Clinton/Gore machine and the environmental lobby, this is orchestrated chaos where the creator of chaos is the only one who knows what's happening. Over just five months, the White House, through the Forest Service, proposed a blitz of regulatory actions that will alter access to what traditionally have been open, free public lands. Among them: President Clinton's 18-month moratorium on national forest road construction and "reconstruction." In areas where roads don't survive tough winters, that translates into no access. But this policy does more than close roads by neglect, it also plows under existing roads.

And it's been largely done by sleight of hand because many "roads" they are destroying at an alarming rate aren't roads at all; they are "unroads." In Clinton/Gore-speak an "unroaded area" is one that does not contain "classified roads," in turn, defined as roads "constructed or maintained for long-term highway vehicle use." For anyone who has traveled any backcountry Forest Service road, you can understand the coming loss. Certainly, it cuts out most of the tens of thousands of miles of former "timber access" roads used by hunters to get to favorite backcountry jumping-off points.

Under this policy, road maintenance/construction would be based only on "compelling need." Remember, those are the same words folks like Dianne Feinstein use for an individuals' show-cause for owning firearms. Compelling need. Don't even think for a second that hunter access would ever prove to be "compelling need" to the Al Gore crowd.

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LOCKOUTGATE CLINTON/GORE'S PUBLIC-LANDS SCANDAL BY JAMES NORELL

Hunting Vehicles



HARDWARE



Look at it from a personal standpoint: If you use the National Forest System, do you know where your favorite spot will fall in the Clinton/Gore roadless equation? The truth is, there is no way any individual can view an overlay on their favorite forest and see how all these edicts will come into play. The roadless initiative comes under a single environmental impact statement for the entire 40 to 60 million acres. The fact that the Administration can't decide how big this lockout will finally be gives an indication of how precise of an accounting is being made. A 20-million-acre margin is more than careless.

Those who have come to object at public meetings--"listening sessions" in touchy-feely Clinton/Gore terms--quickly saw what they were up against. As one Montana rancher put it, "I'm here to spit in'to the wind."

Ordinary Americans might ask what's the difference between roadless areas established by Acts of Congress or by Executive Order. Our national legislature is made up of 535 elected individuals with disparate views crossing every spectrum of politics, most reflecting the views of a majority of folks back home. For the NRA, Congress is what makes the grassroots work.

U.S. Sen. Larry Craig (R-ID), the leading advocate for gun rights in the Senate, warned that no matter what the Al Gore/Bill Clinton political machine might say to the contrary, "NRA members and hunters should understand, with regard to natural-resources policy, they are dealing with people every bit as ruthless as those trying to crush our Second Amendment rights."

Craig's final word on the roadless initiative: "Only Congress can write the law. These proposals come from an inbreeding of bad ideas that cannot stand the sunshine of the American political process. This all has been conceived in darkness, proffered in secret, and shown to the American people only under the artificial light of slick, sound-bite media campaigns. It's another illusion by master tricksters Bill Clinton and Al Gore. It can be stopped and reversed by the people acting at the ballot box."

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ALASKA NORTH SLOPE LNG PROJECT

740 G Street, P.O. Box 100360, Anchorage, AK 99510-0360, Phone: (907) 265-6857, Fax: (907) 265-6838

August 7, 2000

Representative Beverly Masek
Co-Chairwoman, House Resources Committee
600 E. Railroad Ave.
Wasilla, Alaska 99654

Fax: (907) 373-4745

Dear Representative Masek:

We are pleased to provide you with advance notice of plans to continue the Alaska North Slope LNG Project into Stage 2. A copy of the press release announcing our plans is attached.

Results from the technically and commercially focused Stage 1 efforts encourage us to continue to try to make the project competitive. During Stage 1, we advanced engineering design work beyond original expectations and thus, will spend the majority of the next 12-15 months developing commercial strategies for improving the competitiveness of Alaska gas in comparison to other new LNG projects over a broad range of economic conditions.

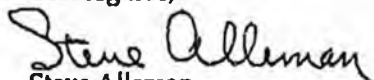
A major achievement of our Stage 1 work was development of a smaller, market entry, 7-million-ton per year LNG plant design that would allow us to defer capital cost and improve present value economics. This project concept also significantly reduces market volume entry exposure and, at a total estimated cost of less than \$7 billion, cuts by half the initial capital required. Our project design allows expansion of the Alaska North Slope LNG project—on an incremental basis as market conditions warrant—to 14+ million tons of LNG per year.

The Alaska North Slope LNG Project will continue to maintain options for both plant sites and pipeline routes to Nikiski and Anderson Bay. Keeping these options open will enhance our ability to respond without forfeiting the ability to be ready when the market for Alaskan LNG develops. We will further explore potential synergies with other gas projects including a gas pipeline to the Lower 48 and/or a tidewater Gas to Liquids (GTL) facility.

In Stage 2, the Sponsor Group will also look for ways to reduce the risk and cost of this project through modification of the state's fiscal regime, project structure alternatives, financing and/or potential public entity options. A better understanding of ever-evolving Asian market opportunities and potential alternatives in less traditional LNG markets will also be explored to ensure that we are ready to supply Alaska LNG to the market when the market is ready to receive it.

Please feel free to contact me if you have questions regarding the Alaska North Slope LNG Project.

Best regards,


Steve Alleman
Commercial Manager

(907) 265-6853



ALASKA NORTH SLOPE LNG PROJECT

700 G Street, PO Box 100360, Anchorage, AK 99510-0360, Phone: (907) 265-6857, Fax: (907) 265-6838

For Immediate Release

Sponsor Group Announces Commitment To Stage 2 LNG Effort

ANCHORAGE, Alaska, Aug. 7, 2000 --- The Alaska North Slope LNG Project sponsors today announced agreement to continue efforts to develop an economically viable liquefied natural gas (LNG) export in Alaska. This announcement follows the successful completion of Stage 1 studies, which began in late 1998.

Stage 2 is expected to continue for 12-15 months and will have a commercial focus. Further options, including sharing costs with other gas projects, risk mitigation and finance, will be pursued.

Phillips Alaska, Inc, BP Exploration (Alaska) Inc., Foothills Pipe Line, Ltd, and Marubeni Corporation will continue as project sponsors. The sponsor group's primary focus will continue to be LNG with a gas pipeline route and LNG plant site configuration for either Anderson Bay or Nikiski. During Stage 1, project sponsors identified a 7 million-tons-per-year project as the most feasible option. The estimated capital cost of this project is about \$7 billion, including shipping.

"We feel good about the current technical design and cost estimate of our project," said John Ellwood, vice president of engineering and operations for Foothills. "By cutting the project size by about half and by designing in capital cost deferrals during the Stage 1 effort, we think we have a project that is small enough to gain a toehold in the East Asian market place and yet large enough to make economic sense. Such a project would also be expandable."

Stage 2 work will focus on improving LNG project competitiveness. "Further reductions in cost and risk, differential to our competitors, are still needed to make an Alaskan project economically viable," said Kevin Meyers, president of Phillips Alaska, Inc. "We believe the opportunities for those improvements lie in commercial areas, such as marketing, financing, government fiscal and regulatory policy, and possibly synergies with other gas commercialization options such as pipeline gas to the Lower 48 or gas-to-liquids."

"Stage 1 reinforced our belief that an LNG project serving East Asia will be market-driven. So, the objective of the sponsor group is to pace the project to be ready when the market is ready. With the pursuit of our re-designed, cost-deferred, 7 million-ton project we improve our potential competitive position in the LNG marketplace," said Hajime Kubo, senior officer, energy division, Marubeni.

The Stage 2 effort will continue to be lead by Phillips with work to be conducted by staff from sponsor companies and by contractors. The project will continue to be located at the Phillips office complex in Anchorage.

"We have a strong sponsor group that has the ability to develop a project of this magnitude when it becomes economically competitive," said Ken Konrad, business unit leader, Alaska gas, BP Exploration (Alaska) Inc.

- # # # -

For further information contact: Dawn M. Patience, Phillips Alaska, Inc., 907-263-6134



Alaska Association of Elementary Schools Principals
 Alaska Association of Secondary School Principals
 Alaska Association of School Administrators
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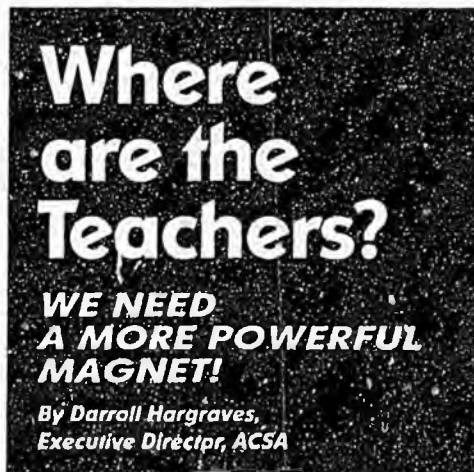
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Alaska Council of School Administrators

Excerpt from the *ACSA Education Bulletin* January 2000 Issue



What's the problem?

What's getting the attention?

Interesting isn't it? During the past few years, public attention has been focused on funding, construction, standards, and testing. Each of these issues is important. However, whenever superintendents get together to talk about immediate and future concerns, another issue tops the agenda—the need to recruit, hire, and keep certified and qualified teachers and administrators.

The recent announcement by the University of Alaska that a five-year program will be required for certification will further reduce the number of Alaskans to fill positions in our schools.

Alaska is not alone. In fact, teacher shortages are entering a critical stage across the nation. U.S. Secretary of Education Richard Riley consistently expresses a concern about the ability of our schools to attract the very brightest and best into education careers. As student enrollments continue to climb nationally, demand is outstripping supply at a time when the hurdles are being lifted even higher. For example, the shortage is becoming even more acute because many states are increasing their standards

for teachers and some are requiring them to have majors in the subjects they teach or to pass qualifying tests. The recent announcement by the University of Alaska that a five-year program will be required for certification will further reduce the number of Alaskans to fill positions in our schools.

Salaries have not kept pace with what talented people can make outside the classroom. A recent Quality Counts 2000, 50-state survey, conducted by *Education Week*, found that one in five college graduates who began teaching in 1993-94 left within three years. The brightest novice teachers, as measured by their college-entrance exams, were the most likely to leave, the study revealed.

There was a time, not so long ago, when Alaska was a magnet for educators.

What's at stake here? The immediate concern for many educators is having excellent teachers in the classroom—preparing students to pass exit exams that are looming in their future. Even more importantly, they are concerned about preparing students for life in the 21st century.

There was a time, not so long ago, when Alaska was a magnet for educators. Our salaries were the highest in the nation. Our recruiters could promise adventure, good hunting and fishing, and a lifestyle that attracted exceptional talent. Let's face it. What worked in the past is not getting us the number and level of certified, qualified educators we need today and will need in the future.

While average teacher salaries in Alaska are still above the national average, we are now caught in what the *New York Times* calls a bidding war. That war has spread from coast to coast, and we are not winning. In fact, we are being out-manuevered as never before. Take, for example, the incentives being offered in several states. California is offering \$10,000

interest-free loans for buying a home, \$30,000 bonuses for attaining advanced certification, and \$11,000 to repay college loans. In Texas, \$2,000 signing bonuses are becoming commonplace. Southern states such as Florida, Georgia and Mississippi have districts paying bonuses of up to \$6,000 to retain quality teachers.

As crises show signs of becoming catastrophes, some state legislatures and state departments of education have gotten the ball rolling on bringing retired teachers and administrators back into the system. Those early retirement incentives that were sold, in some case, as a way to remove the "dead wood" are now looking more like they've caused a "brain drain."

Salaries are a major problem, both for teachers and administrators. Alaska's largest districts provide an example of how noncompetitive our salaries are. These districts have budgets, enrollments, numbers of employees, physical plants, and demands comparable to large districts outside the state that are paying their superintendents nearly double. In fact, an Alaska board member recently admitted to the media that their superintendent is underpaid and speculated that if the present superintendent left and had to be replaced, it would require an additional \$50,000. Even that level of an increase would be low compared to salaries paid in comparable districts outside.

Granted, we need to pay attention to standards, facilities, and a number of other critical issues. At the same time, let's not forget that our ability to attract and keep outstanding teachers and administrators is basic to everything we hope to accomplish. Alaska needs a constant flow of quality, certifiable educators. While the problem may not be completely solved during this session of the Legislature, we simply must make sure that it receives the attention it deserves. The future of our kids depends on it.



Alaska Association of Elementary Schools Principals
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Alaska Council of School Administrators

March 16, 2000

Mark Hamilton, President
University of Alaska
P.O. Box 755000
Fairbanks, AK 99775-5000

Dear President Hamilton:

We have a problem and look forward to working with you to develop an appropriate solution. It is a problem that has profound implications for the University of Alaska and for public education in our state.

The challenge we face is the deepening shortage of teachers and educational leaders to serve in Alaska's schools. Recently, I addressed this concern in an editorial for the *Education Bulletin*. A copy is enclosed for your review. An additional concern is the quality of teacher preparation programs.

I've particularly appreciated your invigorating speeches during the past year that have focused on the need for the University of Alaska to assume the major role in teacher preparation. You've presented a case that the university would have a much better base of support if it had done a better job of preparing teachers to serve our schools. I am proud to have two graduate degrees from the University of Alaska and consider myself a strong supporter.

President Hamilton, your case is convincing. Alaska would be less the "colony" if our youth were getting their education at their university. You've made clear to me and a great many others that the university should be a major supplier of teachers for Alaska.

Since we have a mutual problem to solve, I've taken a look at the numbers. First, we've been having approximately 1,350 teaching vacancies in Alaska each year while the university system is annually graduating about 400 education majors. Of the 400, only about 270 are actually new teachers. The other 120 degrees are being awarded to graduates who are already employed as teachers or administrators. Would you agree that it would be great if the university could supply just 75 percent of the new teachers we need each year?

Our demand for new teachers is simply exceeding the supply. That is one of the reasons why we believe the addition of a fifth year requirement for teacher training will lead to a further deepening of what is becoming a crisis. Therefore, I'm sharing

the following information and thoughts with you as together we consider how we can make teacher education even more effective and meet the demand, while not further reducing the quality or the supply:

- First, it has been rumored that the National Council for the Accreditation of Teacher Education (NCATE) requires a year of graduate studies for teachers. It does not.
- Second, rather than add a fifth-year requirement at this time, we need to strengthen our four-year teacher preparation program. Teachers need to understand pedagogy, and they must be able to teach effectively in today's environment. As you know, it is not time spent that matters, it is what is learned and actually practiced in the classroom. I have reviewed degree offerings of several universities and am impressed by the adequacy of their NCATE-approved four-year teacher preparation programs. Isn't it likely that more Alaskan students who wish to go into teaching will gravitate to those Universities rather than enter a five-year program at the University of Alaska?
- Third, a serious downside of a fifth-year requirement is found in simple economics. Students faced with the cost of a five-year program will find even further reason to leave the state and earn their education degrees in four years. Prospective teachers would not only face the direct cost associated with that fifth year, but they would also face a lack of income. I'm concerned that pursuing the fifth-year proposal at this time could actually backfire on the university, which we would both regret.
- Fourth, our schools are finding it much more difficult to attract and keep excellent teachers because of competition from business and industry and other professions. Some people who aspire to a career in teaching are deeply concerned about being required to spend five years in a preparation program for a position that does not pay as well as it should. We have heard the stories about students with undergraduate degrees being paid high salaries right out of college, complete with substantial signing bonuses, to go to work in other fields.
- Fifth, among the greatest needs many of Alaska's school systems face are attracting elementary teachers and **multiple subject** teachers. Here is an area where the university could provide a great deal of help by applying appropriate funding and other resources. Is there a need more critical today than teacher training? Is there another profession where there is a greater demand for your product?
- Sixth, some members of the university staff, when asked have expressed serious reservations about adding a fifth year at this time. However, they believe that it is not politically correct to raise the issue. As an administrator, when I received feedback of that type, it was always a red flag for me that I should perhaps listen again to all my staff and those I was charged with serving.

President Hamilton, I do believe that our teachers and administrators should constantly renew and upgrade their knowledge and skills. All should meet the requirements of the state. I am an advocate for advanced degrees for professional educators. However, I am not aware of any contemporary research confirming that the

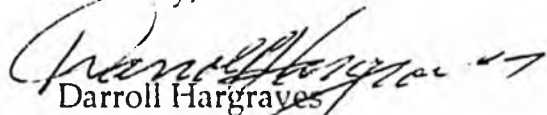
addition of a fifth-year requirement for teacher training by the University of Alaska would increase the quality of teachers in elementary and multiple subject teaching to the point that it would justify worsening our already critical teacher shortage. Again, we need to make our four-year program even more effective

As much as we support advanced study for teachers, we must deal with the fact that thousands of Alaska's school children need teachers now. We need to face this crisis before it becomes a catastrophe. Time is the essence.

As you know, these are difficult times for public schools in Alaska. Teacher supply is one of the many important issues we face, and it is a top priority for us. I'm sure we agree that a good supply of well-trained, qualified teachers is vital to the success of our students.

I believe the university provides the major vestige of hope that qualified teachers will be available for our schools. That's why I urge you to rethink the fifth-year requirement and return to an even better four-year program with adequate funding to ensure its success. Let's give back the attention and funding in today's dollars that the teacher-training program enjoyed two decades ago.

Sincerely,



Darroll Hargraves
Executive Director

c.c. Lee Gorsuch, Chancellor
Marshall Lind, Chancellor
John Pugh, Chancellor



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Alaska Department of Law / Natural Resources

Updated December 15, 2000

Significant Natural Resources Cases

The following is a summary of many of the active subsistence, statehood defense, and other significant lawsuits being handled by the Natural Resources Section of the Alaska Department of Law.

FEDERAL COURT CASES

1. Katie John v. U.S.
2. Stevens Village v. McVee and Rosier
3. Native Village of Quinhagak v. United States
4. Peratrovich v. United States
5. Kluti Kaah v. Alaska
6. State v. Harrison
7. State of Alaska v. United States [Southeast Alaska marine waters]
8. Confederated Tribes & Bands of the Yakama Indian Nation, et. al v. Baldrige
9. U.S. v. Washington
10. Alaska v. United States and Bruce Babbitt
11. Hyak Mining Co. v. U.S. IRS 2477]
12. Harold Kalve v. Frank Rue

STATE COURT CASES

1. Kenaitze Indian Tribe v. State
2. Interior Airboat Ass'n v. State
3. Kachemak Bay Conservation Society, et al. v. State, DNR
4. Kashwitna Farms, Inc., Harry and Consuelo Wassink v. State
5. Koyukuk River Tribal Task Force v. Rue
6. Cigna Insurance Co. & Native Village of Mekoryuk, et al. v. Moses
7. Leuthe v. State of Alaska
8. Greenpeace, Inc. v. State
9. Greenpeace v. Alaska Dep't of Natural Resources
10. Greenpeace v. Alaska Dep't of Natural Resources
11. Cook Inlet Keepers v. State
12. Haida Corp. v. Patrick Galvin
13. Crivello v. State, CFEC
14. Kenai Peninsula Borough v. State, Dep't of Natural Resources
15. Alaska Trademark Shellfish, Zauqg, et al. v. ADF&G, et al.
16. Kenai Peninsula Borough v. State, DNR
17. The Association of Village Council Presidents, Inc., et al. v. State
18. Alaska Center for the Environment, et al. v. State of Alaska, DGC
19. Fallis, Walker v. ADF&G
20. AHTNA, Inc., et al. v. State
21. Kenneth H. Manning v. State
22. Alaska Wildlife Alliance, et al. v. Alaska Board of Game, et al.
23. Fish and Wildlife Enforcement Actions

ADMINISTRATIVE PROCEEDINGS

1. In Re: Native Allotment Application of Donna Huff
2. In re: Native Allotment Application of Alfred Bayou

3. FPA Enforcement Actions

FEDERAL COURT CASES

1. Katie John v. U.S. (Ninth Cir. No. 00-35121; our file no. 221-00-0474; state's attorney: Joanne Grace; plaintiffs' attorney: Heather Kendall of NARF; U.S.' attorneys: Dean Dunsmore and Elizabeth Ann Peterson). This is one of the jointly managed ANILCA subsistence cases. These cases had been stayed until October 1, 1999. The plaintiffs alleged that ANILCA requires the federal government to manage fisheries in navigable waters of Alaska, and accordingly, that the Federal Subsistence Board should take over management of the Copper River and authorize a subsistence fishery at Bazulnetas.

Both the District Court and the Ninth Circuit Court of Appeals agreed in part and held that the term "public lands" includes navigable waters in which the United States has reserved water rights. (Under the reserved water rights doctrine, when the United States withdraws land and reserves it for a federal purpose -- for example, a national park or wildlife refuge -- it also reserves by implication water rights necessary to fulfill the purposes of the reservation). The court remanded the case to the Departments of Interior and Agriculture to identify those waters.

In January 1999, the Departments of Interior and Agriculture published final regulations to assume management of subsistence fisheries. The regulations cover subsistence activities on all waters within or adjacent to the exterior boundaries of 34 identified federal areas, including national parks, refuges, preserves, monuments, wild and scenic rivers, and national forests (excluding the marine

waters of the Tongass and Chugach National Forests). They also extend the Federal Subsistence Board's management to some federal lands selected under the Alaska Native Claims Settlement Act or the Alaska Statehood Act until conveyed. In addition, the rules purport to confirm the Secretaries' authority to restrict or eliminate hunting, fishing, and trapping on state and private lands when these activities interfere with the subsistence priority on the public lands. The rules became final in October 1999, and the U.S. District Court entered final judgment in the case on January 7, 2000, affirming its earlier orders and dismissing any remaining claims without prejudice. The state filed an appeal to the Ninth Circuit Court of Appeals on January 26, 2000. The court agreed to hear the appeal en banc. Oral argument will be December 20, 2000.

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2. Stevens Village v. McVee and Rosier (United States District Court No. A92-567-CV (HRH) (Judge Holland); our file no. 221-93-0123; state's attorney: Joanne Grace; plaintiffs' attorney: Carol Daniel; U.S.' attorneys: Bruce Landon and Dean Dunsmore). This is one of the jointly managed ANILCA cases.

In 1992, plaintiffs filed suit against the Federal Subsistence Board (FSB) and ADF&G, alleging they are being denied their federal subsistence priority within Game Management Unit 25(D) West. Following denial of a TRO, the federal defendants moved for a voluntary remand to the FSB. On remand, the FSB changed its regulations to accommodate plaintiffs' requests for: an extension of

the season; provisions allowing a permittee to designate another person to hunt on his or her behalf; and closing federal public lands in GMU 25D West to hunting by non-local residents. The parties filed cross-motions for summary judgment on the only remaining issue: whether the FSB has authority to regulate hunting on state-managed lands adjacent to federal lands in GMU 25D West to protect subsistence uses on "public lands" in GMU 25D West. Judge Holland has characterized this as the "where II" issue.

Judge Holland tentatively indicated in the stay order that the FSB lacks authority off "public lands" because the Secretaries of Interior and Agriculture did not grant such authority in the regulations establishing the FSB. Judge Holland expressed no opinion on the question of whether the Secretaries themselves have that authority, but indicated that he would entertain further briefing on the issue. Meanwhile, the Stevens Village plaintiffs and others submitted a rulemaking petition to the Secretaries of Agriculture and Interior, requesting that they extend the FSB's authority to state and private lands. The parties agreed to stay the case while the Secretaries considered the petition.

In January 1999, the Departments of Interior and Agriculture published final regulations that purport to confirm the Secretaries' authority to restrict or eliminate hunting, fishing, and trapping on state and private lands when these activities interfere with the subsistence priority on the public lands. The regulations became effective on October 1, 1999. To date, the secretaries have not attempted to restrict or eliminate moose hunting on state or private lands in GMU 25D West.

On December 16, 1999, the parties stipulated to dismissal of the case without prejudice. An order approving the stipulation was entered on January 3, 2000. The parties are now litigating attorney

fees and costs.

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3. Native Village of Quinhagak v. United States (United States District Court No. A93-023-CV (HRH) (Judge Holland); Ninth Cir. No. 93-35496; our file no. 221-93-0041; state's attorney: Joanne Grace; plaintiffs' attorneys: Carol Daniel, John Starkey (AVCP); U.S.' Attorney: Dean Dunsmore). This is one of the jointly managed ANILCA cases.

The plaintiffs (the villages of Quinhagak and Goodnews Bay, the AVCP, and individual Yup'ik Natives) seek declaratory and injunctive relief allowing the harvest of rainbow trout from the Kanektok and Goodnews Rivers for subsistence. The plaintiffs claim that navigable rivers are "public lands" for purposes of ANILCA, that the state has no subsistence jurisdiction over the waters of the Kanektok and Goodnews River systems, and that the federal government has the authority to regulate non-public lands and waters owned by the state when necessary to provide for subsistence uses. In September of 1994, the Ninth Circuit reversed Judge Holland's order denying the plaintiffs' motion for preliminary injunction. On remand, the court entered an order prohibiting the state and federal defendants from enforcing regulatory prohibitions on the subsistence harvest of rainbow trout while the case is pending. The plaintiffs were awarded partial attorneys fees incurred in connection with the motion for preliminary injunction and appeal.

The regulations extending the federal subsistence program to

certain navigable waters became final in October 1999. The federal district court entered final judgment in the case on January 10, 2000, affirming its earlier orders and dismissing the remaining claims without prejudice. The parties now are litigating the issue of attorneys fees.

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4. Peratovich v. United States (United States District Court No. A92-734-CV (HRH) (Judge Holland); our file no. 221-93-0340; state's attorney: Joanne Grace; plaintiffs' attorneys: Thomas Luebben and Richard Young of Albuquerque, New Mexico; U.S.' attorney: Dean Dunsmore). This is one of the jointly managed ANILCA cases. The case has been stayed while the United States Supreme Court hears Alaska v. United States, Orig. 128, which involves an issue similar to that raised in Peratovich.

In an amended complaint filed on October 24, 1996, plaintiffs seek declaratory and injunctive relief requiring the Federal Subsistence Board (FSB) to issue a collective permit allowing the harvest of up to 366,000 pounds of herring roe on kelp (1000 pounds per individual for 366 applicants) from the marine waters of southeast Alaska as "customary trade." (The state "customary trade" regulation allows sale of up to 32 pounds of herring roe on kelp by an individual, and up to 158 pounds per household.) The FSB has taken the position that it lacks jurisdiction over the navigable waters where the harvest would occur.

Plaintiffs contend primarily that (1) the United States owns the

submerged lands within the Tongass National Forest as a result of a prestatehood withdrawal, and (2) that the waters in question are "public lands" within the meaning of ANILCA, on a reserved water rights theory.

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5. Kluti Kaah v. Alaska (United States District Court No. A90-004-CV (HRH) (Judge Holland); our file no. 221-90-0433; state's attorney: Joanne Grace; plaintiff's attorneys: Heather Kendall of the Native American Rights Fund (NARF) and Mike Walleri of Tanana Chiefs' Conference (TCC); U.S.' attorney: Dean Dunsmore). This is one of the jointly managed ANILCA cases.

Plaintiffs and intervenors initially challenged state and federal regulations governing subsistence hunting of caribou in the Copper River basin. Plaintiffs claimed, among other things, that the federal regulations impermissibly fail to cover caribou located on state lands. This case has been consolidated with Arctic Regional Council v. United States. Kluti-Kaah filed an amended complaint which does not include any claims against the state. The court granted an unopposed motion by the federal government to dismiss TCC's claims against it, and the court dismissed all of TCC's claims against the state following an unopposed motion by the state.

On December 16, 1999, the parties stipulated to dismissal of the case without prejudice. An order approving the stipulation was entered on January 3, 2000. That parties are now litigating attorney fees.

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6. State v. Harrison (United States District Court No. A94-464-CV (HRH) (Judge Holland); our file no. 221-95-0270; state's attorneys: John Baker and Robert Nauheim; private defendants' attorney: none, two successive attorneys withdrew). This action involves the state's assertion of a right-of-way for the Chickaloon River Road across the Native allotment owned by members of the Harrison family, who claim that the allotment constitutes sovereign Indian country. The Harrisons have relied on Chickaloon's inclusion on the 1993 BIA list of tribes to claim immunity from Alaska law, including charges of obstructing lawful public use of the Chickaloon River Road. The United States moved to dismiss the state's original complaint, initially arguing that the Quiet Title Act, 28 U.S.C. § 2409a, forbids any judicial inquiry into the validity of the state's right-of-way to the extent that "trust or restricted Indian land" is implicated. We amended our complaint to seek a title adjudication under 25 U.S.C. § 357, the federal condemnation statute. The Harrisons cross-claimed, alleging that the United States breached its trust obligation to the Harrisons as Natives by not defending the Harrisons' alleged ownership of the road.

In February 1997, Judge Holland dismissed the Harrisons' cross-claims against the United States and in May 1998, the court dismissed the Harrisons' counterclaims against the state. In October 1998, Judge Holland issued an order granting the state partial summary judgment on the state's claim of title to the road. On July 23, 1999, Judge Holland granted the state's further motion

for summary judgment, ruling that only a 1.75-acre portion of the road, which had been realigned, had been "taken." The court also ruled that the value of the taken portion did not exceed the state's \$3,000 offer of judgment. On August 24, 1999, the court entered final judgment in favor of the state. The Harrisons appealed to the Ninth Circuit Court of Appeals, submitting a form "brief." After delays caused by motion practice to determine the status of the United States (with the court ruling the U.S. is no longer a party to the case), the state's brief was filed on June 29, 2000. On September 6, 2000 the court issued an order allowing the parties 10 days to submit reasons why oral argument should be held, an indication that the court is inclined to decide the case on the briefs. Although the Harrisons did respond to the order, the court has not ruled on the request.

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7. [State of Alaska v. United States \[Southeast Alaska marine waters\]](#) (United States Supreme Court, No. 128, Original; our file nos: 221-99-0502, 221-99-791; state's attorneys: Joanne Grace and Laura Bottger, with outside counsel John Roberts, Jonathan Franklin, and Tom Koester; United States' attorneys: Jeff Minear, Mike Reed, and Bruce Landon).

The state filed a complaint against the federal government, claiming title to the lands underlying marine waters in Southeast Alaska, together with a motion requesting leave of the United States Supreme Court to file its case as an original action, in November of 1999. The suit was prompted by the Park Service's closure of

commercial fishing in Glacier Bay National Park but extends to other areas of Southeast as well.

The action is based on the Submerged Lands Act and the equal footing doctrine, which grant states entering the Union title to the submerged lands within their boundaries as well as the lands underlying inland waters, including any historic waters. The state's complaint asserts the state's claim to all lands underlying marine waters in Southeast Alaska in three counts encompassing the submerged lands in Glacier Bay National Park, the Tongass National Forest, and jurisdictional "doughnut holes" more than three miles from the mainland or any islands within Southeast Alaska's inside passage.

The state filed its case as an "original action" that originates in the U.S. Supreme Court, rather than working its way through the lower courts. While the Supreme Court has jurisdiction over cases between a state and the federal government, it can decline the state's request that it take the case. The Court has appointed George Washington University Law Professor Gregory Maggs to act as special master.

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8. Confederated Tribes & Bands of the Yakama Indian Nation, et. al v. Malcolm Baldrige (U.S. District Court for the District of Washington; state's attorney: Mike Stanley). This case has been resolved by a long term agreement in the Pacific Salmon Treaty. However, the court retains jurisdiction over the controversy.

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9. [U.S. v. Washington](#) (U.S. District Court for the Western District of Washington. In [U.S. v. Washington](#), 384 F. Supp. 312 (W.D. Wash. 1974), aff'd, 520 F.2d 676 (9th Cir. 1975), Judge Boldt held that certain northwest Indian Tribes have a treaty fishing right to harvest 50 percent of the harvestable fish passing through recognized tribal fishing grounds. Under the continuing jurisdiction of the federal court, the northwest tribes now seek a ruling that their treaty rights include salmon caught in southeast Alaska that would otherwise return to tribal fishing grounds. The parties have filed a stipulation to stay the case for 10 years as a result of the 1999 amendments to the Pacific Salmon Treaty recently agreed upon by the United States and Canada.

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10. [Alaska v. United States and Bruce Babbitt \[RS 2477\]](#) (U.S. District Court No. F97-0009-CV (Judge Singleton); our file no. 221-97-0574; state's attorneys: Rob Nauheim and Laura Bottger; U.S.' attorney: Bruce Landon). On March 26, 1997, the state filed a quiet title action in federal court seeking to adjudicate an R.S. 2477 route on the Harrison Creek-Portage Creek Trail. The state has obtained entry of default against the mining claimants with claims located on the trail. The remaining parties are engaged in

settlement discussions and the case has been stayed. The state recently dismissed its claim against a remaining defendant, and the state and the United States have now settled the case, recognizing a 60 foot right-of-way in the state.

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11. Hyak Mining Co. v. U.S. [RS 2477] (U.S. District Ct. No. A96-0478-CV (HRH)); our file no. 221-97-0707; state's attorney: Elizabeth Barry; plaintiff's attorney: Mary Nordale; U.S.' attorney: Bruce La. (H). Hyak Mining Co. sued the United States to quiet title to the Jualin Mine Road in Berner's Bay in southeast Alaska. The state is not a party to the action but state participation will be required to enable the parties to settle the case. Settlement discussions are progressing and the state has given the required 180-day notice of intent to sue to allow intervention in the case. Details regarding the means and methods of survey remain to be resolved between the parties.

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12. Harold Kalve v. Frank Rue, Commissioner of Fish and Game, William Daley, U.S. Sect'y of Commerce, Steve Pennoyer (U.S. District Court, District of Alaska, No. A99-0004 (Judge Singleton) and State of Alaska v. Harold Kalve, Alaska Court of Appeals No. A-07394; our file nos. 221-99-0408, 221-00-0016, and

221-99-0533; state's attorneys: Rob Nauheim and Lance Nelson; U.S.' attorneys: Lauren Smoker and Rick Monikowski; Kalve's attorney: Jim Brennan.) In 1998 Harold Kalve, an IFQ holder, was charged in state district court with fishing for sablefish in state waters (Resurrection Bay) after a state closure. Kalve asked the Seward District Court to continue or dismiss the criminal matter based on the suit he filed in U.S. District Court claiming that federal law and the federal Individual Fishing Quota (IFQ) program preempt the state from closing state waters when the federal waters are open. In June 1999, Magistrate Peck dismissed the state criminal case. He based his decision on the federal paramountcy doctrine – an issue that both parties agree does not apply here. The state appealed to the Alaska Court of Appeals to decide the merits of Kalve's preemption claim and whether to reinstate the criminal charge. On September 29, 2000, the Court of Appeals issued a decision reversing the District Court and reinstating the charges against Kalve. The court held that federal regulations did not preempt state regulations in state waters because federal regulations acknowledged the validity of state regulations. Kalve petitioned the Alaska Supreme Court for a hearing. The petition was recently denied.

In the federal court case, U.S. District Judge Singleton issued a favorable decision dismissing Kalve's case against ADF&G Commissioner Frank Rue on the basis that the 11th Amendment does not permit Kalve to sue the state in federal court. Judge Singleton stated that the 11th Amendment issue was a close one, and that his decision turned on an interpretation of Idaho v. Coeur d'Alene Tribe of Idaho, 521 U.S. 261. In Coeur d'Alene the Supreme Court acknowledged the continuing validity of the Ex parte Young exception but found where a suit involves a particular interest affecting the state's sovereignty, the Ex parte Young exception does not apply and the suit is barred by the 11th

Amendment. Judge Singleton held that Kalve's lawsuit "implicates the state's control of its fish and wildlife resources as well as similar sovereignty concerns" and that the Young exception should not apply. He further found that "Kalve's suit seeks to divest the state of all regulatory power over certain of the State of Alaska's waters." Kalve amended his complaint to name the individual members of the Board of Fisheries, but after the adverse ruling in state court has agreed to stipulate to their dismissal.

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STATE COURT CASES

1. Kenaitze Indian Tribe v. State (Alaska Superior Court No. 3AN-91-4569 Civ. (Anchorage, Judge Hensley); our file no. 223-91-0528; attorney for state: Steve White; attorney for plaintiffs: Carol Daniel). The Kenaitze tribe filed suit to challenge the Cook Inlet subsistence fishing regulations, and amended their complaint to challenge the constitutionality of the 1992 subsistence law. Other Native groups from Ninilchik, Eklutna and Knik intervened.

Judge Fabe granted summary judgment invalidating the nonsubsistence area provision of the 1992 law on the grounds that it violates the equal access provisions of the state constitution. In 1995 the Alaska Supreme Court reversed, holding that the nonsubsistence area provision is valid. However, the court found unconstitutional another provision of the 1992 subsistence law that makes the proximity of an individual's domicile a factor at the Tier II level. Regulations have been adopted to reinstate the

nonsubsistence areas.

The Kenaitzes' challenge to the findings of the Joint Boards that resulted in the establishment of the Anchorage/MatSu/ Kenai Peninsula nonsubsistence area remains to be decided. The parties moved the court to stay proceedings on that claim in order to allow the Alaska legislature and Congress to take actions which would moot the case. As the legislature did not take those actions the briefing schedule has been reactivated. The tribes filed a motion for summary judgment, the state filed an opposition, and the plaintiff's reply is due December 18, 2000.

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2. [Interior Airboat Ass'n v. State](#) (Fairbanks Superior Court No. 4FA-96-1494 Civ. (Judge Beistline); our file no. 221-97-0004; state's attorney: Kevin Saxby; Interior Airboat attorney: Lynn Levengood). The Airboaters sought to invalidate a regulation which prohibits the use of airboats for moose hunting near Nenana and another which limits aircraft use for hunting along part of the Noatak River. After briefing and oral argument, the court entered summary judgment in the state's favor, upholding the regulations. The Airboaters appealed the decision to the Alaska Supreme Court, and briefing and argument have been completed. We await the opinion.

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3. Kachemak Bay Conservation Society, et al. v. State, DNR (Alaska Superior Court No. 3AN-96-7609 Civ. (Anchorage, Judge Murphy); our file no. 221-98-0109; Intervenor-Appellee Alaska Mental Health Trust's attorney: Henry Wilson; Appellee Department of Natural Resources' attorneys: Lawrence Ostrovsky and Jeffrey Landry; Intervenor-Appellees' (Marathon Oil Co. and Union Oil Co. of California, Forcenergy, Inc., CIRI, Anadarko Corp.) attorneys: Susan Reeves and Tom Amodio, Rubini and Reeves; Appellants' attorney: Patrick Lavin, Trustees for Alaska). Kachemak Bay Conservation Society, et. al., appealed the administrative decision of DNR's Division of Oil and Gas that Oil and Gas Lease Sale 85-A was in the best interests of the state. The Alaska Mental Health Trust intervened in the litigation because the Trust owns several of the parcels that were leased in the sale, and the Alaska Mental Health Trust Land Office had determined that the lease sale was in the best interests of the Trust, as separate from the best interests of the state as a whole. In a decision dated August 11, 2000, the Alaska Supreme Court found that Kachemak Bay Conservation Society's challenge failed in all respects, and affirmed.

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4. Kashwitna Farms, Inc., Harry and Consuelo Wassink v. State, consolidated with Hawkins v. Wassink (Alaska Superior Court No. 3AN-88-56 Civ. (Anchorage, Judge Joannides); our file no. 221-88-0853; Kashwitna Farms/Wassink's attorney: Joe Josephson; state's attorneys: Kevin Saxby and Rob Nauheim). These consolidated cases arise out of the Pt. MacKenzie

Agricultural Project. The Wassinks acquired a dairy parcel and borrowed money from the Alaska Agricultural Revolving Loan Fund to develop it. When they failed to meet contractual development requirements, DNR sued them to terminate the land sale contract (Hawkins). When they defaulted on repayment of their loans, as the state was preparing to take collection action against them, they sued the state under various lender liability theories including misrepresentation, breach of fiduciary duty, and breach of the duty of good faith and fair dealings (Kashwitna Farms). The state countersued to collect the defaulted debt. In the Hawkins contract termination action, the superior court has twice granted the state summary judgment and the Alaska Supreme Court has twice reversed it, indicating that the Wassinks are entitled to a trial on their defenses that the contract should not be terminated under waiver, estoppel and contract frustration theories. The court has dismissed nearly all of the claims against the state with the affirmative defenses in Hawkins and the breach of duty of good faith and fair dealings and related issues in Kashwitna Farms remaining to be resolved. Recent efforts to settle have been unsuccessful. Trial should be scheduled within the next several months.

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5. Koyukuk River Tribal Task Force v. Rue (Alaska Superior Court No. 4FA-99-561 and 4FA-00-777 (Fairbanks, Judge Greene); our file nos. 221-99-0630 and 221-00-0677; Koyukuk Tribal Task Force's attorney: Michael Walleri; state's attorney: Kevin Saxby). The seven village councils of the Koyukuk drainage have sued to obtain injunctive relief, requiring the Board of Game to make further

findings as to the harvestable surplus and amounts reasonably necessary to provide for subsistence uses of moose, to eliminate or restrict nonsubsistence uses of moose in the area, and to require the department to implement an emergency closure of nonsubsistence uses until the desired regulatory scheme is in place. The trial court granted the state summary judgment because the tribal task force failed to exhaust administrative remedies. Following the Spring Board of Game meeting, at which Koyukuk moose issues were decided, the Tribal Task Force has filed a new, nearly identical, complaint. Summary judgment briefing is now being done.

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6. Cigna Insurance Co. & Native Village of Mekoryuk, et al. v. Moses, (Alaska Supreme Court No. S-08908/08918; state's attorney: Judy Rabinowitz; appellants' attorneys: Mark Figura & Tom Batchelor; appellee's attorney: Erling Johansen). This case is before the Alaska Supreme Court on interlocutory petitions for review of a superior court decision that the Native Village of Mekoryuk is not validly recognized as a tribal government. The superior court reversed and remanded the Alaska Workers Compensation Board's determination that it lacked subject matter jurisdiction over a widow's workers compensation claims against the Native Village of Mekoryuk and its commercial enterprise because of the tribe's sovereign immunity from suit which had not been waived. The state filed an amicus brief in support of the petitions for review urging that the court clarify the state law on the status of federally recognized tribes in Alaska. The petitions were granted and briefing was

completed. However, the parties reached a settlement and the appeal was dismissed.

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7. Leuthe v. State of Alaska (Alaska Supreme Court No. S-09343; Alaska Superior Court No. 3HO-98-62 Civ. (Judge Brown); our file no. 221-99-0173; state's attorney: John Bakær; plaintiff's attorney: C. Michael Hough). Plaintiff alleges he was wrongfully denied a Cook Inlet drift gill net entry permit for commercial fishing of salmon. Plaintiff argues that his application was three years late due to "misadvice" by a state employee and therefore his application should be accepted. The state's position is that he was given good advice, not "misadvice", namely that he doesn't have enough points to qualify for a permit. The permit was, therefore, rightfully denied. Leuthe filed an opening brief and the state filed its opposition. On August 20, 1999, the superior court issued a memorandum decision upholding the CFEC, without waiting for Leuthe to file his reply brief. Leuthe appealed to the Alaska Supreme Court, and briefing was completed on August 30, 2000. As Leuthe did not request oral argument, the case is awaiting decision.

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8. Greenpeace, Inc. v. State (Anchorage Superior Court. No.

3AN-99-3350 Civ. (Judge Reese); our file no. 223-99-J408; state's attorneys: Lisa Weissler, Larry Ostrovsky, Mike Barnhill; Greenpeace's attorney: Nancy Wainwright; Intervenor BP's attorney: Jeff Feldman). Greenpeace filed an administrative appeal of the state's coastal program consistency determination for BP Exploration's Northstar Project. BP was granted intervenor status in the litigation. Briefing is complete, and oral argument was held September 7, 2000. A decision is pending.

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9. [Greenpeace v. Alaska Dep't of Natural Resources](#) (Anchorage Superior Court No. 3AN-00-3648 Civ., our file no. 221-00-0613; state's attorney: Rob Nauheim; Greenpeace attorney Nancy Wainwright). Greenpeace has appealed the Department of Natural Resources' decision to lift an automatic stay of the department's decision to issue a temporary water use permit for water used on the Northstar oil development project. Briefing will begin in December 2000.

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10. [Greenpeace v. Alaska Dep't of Natural Resources](#) (Anchorage Superior Court No. 3AN-00-3415; our file no. 221-99-0860; state's attorney: Rob Nauheim and Larry Ostrovsky; Greenpeace's attorney Nancy Wainwright. In October and November, 2000, superior court judge, pro tem, Sigurd Murpny remanded two water permits to the Department of Natural Resources for additional

review. The permits had been issued to BP (Alaska) Exploration (BPXA) for oil development at the Northstar field. Judge Murphy ruled that the department must provide Greenpeace an opportunity for an administrative appeal of the department's decisions on several legal issues related to a certificate of appropriation for oil development at Northstar. Judge Murphy also ruled that the department's issuance of a temporary water use permit to BPXA was not permissible without conducting public notice of the decision to issue the permit or conducting a review of the application under AS 46.15.080. The matter is now before the agency.

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11. [Cook Inlet Keepers v. State of Alaska Office of Management and Budget, Div. of Governmental Coordination](#) (Superior Court. No. 3AN 99-3482 Civ. (Judge Card); our file no. 223-00-0140; state's attorney: Lisa Weissler; appellant's attorney: Trustees for Alaska). Cook Inlet Keepers appealed the state's final coastal program consistency determination concurring with Forcenergy's certification that installation of an exploration drilling platform in Cook Inlet is consistent with the coastal program. The superior court ruled in favor of the state. Trustees have appealed to the Alaska Supreme Court. Appellant's brief is due December 22, 2000.

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12. [Haida Corp. v. Patrick Galvin, Director, Division of Governmental Coordination, Office of Management and Budget, Office of the](#)

Governor, State of Alaska (Superior Court. No. 3AN 99-3455 Civ. (Judge Souter); our file no. 223-00-0052; state's attorney: Lisa Weissler; appellant's attorney: Cynthia Pickering Christianson). Haida Corporation appealed the state's final consistency determination that imposed stipulations on Haida's proposed hydroelectric project in Southeast Alaska. Haida objects to two of the stipulations, one related to screen size and the other to instream flow requirements. Haida has requested a stay of the appeal pending issuance of the FERC license. The FERC license issued October 24, 2000. Haide is requesting another stay pending issuance and agency administrative appeals of state permits.

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13. Crivello v. State, CFEC (Kenai Superior Court No. 3HO-99-159 Civ. (Judge Brown), our file no. 221-00-0144; state's attorney: John Baker; appellant's attorney: C. Michael Hough). In this Rule 601 Administrative Appeal, Crivello claims the CFEC erred in denying him a limited entry permit for the Bristol Bay drift gill net salmon fishery. The appellant alleges that the CFEC improperly measured his "income dependence" on the fishery, and denied him due process by ruling, on reconsideration, to grant a third hearing on his claims. On August 21, 2000, the Superior Court affirmed the Commission's decision in all respects. On September 18, Crivello appealed to the Alaska Supreme Court. The briefing schedule is pending.

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14. Kenai Peninsula Borough v. State. Dep't of Natural Resources (Superior Court No. 3KN-00-30 Civ. (Judge Neville); our file no. 221-00-0444; state's attorney: Rob Nauheim; borough attorney: Holly Montague). The Kenai Borough challenges the state's reporting of the Quartz Creek Trail to the state legislature as a qualifying RS 2477 route under AS 19.30.400(b). The parties are engaged in settlement discussions and have moved the court for a stay until December 2000.

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15. Alaska Trademark Shellfish. Zaugg. et al. v. ADF&G. Commissioner Rue. and various ADF&G employees (Alaska Superior Court No. 1KE-00-211 Civ. (Judge Thompson); our file no. 223-01-0122; state's attorneys: Shannon O'Fallon and Steve White; appellants' attorneys: Bruce Weyhrauch and Clifford Smith). ATS sued for injunctive relief and damages over the Department of Fish and Game's alleged refusal to issue a decision on pending aquatic farm operating permits to geoduck farmers. Given the complicated nature of the issues involved with permitting aquatic farms in areas where there were large quantities of wild geoduck clams, ADF&G wanted to promulgate regulations before acting on the permits. ATS and the state reached an agreement for a date certain for issuing a decision which halted the original action. The department developed principles for issuing permits and drafted permits for the applicants to sign, but the aquatic farmers were not willing to abide by the permit conditions, leaving the Commissioner no choice but to deny the applications. ATS and five other applicants appealed to

Subject: A Leftist Legacy

Date: Fri, 26 Jan 2001 14:04:38 -0900

From: Eddie Grasser <Eddie_Grasser@legis.state.ak.us>

Organization: Alaska State Legislature

To: David Stancliff <David_Stancliff@legis.state.ak.us>

CC: Jennifer Yuhas <Jennifer_Yuhas@legis.state.ak.us>

For those who think liberal Dem's aren't overbearing totalitarians.



DRUDGE REPORT

XXXXX DRUDGE REPORT XXXXX WED JAN 24, 2001 18:51 ET XXXXX

WHITE HOUSE OFFICES LEFT 'TRASHED': PORN BOMBS, LEWD MESSAGES; LEGAL PROBE CONSIDERED

****Exclusive Details****

The Bush Administration has quietly launched an investigation into apparent acts of vandalism and destruction of federal property -- after incoming Bush staffers discover widespread sabotage of White House office equipment and lewd messages left behind by previous tenants!

Harriet Miers, 55, Assistant to President Bush and staff secretary will be investigating possible legal ramifications of the White House trashing and possible theft, the DRUDGE REPORT has learned.

"Miers is just beginning her investigation," a well-placed source said late Wednesday from Washington. "The level of the trashing is very troubling, this is not just 'W' keys missing from keyboards."

The damage left by departing Clintonites goes "way beyond pranks, to vandalism", said a close Bush adviser.

White House employees aren't waiting to be interviewed by Miers. They are providing names of the worst malefactors, previous occupants of specific offices.

Photographic and audio evidence is being collected -- as the full scope of the damage becomes clear.

Bush's staff has been cautioned not to go public with the extent of the damage and the worst is being closely held among very top staffers for fear of leaks. But, according to sources, so far Bush officials have found:

*Phone lines were cut, rendering them inoperable.

*Voice mail messages were changed to obscene, scatological greetings. One Bush staffer had his grandmother call from the Midwest. She was horrified by what she heard on the other end of the line.

*Many phone lines misdirected to other government offices.

*Desks found turned completely upside down and trash deliberately left everywhere.

*Computer printers that were filled with blank paper but interspersed with pornographic pictures and obscene slogans that would be revealed only as items were run off the computer.

*'W' keys weren't just pried off more than 40 keyboards, some were glued on with Superglue; some were turned upside down and glued on.

*Filing cabinets glued shut.

*VP Office space in the Old Executive Office Building found in complete shambles. Mrs. Gore had to phone Mrs. Cheney to apologize, first reported by Rich Galen's Mullings.

*Lewd MagicMarker graffiti found on one office hallway.

Separately, the WASHINGTON TIMES reported that Air Force One was "stripped bare" during the former president's "official" farewell flight to New York on Inaugural Day.

All the plane's porcelain china, silverware, salt and pepper shakers, blankets and pillow cases -- most of it bearing the presidential seal -- were taken by Clinton staff, a military steward told the paper.

Developing...

Reports are moved when circumstances warrant
<http://www.drudgereport.com> for updates

FAX TRANSMITTAL

FROM: Frank Richards Richards & Sons Inc.
Phone 907-747-3355 Fax 907-747-6535
Jay Kassner K & R Enterprises Inc.
Phone 907-345-6535 Fax 907-345-8244

DATE: January 22, 2001

RE: President Clinton's move to make the Tongass National Forest roadless

This letter is intended to make comments concerning President Clinton's attempt to designate the Tongass National Forest as a roadless area.

We encourage you to sponsor and support legislation or initiatives which will require the State of Alaska to take an active role in overturning the Tongass National Forest Roadless initiative. This initiative is a strictly political ploy and is not based on facts or policies required to be adapted by the U. S. Forest Service under the Multi-use provisions in Federal law.

Prior ANILCA legislation stated that there would be no further change's or restrictions placed on the Tongass National Forest. President Clinton's move to designate the Tongass as a roadless area will further decrease property values and cause the economy of Southeast Alaska to further deteriorate.

During the past forty years, many southeast communities and individual businessmen made decisions to make large investments in infrastructure based on on-going long term timber harvest contracts as well as continued multi-use of the Tongass National Forest. The K & R Office Building in Sitka is a case in point. We built a large state-of-the-art office building for the U. S. Forest Service in Sitka. Attached is an assessed valuation chart showing a drop of over six hundred thousand dollars on our property from 1993 to 1994. This is the period when ALP's long-term timber contract was illegally voided by the Clinton administration.

As you are no doubt aware, the U. S. Forest Service has dramatically scaled back their mission in Southeast Alaska. We anticipate that we eventually will be left with a building for their specific purposes and no tenant to cover ongoing costs. If our building were located in Seattle or Portland we could most likely find another tenant. However, that is not the case and we will be left "holding the bag" when the U. S. Forest Service departs Sitka.

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We believe it is only equitable that the State of Alaska, local communities and business should be justly compensated for the termination of the timber contracts and the on-going lockup of the Tongass National Forest. We urge you to join in on ALP's suit against the Federal government and to assist local communities, business and individuals to join as damaged parties to any actions taken.

We encourage you to start a public relations campaign to provide people outside Alaska with accurate information regarding the Tongass and ANILCA. This is desperately needed to counteract the massive effort by outside environmental groups set on destroying the economy and livelihood of Southeast Alaskans.

We also encourage you to start an economic development commission to assist Southeast Alaskans during the transition from a resource based economy to an economy based on sight seeing excursions. Low interest or zero interest loans should be provided to assist residents and businesses in Southeast Alaska during the difficult times to come.

ATTACHMENTS: Assessed valuation K & R Building from City
& Borough of Sitka, assessors office
Fact sheet on Tongass National Forest


Tongass Forest Facts

- The Tongass National Forest spans 16,883,000 (17 million) acres.
- There are 5,721,733 (5.7 million) acres within the Tongass National Forest that are Congressionally designated Wilderness Areas and National Monuments. That accounts for 34% of the Tongass. No logging is allowed in these areas.
- For each acre of the Tongass that is managed for timber production, there are 8.5 acres of land designated by Congress as Wilderness. This land can never be logged.
- There are 9,933,000 (9.9 million) forested acres in the Tongass and 6,949,000 (6.9) acres of the Tongass are not forested. That means 58% of the Tongass is covered by trees and 41% is covered by rock, glaciers, water, etc.
- Of the 9.9 million acres of trees on the Tongass there are 4,233,455 (4.2 million) acres that have been deemed by the land manager, the Forest Service, "non-productive" timber lands. So 43% of the forested acres on the Tongass are "non-productive" which means they are either lands not capable of growing commercial wood, or land physically unsuitable for reasons such as steep slopes, some land has not yet been evaluated, and some land has been withdrawn from land use designations allowing timber harvest.
- The remaining forested acres comprise the area where timber harvest may be planned. There is 3,700,000 million acres in the "commercial forest" of the Tongass. That accounts for 37% of the forested acres of the Tongass, or 22% of the entire Tongass.
- The Tongass Land Management Plan revised in 1999 plans to harvest timber from 576,000 acres from the commercial forest of the Tongass over a 200 year rotations. That means that less than 10% the forests in the Tongass will be cut in the next 100 years - a mere 3.5% of the entire Tongass is available for timber management, which

- The Tongass is roughly the size of the entire state of West Virginia.
- The current status of fisheries resources on the Tongass is unequalled anywhere in the world.
- The combined Southeast Alaska fish habitat and harvest goals set by fisheries biologists in the late 1980's for the year 2000 have already been surpassed by 145 percent.

-
- The new Tongass Land Management Plan provides for maintaining deer habitat capability sufficient to sustain wolf populations and current levels of human deer use.

- The importance of the beach and estuary buffers to a variety of ecological functions is well established. The current TLMP establishes 1,000 foot no harvest zones along beaches and estuaries to protect important habitat for deer, goshawks, marten, brown bear and bald eagles. The 1,000 foot no harvest zone along the coastline is in addition to the millions of acres of forested lands in Wilderness and Habitat Conservation Areas, where no logging is allowed.
- When President Theodore Roosevelt created the Tongass National Forest in 1907 he did so with the utmost wisdom. Roosevelt was way ahead of his time, recognizing as early as 1903 the importance of multiple use. "...First and foremost," President Roosevelt explained, "you can never afford to forget for a moment what is the object of our forest policy. That is not to preserve the forests because they are beautiful, though that is good in itself, nor because they are refuges for the wild creatures of the wilderness, though that too is good in itself; but the primary object of our forest policy, as the land policy of the United States, is the making of prosperous homes."

-
- Of the 9.9 million forested acres in the Tongass, 8.3 million will remain closed to timber access and harvest. Under the current TLMP this is correct. However, this number could change and not all areas within that 8.3 million acres are permanently protected from timber harvest activities.
 - It's a tricky thing to talk about how much forest land is "unavailable." It is tricky because its definition varies. That number may or may not include all sorts of different factors.
 - There are 731,000 acres identified in TLMP as suitable for scheduling the expected 576,000 acres of harvest over the next 200 years (rotation). That's less than 1% of the forested acres of the Tongass.
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cat

**House Joint Resolution 6
Opposing the Roadless Rule**

Testimony before the Alaska House Resources Committee, January 24, 2001

Mr. Chairman, members of the committee, thank you for the opportunity to testify today. For the record, my name is Rachael Moreland, and I am the Associate Director of the Alaska Forest Association. The Alaska Forest Association (AFA) is the forest products industry trade association for Alaska and we represent about 90 small businesses in the forest products sector.

The Alaska Forest Association strongly supports HJR 6 and we urge the committee to move it to the floor as soon as possible. As you already know, the timber industry, and in turn the communities of Southeast Alaska, have already been badly damaged by imposed federal actions. Further withdrawal of roadless areas and prohibition of entry into those areas will have a detrimental, perhaps even a fatal effect on the small remaining sawmill industry.

The net effect of the roadless area withdrawal on the Tongass National Forest is particularly drastic. While the Forest Service touts the net impact of the Roadless rule to be a mere 2 percent of the nation's land base; the rule effects 31 percent of all national forest lands. In Alaska, the Roadless rule withdraws an additional 67 percent, or 15 million acres, from the Tongass and Chugach National Forests.

In addition to severely restricting roaded access to Alaska's National Forests, the Roadless rule reduces the land available for scheduled timber sales on the Tongass from 576,000 acres to approximately 311,000 acres. This is an extremely small parcel of land which is certainly not large enough to support the existing industry, much less the re-development of a "sustainable, value-added" forest products industry.

With respect to the Chugach National Forest, 99 percent of that forest is roadless. The Roadless rule prohibits all new transportation infrastructure in the Chugach without the benefit of a public planning process specific to that forest. 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 actively involved in the Chugach planning process. We believe that process, and similar processes provided for by law (namely the NFMA), are the proper venues for land use allocations in our national forests.

Furthermore, inclusion of Alaska's national forests – the Tongass & the Chugach – in the roadless rule violates the "no more" clause of the Alaska National Interest Lands Conservation Act. The rule is inconsistent with existing forest plans, especially in light of the latest revisions of the Tongass Land Management Plan. HJR 6 correctly states that the roadless rule creates de facto wilderness without Congressional action or approval. The state is correct to demand that the "no more" clause of ANILCA be honored.

Concurrently (actually the day before, January 4), the Forest Service issued new regulations on their Transportation Policy which, when combined with the Roadless rule, creates a one-two punch for management and stewardship for the entire national forest system, not just the roadless areas. They are building a wall around 58.5 million acres with the Roadless rule, and then, with the Transportation policy, making it all but impossible for local land managers to do their jobs. They have made the road building and maintenance procedures intentionally onerous so as to effectively make the remaining national forest lands subject to similar extreme restrictions. These two policies when combined cover every inch of our national forests. The implications of this policy are devastating for the 38 million acres of our national forests at risk to wildfire and the 28 million at risk of insect and disease.

The government's withdrawal of roadless areas is bad for ALL national forests, it is bad for the American public, and is particularly bad for Alaska. There is widespread opposition within Alaska to this Roadless rule and the Alaska Forest Association urges the legislature to join that chorus with a loud voice.

Again, Mr. Chairman and members of the committee, thank you for the opportunity to testify today. I would be happy to answer any questions regarding AFA's support of HJR 6.

Subject: [Fwd: HJR 6]

Date: Thu, 18 Jan 2001 18:04:50 -0900

From: Eddie Grasser <mtman@alaska.net>

Organization: Hunter Heritage Foundation

To: Eddie_Grasser@legis.state.ak.us

Subject: HJR 6

Date: Thu, 18 Jan 2001 12:49:58 -0900

From: "Tina Cuning" <tina_cuning@fishgame.state.ak.us>

To: "Grasser, Eddie" <mtman@alaska.net>

Eddie:

Per your request I've taken a quick look at HJR 6 to see if the ANILCA cites are accurate reflections of law. The simple answer is yes, they are relatively accurate, at least in spirit. There is some wordsmithing and doublechecking that would improve its accuracy to ward off nitpickers, particularly regarding the so-called "no more clause" in Sections 1326(a) and (b).

I've broken my suggestions into two areas:

1. The "No More Clause"--there are actually multiple sections of ANILCA that say "enough is enough".

* Consider adding before the 3rd Whereas:

"WHEREAS adoption of the roadless policy in Alaska defies Congress' findings and statements of intent in the passage of the Alaska National Interest Lands Conservation Act (ANILCA), wherein the "Purposes" of the Act Section 101(d) states:

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 satisfaction of the economic and social needs of the State of Alaska and its 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)

[For brevity sake, I would only include the bolded section; and with ANILCA spelled out in the above Whereas, it won't need to be spelled out in the one discussing Title VII in the current 4th whereas.]

* ANILCA Title VII has been amended, thus consider inserting another Whereas between the 3rd and 4th, or insert the following language in the beginning of the 4th, e.g.,:

"WHEREAS ANILCA 703(a) established 14 wilderness areas in the Tongass and the Tongass Timber Reform Act of 1990 amended ANILCA with an additional 5 wilderness areas in the Tongass."

(The 7th Whereas also refers to the Timber Reform Act, so these "whereas's" would be better in sequence, but also OK as written.)

* The 5th Whereas could use some tweaking because in fact 1326(a) does allow withdrawals greater than 5,000 acres IF noticed in the Federal Register and to Congress (which the administration did), but then is only in effect for

one year unless approved by Congress. So basically the Policy is legal in that they did the notices but only for one year. HOWEVER, it's clearly contrary to the spirit and intent of Section 1326. The addition of the underlined phrase and changing the word "prohibits" to "limits to one year" would help. OR, try a rewrite such as

"WHEREAS adoption of the President's roadless policy is contrary to the spirit and intent of ANILCA Section 1326(a), which limits the effect of executive branch actions that lack approval of Congress to withdraw more than 5,000 acres, in the aggregate, of public lands within Alaska to only one year."

* The 6th Whereas addressing 1326(b) needs the word "single" inserted before "purpose" and at the end, after "purposes" add ",unless authorized by Congress". Clearly the roadless policy was a single purpose study!

2. de facto wilderness by lower-48 standards. ANILCA both protected inholders rights and rights for future roads and utility corridors in conservation system units. The roadless policy prohibits those rights on regular forest lands as well as the monuments and wilderness areas.

* Consider adding:

"Whereas Congress believed they had completed reviews of wilderness and other special designations in the Alaska national forest lands but recognized the need for a thorough review of the refuges and park lands, ANILCA Section 1317 specifically directed the Secretary of the Interior to review the suitability of all the park and refuges lands not designated wilderness under ANILCA but similar authorization was not granted to the Secretary of Agriculture."

* The 16th Whereas referring to inholders could be beefed up in its reference to ANILCA, e.g.,:

"WHEREAS ANILCA Section 1110(b) specifically directs the Secretary shall authorize under reasonable regulations such rights as may be necessary to assure adequate and feasible access for economic and other purposes to State and private owners or occupiers of lands within or effectively surrounded by conservation system units, and ANILCA Section 1323(a) similarly provides for access across remaining forest lands for inholders, such rights will be virtually obviated under the President's policy thereby diminishing property and business opportunities Congress intended to protect;"

* Consider adding something which addresses the transportation and utility needs such as:

"WHEREAS Congress recognized the poor infrastructure in Alaska, thus specifically provided a process in ANILCA Sections 1105 and 1106 for approving the construction of needed transportation and utility systems in conservation system units, including wilderness areas with congressional approval. Adoption of the President's roadless policy prevents Forest administrators to act on applications, thus summarily overturning the Congressional provisions of ANILCA to meet access needs between villages and for community utility developments."

* Also consider that Section ANILCA Section 1109 states "Nothing in this title shall be construed to adversely affect any valid existing right of access." The state has adopted legislation which accepts the grant of public rights of way under RS 2477. If the roadless policy does not recognize or include similar language as 1109, we likely will have difficulty with the Service over the use and improvements of these roads, trails, and section line easements. I have not had time to study the final to see if this also needs to be included in any congressional action or litigation.

Regardless of whether the policy includes exceptions for administrators to recognize some of these rights under ANILCA, the entire policy circumvents the planning processes directed by existing law.

People need to be aware that the Forest has policies in place now that require them to de-road existing roads under excuses such as no money for maintenance. Thus even where small trails/roads are used for public access, the service is tearing out bridges and trails so the area qualifies as "roadless". For example, many old forest roads in the Tongass have inadequate culverts for fish passage. These roads have been in place for decades and are used for recreation, hunting, trapping, general outdoor activities but will be declared roadless due to the need to tear out the culverts for fish passage.

The issue of whether adoption of the roadless policy violates public process is bereft with circular reasoning. Some argue that the majority of the public favors the roadless rule. The argument is moot. Laws currently on the books provide certain public processes for land management decisionmaking. Laws also provide Congressional protections for management of those lands including access, economic opportunities, etc. It doesn't matter what percentage of the nation supports administrative proposals that violate congressional direction-public process cannot turn congressional statutes on their head. It is incongruous that federal agencies put management options on the table for the public to consider that are not consistent with congressional direction or implementable without congressional action.

Hope this helps.

50 Front Street, Suite 203
Ketchikan, Alaska 99901
Phone: 907-225-9675
Fax: 907-225-8546

STATE OF ALASKA
Legislative Information Office



Fax

RSRCS *ATTN* *RESOURCES*

To: *Management Cmte* From: *KTN-LIO*

Fax: *465-1822* Date: *01-25-01*

Phone: Pages: *(7)* *INC. COVER*

Re: *PLEASE ENTER THIS DOCUMENT INTO THE RECORD*
FOR YESTERDAYS MEETING ON HSRB.
Thanks!

JAN 25 REC'D
Yesterday's
testimony
Faxed
from Ketchikan
AY

12/10/00

To whom it may concern:

My name is Mike Sallee. I was born in Ketchikan and attended grades K-12 at Ketchikan schools. Except for close to ten years spent at Anchorage, Fairbanks, or points between those cities going to school or serving in the military, I've lived and worked out of Ketchikan most of my life.

As a deckhand I've worked since the early sixties in some form of commercial fishing between Monterey in California to Akutan and Bristol Bay in Southwest Alaska. In the mid to late sixties I saw much of Southeast Alaska from Lynn Canal in the north, to Prince of Wales Island in the west, to Dixon Entrance at the Alaska Panhandle's southern end, during numerous salmon packing trips from SE Alaska to Seattle. I've spent several weeks to months of each of the last two decades longline deckhanding for black cod, halibut, and rockfish along the coast from SE Alaska to SW Alaska.

I also currently harvest and sell lumber sawn on my own small sawmill.

Although my brother, a career logger, has done about every job in the woods from pulling whistle wire to yarder engineer to truck driver and loader operator, I've only spent parts of two seasons as a choker setter.

For the last several decades I've watched from the decks of boats, or while hiking or flying, as island after island, watershed after watershed, get stripped of their standing old-growth timber and become converted to road accessed, even-aged tree farms.

Even my brother, ever the logger, expressed dismay at the wholesale clearcutting and export practices of the industry that pushed his small gypo operation out of the picture. He was pushed off Kasaan Island by ANCSA timber interests whose enormous clearcuts totally eclipsed his small A-frame sales there. He mentioned other instances of his small A-frame patches in bays along eastern Prince of Wales being later dwarfed by adjacent grand scale clearcuts. The KP/LP/USFS cartel's strongly implied message was; "If you want to log you'll have to work for us or one of our subcontractors."

The words of a hook tender that I worked under at Neets Bay were among the first that I'd heard mentioning that the timber harvests as done in SE Alaska were not sustainable.

As for roads, there are people in the world who've lived very long and productive lives without benefit of automobiles or roads upon which autos travel. Indigenous people of Southeast Alaska thrived here for centuries without benefit of autos or roads. Furthermore, those Tlingits, Haidas, and Tsimsians thrived while still leaving a legacy of intact old growth forests that we hack down and export with impunity today.

It's distressing that JOBS rather than long term health of that legacy is the battle cry of those who claim to support progress. Those advocates of progress have continually

USDA Forest Service-CAET
Attention: Roadless Areas NOI
PO Box 221090
Salt Lake City, Utah 84122

12/18/99

Please include the Tongass National Forest in the consideration of a roadless policy for large blocks of unroaded areas in national forests.

- 1) The USFS is not adequately maintaining or otherwise dealing with the roads it has already built.
 - 2) The Tongass has already experienced major departures from its historical rural character over the last several decades due to road building. More than enough acreage of the Tongass has already been devoted to roaded, even-aged, grand scale tree farms.
 - 3) The TLMP will be due for revision in another decade. Yet again citizens will be required to respond to a huge federal bureaucracy's obsolete and over-optimistic timber harvest and development mandate.
 - 4) We will never develop small value-added timber operations that, for example, employ small portable mills and helicopter or trail accessed timber sales, as long as the remaining available wood is dedicated to roaded, even-aged, grand scale tree farms. Round log export of incidental species will continue to be the rule as long as we gear timber sales to large wood processing facilities.
 - 5) A development scenario precedent has been established on national forests that is unsustainable and reminiscent of the tobacco plantations of Jefferson's time. In Jefferson's time the landed gentry cleared land, grew tobacco until the soil was depleted, obtained more land, cleared it, planted, moved on, and because land was cheap, profited by perpetuating the cycle. In SE Alaska we see a similar scenario, a management policy that perpetually targets virgin stands of old growth, the difference being we must wait for trees to grow back rather than for soil to renew itself, and the boom/bust cycle hasn't matured to the extremes that it has in the lower 48. Excluding Alaska from a roadless policy will mean the national forests of Alaska will be pressured to provide jobs for people displaced from the lower 48 forests.
- SE Alaska's forests differ from those of the Pacific NW by being naturally more fragmented due to Southeast's island geography, and by having a harsher climate due to its higher latitude.

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R. David Sallee
P.O. Box 9557
Ketchikan, AK 99901

Oct. 20, 1993

U.S. Senator Ted Stevens

To whomever receives this letter: = **Warning** = This letter is specifically intended only for Senator Stevens' perusal and carries with it the explicit demand that I receive a **PERSONAL** reply from Senator Stevens and no other. If I don't receive a reply to this letter from Senator Stevens within a reasonable time frame this letter will go public to local and regional newspapers as well as other parties, whom I believe will be quite interested in the contents herein as well as my experience with the Senators' accessibility.....

Dear Senator Stevens:

I, as you can probably tell by the above, am NOT a Happy Camper! I'm in no mood to soft-talk about what I have to say because **I-HAVE HAD ENOUGH!!**

I have been seething ever since I read in the local paper the headline, "House-Senate committee gives broad range for Tongass Sale". After all the time, money, and effort that went into the Tongass Timber Reform Act, the purpose of which was to cut back on the runaway timber industry program here in the Tongass, the issue was decided in a **COMMITTEE** meeting! The article went on to say, "The Tongass timber cutting level has been a perennial battle between the House and Senate in recent years during deliberations on the Forest Service budget". What couldn't be decided by the full contingent of both houses of Congress gets blasted into being by you and a few others. A Great example of the de...ocratic system at its best!!!

With a government like that who needs enemies?

The article also quoted you as saying: "I am still committed to the Tongass Timber Reform Act. If the demand is there it will be cut". In other words, as long as there is a demand for the timber we'll cut it right down to the last stick, won't we?

I sound just like a radical lock-it-up preservationist don't I? One of those *Field and Stream*-reading, bleeding-heart spotted owl reactionary, Teddy Bear-cuddling, TV watching potato-heads who are led by the nose, that sign their names and put their money behind any smooth talking reactionary that tells a good story. Well, surprise, Mr. Senator, I am none of the above.

I am a born and raised lifelong resident of Alaska, so lifelong that I have been out of the country less than ten times during my almost 52 years living here. And I love Alaska. Or I did. I loved Alaska the way it was when I was a kid growing up here; a land full of mystery, a land full of history. A land tailor-made to satisfy the soul of one such as I who am a confirmed individual dedicated to self-sufficiency, living life on his own terms. That was the allure of Alaska, in addition to its incredible beauty, its tremendous bounty, it was a land that challenged a man, requiring the best from him but rewarding him with the best if he made it. It was all here! A man

1 chain saw, and let me tell you, no kid was ever more thrilled with his first car than I was with that
2 chain saw. I had ARRIVED! I was a LOGGER!

3
4 When I was sixteen and other kids were rodding around in their customized cars, chasing girls and
5 generally getting into mischief, I was out in this old slab of a boat with a 4 hp Wisconsin engine
6 with my chain saw, a peavey, a jack, and my little winch getting logs off the beach and taking
7 them into Totem Lumber Co., a small, two-man sawmill who gave me thirty dollars per M for
8 them. I bought a lot of hamburgers and ice cream as well as my "business" needs, but I also bought
9 my school clothes and helped out with the family finances. My mom didn't make much money.
10 During school season I cut firewood on evenings when the weather was good enough to do it, both
11 for our own use as well as for sale. And I didn't need a permit to do it either. Most of the money I
12 made went to help Mom make ends meet.

13

14 And the story goes from there. I worked in the woods for over 26 years before I ever did anything
15 else, and it was like a fish being out of water. For me, there IS no other thing to do.

16

17 I'm not logging now. I've been trying to do other things like pile and dock work and I worked in
18 the local rigging loft for a while where I got to work with brand new cable instead of the gnarly,
19 jaggery, kinky stuff we work with in the woods. I've driven truck. They're just jobs. They're not
20 fun. Logging used to be fun.

21

22 My attitude when I was young, working in the woods, was just like every other loggers'. In 1959,
23 when I got out of high school and into the woods the Ketchikan Pulp Co. had only been cutting
24 timber in S.E. for about 6 years. It was pretty much wide open and what we now know about the
25 forest and the environment we didn't know then. There seemed to be enough timber for everybody.
26 Nobody bid on anybody else's show because there was lots to be found everywhere else.
27 Everybody believed the renewable resource-sustained yield propaganda handed out by the Forest
28 Service and the industry. There had been no Native land selections yet either, nor any rubber-
29 stamped Wilderness Areas and National Monuments. Down below they had "tree farms". Already
30 there were areas that were being logged for the third time. I didn't see the significance there.
31 Because there was so much old-growth in the Northwest as well as this huge land of Alaska, the
32 tree farms sounded like a good idea but they were private timber owners little game, and, of
33 course, everybody knew that second growth timber was vastly inferior to old-growth.

34

35 !But on the whole it seemed that the timber really was a renewable resource; we could see the areas
36 growing back from the previously logged land we believed would provide the next crop. But there
37 are a lot of things we didn't take into account, and from what I've observed, we're still very
38 reluctant to address these issues, or even admit they are issues.

39

40 When I went to work at the K-P camp in 1960 at the age of eighteen, they had the finest of
41 machinery then available. They were running 5 sides plus a cold deck side and they also picked the
42 roadsides with the grapple shovels. In addition they had a couple tractor-mounted "triple-drum"
43 units that were used as spare sides in case of breakdown or when another setting had been logged
44 out and was in the process of moving and rigging up, a process that could take from one to three
45 days. We worked eight-hour shifts then, not your nine- to ten-hour days commonplace today.

46

1 account for the year. Getting out the cut was paramount. Meeting legal requirements and Plan
2 Standards and Guidelines was secondary."
3

4 The bugs are starting to come out of the woodwork Senator Stevens. More and more people are
5 coming with evidence of the duplicity of the various Government branches' wrong-doing. I think it
6 is a good sign, because, I think, the Government has forgotten that it is not the ruler of the people,
7 but rather, that the people are the rulers of the Government. It's about time we put the Government
8 back into "lead".
9

10 In 1992, the two long-term contractors enjoyed the use of 298.4 million board feet of old-growth
11 high volume/high grade wood at a net loss to the taxpaying public of 64.1 million dollars!
12 Essentially, every person who paid taxes that year paid the two companies to clear-cut hundreds of
13 acres of trees with one for sure undeniable effect: those trees are gone and we will not see the likes
14 of them again where they once stood. Another aspect is that virtually none of the product was used
15 by the domestic populace; the average John Doe American citizen saw none of what those trees
16 provided, a substantial portion of which was manufactured into high grade LUMBER PRODUCTS
17 manufactured by Ketchikan Pulp Co at their Ward Cove plant, at Metlakatla's Annette Hemlock
18 Mill, and at Alaska Pulp's subsidiary, Wrangell Forest Products' mill. With very little exception, all
19 was exported to Pacific Rim markets. The two industrial giants took their profits and ran, leaving
20 not only a wounded environment, but a 64.1 million dollar deficit in OUR wallets. We would have
21 been better off to have distributed the cash around to all of the participants involved and **LET**
22 **THE TREES STAND!**
23

24 According to a very good book that I have depicting the development of the timber industry from
25 its very inception; in this country, as well as Canada, commercial lumbering began up around the
26 St. Lawrence River in the 1760's with the export of broad-axed square timbers to the West Indies.
27 It didn't take long for large, powerful timber entities to evolve and those entities have jealously
28 dominated timber and its use and have ruthlessly crashed and slashed their way through the
29 American forests from coast to coast. The eventual demise of the old-growth ecology, or, I should
30 say, the concept of such a thing has very apparently been given little credence, because the same
31 old attitude prevails today. Dominate at any cost. Snow-job the masses into believing or at least
32 accepting their story that old-growth is "over-ripe" and that second growth is healthier and more
33 productive, and anyway we have TECHNOLOGY! To overcome the vast difference in quality
34 between old-growth and second-growth. TECHNOLOGY!..... In the hands of man it is not so
35 slowly destroying our planet.
36

37 I get the message that [it] doesn't matter to some folks: That economy concerns, balance-of-trade
38 deficits, (and of course, we mustn't forget that the United States MUST CONTINUE to aspire to be
39 the No. 1 World Power), the jobless rate, to name but a very few, totally eclipse any concern for
40 the necessity to retain a healthy, multiple use, sustained yield, old-growth forest ecology, an
41 ecology that would support a host of small individual endeavors like the one I used to have,
42 carefully husbanding the resource.
43

44 My government hears but it doesn't listen. Tremendously valuable input is being handed to our
45 leaders, such as yourself, but, in the end it just goes ahead and does what it damn well pleases
46 anyway!

1 There was life before Ketchikan Pulp and Alaska Pulp and there'll be life after them. I don't believe
2 they are some kind of gods we need to placate continuously with pounds of our flesh or that of
3 future generations.

4
5 They can learn how to tighten up their belts just like the rest of us. Or they can get to hell out.

6
7 I am very much interested in your comments and explanations as to why you have acted in the
8 fashion that you have.

9

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[A sticky note attached to the foregoing reads:]

15

16

To Mr. Dave Katz - or whomever else that this concerns:

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I would like to become more acquainted with your organization, its attitudes and goals. Therefore I
am submitting this copy of a letter for your review. You, I am sure, are well versed in the topical
content. But it will also serve as an introduction as to who I am, where I'm coming from, my
attitude toward the issues, and the motives behind them, as well as my own motives for writing the
letter. I'm interested in your comments.

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23

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Yours,

Dave Sallee

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*Dave has done about every logging job in the woods. From whistle punk at Hollis during pre-
"Talkie-Tooter" days he's set chokers, chased (unhooked the chokers at the landings), been riggin'
slinger, hook tender, yarder engineer on the big log sled-mounted yarders as well as mobile steel
towers, grapple yarders, and skyline/carriage operations. He's been a loader operator and dump
machine operator. He's built several log floats, A-frames, and yarder sleds, been a busheler, boom
man, and high rigger during the wood spar tree days and later on the towers. He's gypped on his
own and worked in several small mom and pop operations. He was a good mechanic and
proficient enough welder to rebuild his own aluminum boat. He has collected quite a few hooks on
logging and has been an accomplished artist and draftsman. I considered him a master at applied
mechanics as it pertains to logging.*

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*Within the last year Dave has been diagnosed with dementia. I suppose those who disagree with
his interpretation of things would accuse him of slipping when the above letter was written. I
would disagree with that assessment. While Dave and I didn't always see eye to eye on some
philosophies I think his understanding of the evolution of forest management was pretty accurate.*

Mike

January 24, 2001

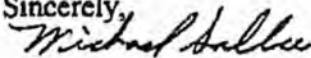
6) Gravina Island, a place I've resided at for at least part of each year since 1956 when I was nine is now on the chopping block for the USFS's grand scale road and clearcut management prescription. Gravina's existing roads consist of those immediately tied in with its airport, the alder-overgrown logging roads extending a few miles from Vallenar Bay, and some short access roads to development near Lewis Reef and some old mining activities in Seal Cove.

My own use of Gravina has primarily been tied closely to the beaches. My numerous inland excursions on foot were primarily subsistence hunting for deer or grouse, or for recreational hiking. It would be difficult to condense forty plus years of activity into a few pages. I learned many skills: field dressing deer and grouse, marksmanship and handling firearms, becoming at ease while alone in the woods, moving quietly in the woods, brushing and blazing my own trails, learning how far I can hike in a day, bag a deer and pack it back to the beach before midnight, identifying waterfowl; scoters, teals, goldeneyes, buffleheads, mallards, sandpipers, snipes, herons, as well as hawks, geese, and swans. I learned balancing on floating logs, sawing and splitting firewood, climbing trees, pulling stumps, small boat handling, outboard motor operation and maintenance, how fuel hoses can become clogged with ice in freezing weather, how to navigate in fog, storm, and darkness, and what happens when you try to mount a 15 horsepower outboard motor on the unbraced transom of an eight foot homemade plank dinghy. Ad infinitum.

Perhaps I need to realize I was blessed to have experienced the freedom of a time and place unencumbered by contentious ownership and activities. Much of the freedom is still there in the heart of Gravina's 63,000-acre wilderness in Ketchikan's front yard, but I'm seeing few restraints to privatization for profit being advocated by my local, state, and federal government.

I'm not averse to cutting timber on Gravina, I own a sawmill and recognize a future need for wood for myself and the community around me. But given the plethora of roads on POW, Annette, Revillagigedo, and all other major islands in SE Alaska I would advocate a much more conservative development scheme for Gravina. Keep the 40 million board feet available for harvest on the 1800 acres but parcel it out at the rate it grows, about 300bf/acre/year. If the wood is there people will figure out how to get it without roads. No more roads on Gravina. Limit that variety of access, development, and urbanization to the islands where it's already occurred. Thank you.

Sincerely,



Mike Sallee

PO Box 7603

Ketchikan, AK 99901

argued that the technology available to us does not allow us to enjoy healthy economies by keeping the old growth qualities of our surroundings intact.

Even more exasperating, we're relentlessly reminded that we cannot live healthy, productive lives in SE Alaska without being kept on a federal welfare umbilical, i.e., substantial infusions of federal dollars to keep our economy running. A vicious myth persists that large, road-accessed clearcuts must be perpetuated in order to afford education and maintain our ties to the land.

My mother homesteaded twenty six acres on Gravina Island in the late fifties. I was nine when we started our annual spring migrations by fourteen foot skiff to the remote site. As I grew older I learned to hunt and spent many hours hiking the hills, muskegs and beaches of Gravina. I've dive-harvested geoducks, sea urchins, and sea cucumbers from Gravina's subtidal shores.

Now that Prince of Wales, Revillagigedo, and other parts of Southeast Alaska have either been worked over by logging or placed off limits to logging, Gravina remains one of the last large unroaded landscapes on which to deploy the great roaded timber sale layout machine that brought loggers to Southeast by droves in the last forty-some years. Yes, Gravina is on the chopping block for not only the USFS but also state and private interests. While there's some effort by the different timber stakeholders to coordinate their efforts in timber extraction, I haven't seen much agency interest or initiative toward leaving the island in an unroaded condition.

With the foregoing comments I hope it's clear how profoundly the place in which I live has colored my thinking about that place. I am a part of that place and it is a part of me. I have an emotional stake in this place I've called home. That stake is apparently not shared by many others who have immigrated here. It's an emotional stake apparently unrecognized even by some who were born and/or grew up here.

Thank you.



Sincerely,
Mike Salleg



GATEWAY FOREST PRODUCTS

January 24, 2001

TO: House Resources Committee

RE: GFP Testimony supporting House Joint Resolution No. 6

Madam Chairman and distinguished Committee members:

My name is Cliff Skillings and I am testifying today on behalf of Gateway Forest Products and its 149 full time employees, urging you to support HJR 6 and seek expedited passage of this important Resolution.

Gateway Forest Products is a company of full time, year round employees operating a production Sawmill, a veneer mill, an operational sort yard and an industrial complex. Our mission is to provide a manufacturing process that best utilizes the lower quality sawlog from the Tongass and adds to the new integrated independent wood processing industry in Southeast. We are active participants in the Forest Service's independent/SBA timber sale program and rely on its continued existence at a level that supports not only our mill, but also the other independent wood products facilities located in Southeast.

The Clinton Roadless Initiative fails to recognize the fact that significant management initiatives have been applied to the Tongass. These include the Alaska National Interest Lands Act (ANILCA), the Tongass Timber Reform Act (TTRA) and continuously updated versions of the Tongass Land Management Plan (TLMP). Every one of these received a high level of commitment from regional Department of Agriculture employees, local citizens and time commitments from the United States Congress relative to ratification. In the 8 years of the Clinton Administration, Southeast Alaska has seen an ASQ that dropped from 550 million board feet (mmbf) to 267 mmbf (1997 TLMP ROD) to 187 mmbf (1999 TLMP Lyons ROD) and the loss of two production pulp mills and various independent sawmills.

This latest initiative offers no science but rather an emotional plea from national special interest groups and legacy opportunity for an outgoing Administration. You have heard the best probable numbers should this Initiative be applied to the Tongass: 50 mmbf board foot maximum harvest, further decrease in the manufacturing base in the region, etc. All of this is correct. Our present industry of 7 small independent sawmills will surely be decreased to two with implementation. Our veneer mill, although being able to

ADMINISTRATION
P.O. BOX 770
Ward Cove, Alaska 99828
907-247-1647
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INDUSTRIAL/MARINE
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Ward Cove, Alaska 99828
907-247-1651
907-247-8660 (Fax)

MANUFACTURING
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907-228-0126
907-228-7824 (Fax)

**GFP Testimony on HJR 6
House Resources 01/24/01**

run on one shift in this scenario, will do so at the cost of our sawmill that may at best operate on a part time basis if the supply is available.

The Tongass is fully capable of supporting a viable timber manufacturing industry to the ASQ stated in the 1997 TLMP decision and then condoned by the Governor that same year. This ASQ decision of 267 mmbf provides a level of harvest that maintains year round, family supporting jobs, healthy local economies and an industry that has the ability to plan ahead for operations and make investments in manufacturing processes.

Under present land management plans and historical legislative actions, areas identified as environmentally sensitive are protected. In actuality, the industry is already limited as to areas it can access and the quality of timber that can be extracted. Numerous areas that are available for harvest and have high volume/quality timber are inaccessible due to Habitat Conservation Areas (HCA) set around the profitable timber, giving industry access to the lower quality timber and allowing the higher volume HCA classified stands to blow down in these small, exclusive set asides.

The Roadless Initiative also ties the hands of land managers in the future relative to forest practices to improve forest health and denies access of our resource rich region to those visitors who may be bound by physical limitations and wish to see it first hand.

In closing, I do not believe that a "majority of Alaskan's" support this action as you may hear in opposing testimony. Local representation is hardly met by visitors who may sign a prewritten post card after being coerced into signing. Significant locals submitted letters and memos of opposition to the Clinton Administration relative to this Initiative and I do not believe that one can base the opinion of the region by those who chose to stand at microphone.

Gateway Forest Products and the timber industry of Southeast Alaska can ill afford to be subject to additional inaccessibility to the resource due to management decisions based on emotional appeals over sound science. We adamantly support your actions to ratify HJR6, opposing the Roadless Initiative and supporting the Governors litigative efforts, and hope that you do so in an expeditious manner.

**Testimony of Loren Gerhard, Executive Director, Southeast Conference
House Resources Committee 1/24/01**

I will speak mainly to the issues in the Tongass National Forest, as those are the ones I am most familiar with, as our organization focuses on issues in Southeast Alaska, although some of this applies to the Chugach National Forest as well. Southeast Conference and the Southeast Conference of Mayors are very concerned with the negative impacts the ex president's action will have on our regional economy. We are still trying to deal with the impacts from the dramatic 75% decline in the timber industry occasioned by the Tongass Land Management Process. The future impacts of the Roadless designation, if it remains intact, will deal a death blow to that once significant portion of our regional economic base.

Over 96% of the total area of the Tongass National Forest was protected from further development before the Roadless proposal. The Roadless designation reduces available timber harvest on The Tongass National Forest by 2/3rds, to an amount which cannot even support the single veneer plant in Ketchikan, a valiant effort by business and the community of Ketchikan to salvage some kind of timber industry there. There are twelve sawmills operating in Southeast Alaska, all under a cloud of unknown future harvest levels. If this administrative action stands, 2/3rds of them will be gone in 5 years. This action will cost the region another 1000 jobs, direct and indirect. The large multinational timber companies are gone, what we are talking about now are Alaskans doing business in Alaska, and they will be put out of work by this action. The environmental advocates asked for a smaller scale, sustainable level of harvest, supporting a scaled back, value added processing industry, and that's what they got. The Roads ban goes way beyond that to an almost non existent industry, way below the known thresholds of sustainability.

The directive is an affront to the legal process mandated in federal law to manage the national forests. It ignores the National Forest Management Act, the law that mandated the Tongass Land Management Plan, which has been in process for over 10 years with 13 million dollars spent on it. The roads ban is the crowning achievement of an administration determined to lock up lands without the consent or involvement of the U.S. Congress.

Advocates for the roads ban reference heavy support in Alaska for this proposal, citing percentages of attendees at public meetings held in the state

last summer. The Forest Service never measured those percentages, they are self serving estimates by the people in environmental advocacy organizations that packed these meetings with their supporters. There was an all out campaign last summer across the country, with millions of dollars spent on full page ads in big city newspapers, and millions of prepared post cards, handed out on street corners and in shopping malls to people to send to the white house. It was a well executed effort to create the illusion of broad support across the country, which has never really been proven. In fact, when the directive was signed, an msnbc live poll indicated 53% of respondents were opposed to the president's plan. None of these measures are scientifically valid, and the point is that forest management is mandated by law to be undertaken by a more scientific process, less influenced by mass media public opinion manipulation.

The Roadless EIS clearly shows that the majority of Alaskans do not favor this designation. There are multiple resolutions in Volume 4 from communities all around the state opposing it. You may have some of them in your packet, and I can provide at least 10 resolutions from Southeast communities. It is totally appropriate for the Legislature to go on record opposing this regulatory end run by a lame duck president, seeking to build his legacy. It is yet another example of federal officials taking liberties with people's lives thousands of miles from the beltway, with no regard to the economic consequences or for the process of law. Undersecretary of Agriculture Jim Lyons told us in the Southeast Conference annual meeting in Sitka in fall of 1999, that the resolution of appeals to the 1999 Record of Decision was the final action this administration would take "to provide some certainty with regard to future uses of the Tongass". A month later, Clinton launched the roadless process. 4 times over in the last 20 years starting with ANILCA, the Federal government has promised us "no more" and every promise has been broken. We need to get the message back to Washington that enough is enough.

We applaud the Governor's action in pursuing legal remedies to this injustice, and urge the Legislature to support him in that effort. The former president has no right to ignore laws on the books dealing with forest management, and this directive should be scrapped. Your unequivocal support will help in that effort.

Thank you for the opportunity to speak to this, and I welcome any questions.

**Alaska State Legislature
House Resources Committee**

**Public Testimony On HJR 6
January 24, 2001**

ROADLESS AREAS

Thank you for the opportunity to testify on Resolution HJR 6. For more than two decades, Alaskans have been held to a separate standard from the other 49 states regarding the way the Federal Government has approached the management of lands in Alaska. Each time Alaskans and the Federal agencies have reached an agreement on land management policies in our National Forests, we've been told, "This is it. There will be no more withdrawal of lands". Recently, I served with fourteen other Alaskans on Governor Knowles Timber Task Force. At that time, former Secretary of Agriculture Dan Glickman told the Governor and our task force that the 1997 record of decision should be viewed as a conclusive decision after spending \$13 million and taking eleven years to revise the Tongass Land Use Plan. But as we all know, months later Undersecretary Lyons made wide sweeping changes to the Record Of Decision with no input from the public. Reasonable Alaskans were irked because certain selfish federal bureaucrats had duped us again. At the same time, the Roadless proposal for our national forests was being evaluated across the nation. Alaskans were told both the Tongass and Chugach would be exempt from inclusion because land use plans had just been completed. We know the rest of the story. Not only are we included, but as late as this past December, the effective date was to be the year 2004, but in the end, we were included with the same effective date and the other national forests. This is not a roadless policy for the Tongass. This can only be described as a **dead end** road policy. It is a **dead end** road to the sustainability of a viable wood fiber industry in Alaska. This presidential order brings a **dead end** road to access routes for hydro sites and power line corridors. It is a **dead end** road for funding for local schools that would have come from future timber sales receipts. It is a **dead end** road for entrance into watersheds to access public drinking water systems. It is a **dead end** road for hard surface linkage of our cities and towns. It is a **dead end** road for employment opportunities and further strangles local economies by forcing families to move on to seek other jobs – usually in a completely different field. Sadly and most important, this latest effort is a **dead end**

road for integrity and commitment made to Alaskans by the federal government. When there is no longer any trust in what our federal officials do and say, we are fraying the cords that bind democracy together.

The Governor has every reason to be outraged at this eleventh hour decision. And so should every reasonable Alaskan. The former President's Roadless decision violates numerous federal laws and I trust the Attorney General and other groups will be successful in quickly overturning this action in the courts. It is time for Alaskans to put up a **Dead End** sign to the heavy handed, selfishly motivated and non-involvement in the decision making process by our Federal government bureaucrats. I support the adoption of HJR 6 and commend the legislature for taking a strong stand opposing the Road less policy in Alaska.

However, please allow me to take another minute of your time because the Alaska timber industry desperately needs more legislative help than just the adoption of HJR 6. We are short on resources for fighting the legal battles that are associated with the environmental challenges brought by the well-healed environmental community. In addition, one of the biggest requirements we have is a current and objective report on the supply and demand for Alaska's wood fiber. To be really meaningful, this report must be expanded beyond the typical federal report of industry capacity and annual production. Other independent reports have stated that there is unlimited demand for Alaska type wood products. The constraint is the supply of timber from National Forest Land. For the past decade, these federal reports always conclude that production of manufactured wood products is declining and thus the federal supply of timber from the Tongass and Chugach should be further reduced. When USFS management sets annual harvest volumes using these incomplete reports, the outcome can best be described as sending the industry into a death spiral. We need a fresh in depth look from the state's perspective at the impacts of a shrinking forest products industry upon Alaska's citizens and communities. We must focus on the diminishing opportunity for jobs and the eroding ability for these communities to sustain their local economies. It is a very serious matter and time is of the essence to put forth the real facts about Alaska's remaining wood fiber industry. Thank you for the opportunity to testify this afternoon. I would be happy to answer any questions you may have.

Excerpt from US Forest Service New Release
+ Fact sheet on Roadless Rule 1/4/01

Alaska Roadless Conservation Rule Fact Sheet

page 2



We believe that the Southeast Alaska Electrical Intertie may be built as long as a road is not needed. Recreation and tourism developments that do not require roads could be developed.

“Timber may be cut, sold or removed when appropriate for personal or administrative use (such as firewood cutting) or to implement a management activity not prohibited by the rule (such as building a power line).”

Job Effects: In the long-term (after 5 years), the FEIS estimates that for the private sector, 370 direct timber jobs and 370 indirect jobs on the Tongass National Forest could be affected. It also estimates that 52 road construction jobs could be affected after 5 years and 104 indirectly related to road construction.

We do not know how the new President might influence the decision on the Final Rule. Congress does have oversight authority on new regulations, and within a given time period could vote to over turn a rule, subject to Presidential approval.

We do not know the amount of timber available from land outside the Tongass National Forest that could support the local mills. Both the State Forester and the local Native Corporations could supply estimates.

.....

Dick Koos

**Alaska State Legislature
House Resources Committee**

**Public Testimony On HJR 6
January 24,2001**

ROADLESS AREAS

Thank you for the opportunity to testify on Resolution HJR 6. For more than two decades, Alaskans have been held to a separate standard from the other 49 states regarding the way the Federal Government has approached the management of lands in Alaska. Each time Alaskans and the Federal agencies have reached an agreement on land management policies in our National Forests, we've been told, "This is it. There will be no more withdrawal of lands". Recently, I served with fourteen other Alaskans on Governor Knowles Timber Task Force. At that time, former Secretary of Agriculture Dan Glickman told the Governor and our task force that the 1997 record of decision should be viewed as a conclusive decision after spending \$13 million and taking eleven years to revise the Tongass Land Use Plan. But as we all know, months later Undersecretary Lyons made wide sweeping changes to the Record Of Decision with no input from the public. Reasonable Alaskans were irked because certain selfish federal bureaucrats had duped us again. At the same time, the Roadless proposal for our national forests was being evaluated across the nation. Alaskans were told both the Tongass and Chugach would be exempt from inclusion because land use plans had just been completed. We know the rest of the story. Not only are we included, but as late as this past December, the effective date was to be the year 2004, but in the end, we were included with the same effective date and the other national forests. This is not a roadless policy for the Tongass. This can only be described as a **dead end** road policy. It is a **dead end** road to the sustainability of a viable wood fiber industry in Alaska. This presidential order brings a **dead end** road to access routes for hydro sites and power line corridors. It is a **dead end** road for funding for local schools that would have come from future timber sales receipts. It is a **dead end** road for entrance into watersheds to access public drinking water systems. It is a **dead end** road for hard surface linkage of our cities and towns. It is a **dead end** road for employment opportunities and further strangles local economies by forcing families to move on to seek other jobs – usually in a completely different field. Sadly and most important, this latest effort is a **dead end**

road for integrity and commitment made to Alaskans by the federal government. When there is no longer any trust in what our federal officials do and say, we are fraying the cords that bind democracy together.

The Governor has every reason to be outraged at this eleventh hour decision. And so should every reasonable Alaskan. The former President's Roadless decision violates numerous federal laws and I trust the Attorney General and other groups will be successful in quickly overturning this action in the courts. It is time for Alaskans to put up a **Dead End** sign to the heavy handed, selfishly motivated and non-involvement in the decision making process by our Federal government bureaucrats. I support the adoption of HJR 6 and commend the legislature for taking a strong stand opposing the Road less policy in Alaska.

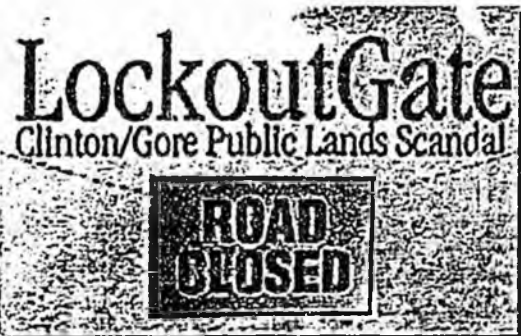
However, please allow me to take another minute of your time because the Alaska timber industry desperately needs more legislative help than just the adoption of HJR 6. We are short on resources for fighting the legal battles that are associated with the environmental challenges brought by the well-healed environmental community. In addition, one of the biggest requirements we have is a current and objective report on the supply and demand for Alaska's wood fiber. To be really meaningful, this report must be expanded beyond the typical federal report of industry capacity and annual production. Other independent reports have stated that there is unlimited demand for Alaska type wood products. The constraint is the supply of timber from National Forest Land. For the past decade, these federal reports always conclude that production of manufactured wood products is declining and thus the federal supply of timber from the Tongass and Chugach should be further reduced. When USFS management sets annual harvest volumes using these incomplete reports, the outcome can best be described as sending the industry into a death spiral. We need a fresh in depth look from the state's perspective at the impacts of a shrinking forest products industry upon Alaska's citizens and communities. We must focus on the diminishing opportunity for jobs and the eroding ability for these communities to sustain their local economies. It is a very serious matter and time is of the essence to put forth the real facts about Alaska's remaining wood fiber industry. Thank you for the opportunity to testify this afternoon. I would be happy to answer any questions you may have.

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LOCKOUTGATE CLINTON/GORE'S PUBLIC LANDS SCANDAL BY JAMES NORELL



We are a nation on wheels, and for the vast majority of us who hunt, getting there involves vehicles, especially if we hunt public lands. And vehicles move on roads. No roads; no access; no hunting. Simple enough.

In the waning hours of the Clinton/Gore Administration up to 60 million acres of now accessible prime hunting lands across the nation will become a vast quasi-wilderness- where ultimately the only way to get there will be on foot, and then under strict government control. This action is being decreed through a series of executive edicts that totally bypass the Congress and violate virtually all Federal "sunshine laws" that require openness in government.

This is what the media calls an "environmental legacy," and it will all happen, step by step, under the benign-sounding heading, "roadless area initiative."

Perhaps the greatest threat to American hunters is not just in the denial of access, it is in the arrogant, dictatorial process that would physically remove the peoples' ability to use the peoples' land. This is raw power seized sleight-of-hand by an insider group of government officials, special interests, and radical environmental lobbyists meeting in secret. It is the work of the friends of Al Gore. The vice president is calling the shots.

Looking at the experience with the National Wilderness System-where all vehicular access and even "temporary" roads are totally banned--U.S. Sen. Orrin Hatch (R-UT)--warned of what is coming in the so-called roadless initiative: "The Forest Service acknowledges that only two percent of recreationalists make use of the 35 million acres of existing wilderness. The other 98 percent of the public who use our forests will lose access to an additional 40 million acres, so that the elite two percent will have sole access"

next

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Photo By Neal & MJ Miraliga

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LOCKOUTGATE CLINTON/GORE'S PUBLIC-LANDS SCANDAL BY JAMES NORELL

Hunting Vehicles



HARDWARE



Gear & Gadgets

product reviews

Support for all this has come in a letter to President Clinton from U.S. Sen. Barbara Boxer (D-CA) and others well known to anyone who fears losing their firearms rights--Charles Schumer, Frank Lautenberg, Teddy Kennedy, Robert Torricelli, and Joseph Lieberman--in which they call the roadless lockdown an "an excellent first step." Sound familiar?

Between the Clinton/Gore machine and the environmental lobby, this is orchestrated chaos where the creator of chaos is the only one who knows what's happening. Over just five months, the White House, through the Forest Service, proposed a blitz of regulatory actions that will alter access to what traditionally have been open, free public land. Among them: President Clinton's 18-month moratorium on national forest road construction and "reconstruction." In areas where roads don't survive tough winters, that translates into no access. But this policy does more than close roads by neglect, it also plows under existing roads.

And it's been largely done by sleight of hand because many "roads" they are destroying at an alarming rate aren't roads at all; they are "unroads." In Clinton/Gore-speak an "unroaded area" is one that does not contain "classified roads," in turn, defined as roads "constructed or maintained for long-term highway vehicle use." For anyone who has traveled any backcountry Forest Service road, you can understand the coming loss. Certainly, it cuts out most of the tens of thousands of miles of former "timber access" roads used by hunters to get to favorite backcountry jumping-off points.

Under this policy, road maintenance/construction would be based only on "compelling need." Remember, those are the same words folks like Dianne Feinstein use for an individuals' show-cause for owning firearms. Compelling need. Don't even think for a second that hunter access would ever prove to be "compelling need" to the Al Gore crowd.

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Ann

**House Joint Resolution 6
Opposing the Roadless Rule**

Testimony before the Alaska House Resources Committee, January 24, 2001

Mr. Chairman, members of the committee, thank you for the opportunity to testify today. For the record, my name is Rachael Moreland, and I am the Associate Director of the Alaska Forest Association. The Alaska Forest Association (AFA) is the forest products industry trade association for Alaska and we represent about 90 small businesses in the forest products sector.

The Alaska Forest Association strongly supports HJR 6 and we urge the committee to move it to the floor as soon as possible. As you already know, the timber industry, and in turn the communities of Southeast Alaska, have already been badly damaged by imposed federal actions. Further withdrawal of roadless areas and prohibition of entry into those areas will have a detrimental, perhaps even a fatal effect on the small remaining sawmill industry.

The net effect of the roadless area withdrawal on the Tongass National Forest is particularly drastic. While the Forest Service touts the net impact of the Roadless rule to be a mere 2 percent of the nation's land base; the rule effects 31 percent of all national forest lands. In Alaska, the Roadless rule withdraws an additional 67 percent, or 15 million acres, from the Tongass and Chugach National Forests.

In addition to severely restricting roaded access to Alaska's National Forests, the Roadless rule reduces the land available for scheduled timber sales on the Tongass from 576,000 acres to approximately 311,000 acres. This is an extremely small parcel of land which is certainly not large enough to support the existing industry, much less the re-development of a "sustainable, value-added" forest products industry.

With respect to the Chugach National Forest, 99 percent of that forest is roadless. The Roadless rule prohibits all new transportation infrastructure in the Chugach without the benefit of a public planning process specific to that forest. 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 actively involved in the Chugach planning process. We believe that process, and similar processes provided for by law (namely the NFMA), are the proper venues for land use allocations in our national forests.

Furthermore, inclusion of Alaska's national forests – the Tongass & the Chugach – in the roadless rule violates the "no more" clause of the Alaska National Interest Lands Conservation Act. The rule is inconsistent with existing forest plans, especially in light of the latest revisions of the Tongass Land Management Plan. HJR 6 correctly states that the roadless rule creates de facto wilderness without Congressional action or approval. The state is correct to demand that the "no more" clause of ANILCA be honored.

Concurrently (actually the day before, January 4), the Forest Service issued new regulations on their Transportation Policy which, when combined with the Roadless rule, creates a one-two punch for management and stewardship for the entire national forest system, not just the roadless areas. They are building a wall around 58.5 million acres with the Roadless rule, and then, with the Transportation policy, making it all but impossible for local land managers to do their jobs. They have made the road building and maintenance procedures intentionally onerous so as to effectively make the remaining national forest lands subject to similar extreme restrictions. These two policies when combined cover every inch of our national forests. The implications of this policy are devastating for the 38 million acres of our national forests at risk to wildfire and the 28 million at risk of insect and disease.

The government's withdrawal of roadless areas is bad for ALL national forests, it is bad for the American public, and is particularly bad for Alaska. There is widespread opposition within Alaska to this Roadless rule and the Alaska Forest Association urges the legislature to join that chorus with a loud voice.

Again, Mr. Chairman and members of the committee, thank you for the opportunity to testify today. I would be happy to answer any questions regarding AFA's support of HJR 6.

22-LS0316C
Luckhaupt
1/24/01

**CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION**

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES WILSON, Williams, Hudson, Scalzi, Dyson, James

A RESOLUTION

1 **Relating to opposition to the inclusion of national forests in Alaska within President**
2 **Clinton's Roadless Area Conservation rule and supporting the overturning of this**
3 **inclusion by litigation, by congressional action, or by action of President Bush.**

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

5 **WHEREAS** the forest products industry has been and continues to be an important
6 economic sector in Alaska that contributes significant employment income to the economy of
7 the state, and, through purchases of timber from National Forest System lands, contributes
8 significant revenue to local communities through the 25 percent revenue sharing provisions of
9 federal law; and

10 **WHEREAS** President Clinton's Roadless Area Conservation rule is contrary to the
11 land management planning process for individual forests established by the National Forest
12 Management Act of 1976 and its implementing regulations; and

13 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
14 Tongass and Chugach National Forests designates significant additional acreage as
15 administrative, de facto wilderness areas within Alaska; and

1 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
2 Alaska is contrary to sec. 708(b)(4), Alaska National Interest Lands Conservation Act
3 (ANILCA), which specifically prohibits another roadless area review and evaluation (RARE)
4 on national forest lands in Alaska for the purpose of setting aside commercial forest land as
5 wilderness; and

6 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
7 Alaska is contrary to sec. 1326(a) of ANILCA, which prohibits the withdrawal of more than
8 5,000 acres, in the aggregate, of public lands within Alaska without the consent of the
9 Congress; and

10 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
11 Alaska is contrary to sec. 1326(b) of ANILCA, which expressly prohibits studies of public
12 lands for the purpose of considering the establishment of new conservation system units,
13 recreation areas, national conservation areas, or for related or similar purposes; and

14 **WHEREAS** the Tongass Timber Reform Act of 1990 and other Congressional and
15 administrative actions have withdrawn more than 97 percent of the Tongass National Forest
16 from availability for timber harvest and other resource development opportunities; and

17 **WHEREAS** the 1997 and 1999 revisions of the Tongass Land Management Plan
18 (TLMP) further reduced the available commercial forest lands in the Tongass to 576,000
19 acres out of nearly 6,000,000 suitable acres across the forest; and

20 **WHEREAS** the available commercial forest lands remaining after the 1999 TLMP
21 amendments are insufficient to satisfy the raw material needs of Southeast Alaska's forest
22 products manufacturing industry, given the plan's maximum annual economic offering level
23 of 153,000,000 board feet; and

24 **WHEREAS**, by applying the roadless policy to the Tongass, the federal government
25 has further reduced the available commercial forest lands in the Tongass to less than half the
26 currently available acreage and will further reduce the maximum annual offering level to less
27 than 50,000,000 board feet; and

28 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
29 Tongass, together with Under Secretary Lyons' 1999 unilateral TLMP amendment, nullifies
30 the results of the United States Forest Service's 1986-1997 planning process in the Tongass,
31 which cost the taxpayers more than \$13,000,000; and

1 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
2 Tongass, together with Under Secretary Lyons' 1999 unilateral TLMP amendment, will
3 further destabilize the already unstable timber-based economy of Southeast Alaska by forcing
4 the closure of most of the remaining forest products manufacturing facilities, resulting in loss
5 of employment and associated negative socioeconomic impacts within timber-dependent
6 communities and the Southeast Alaska region; and

7 **WHEREAS** the Chugach National Forest has spent three years and several million
8 dollars conducting a revision to its land management plan and is within a few months of
9 issuing the Final Environmental Impact Statement for that plan, and

10 **WHEREAS** a wide range of interests from the Alaska public has been involved in the
11 Chugach land management planning process, working to develop a range of plan alternatives
12 that respond to the public's interests, needs, and concerns, and President Clinton's Roadless
13 Area Conservation rule will render that involvement and expense pointless and undermine
14 public confidence in the planning process, and

15 **WHEREAS** the public, through the Chugach Land Management Plan revision
16 scoping process, has expressed deep concern that the approximately 130,000 acres of the
17 Chugach National Forest suffering from spruce bark beetle damage must be managed for the
18 restoration of a green, healthy forest, and President Clinton's Roadless Area Conservation rule
19 prevents access required by land managers to accomplish that restoration work; and

20 **WHEREAS** application of President Clinton's Roadless Area Conservation rule will
21 render it virtually impossible for inholders and adjacent landowners, particularly families and
22 small business owners, to obtain the access to their property that was promised them in
23 ANILCA;

24 **BE IT RESOLVED** that the Alaska State Legislature strongly opposes the Roadless
25 Area Conservation rule, and particularly opposes the illegal inclusion of the Tongass and
26 Chugach National Forests in the Roadless Area Conservation rule; and be it

27 **FURTHER RESOLVED** that the Alaska State Legislature fully supports Governor
28 Knowles' decision to litigate against the application of the Roadless Area Conservation rule to
29 National Forest System lands in Alaska; and be it

30 **FURTHER RESOLVED** that the Alaska State Legislature urges members of the
31 Alaska delegation in Congress to use all available means to set aside the Roadless Area

1 Conservation rule through Congressional action; and be it

2 **FURTHER RESOLVED** that the Alaska State Legislature urges President George
3 W. Bush to overturn the classification and inclusion of the national forests located inside
4 Alaska's boundaries.

5 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
6 of the United States; the Honorable Ann Veneman, United States Secretary of Agriculture;
7 Mike Dombeck, Chief of the United States Forest Service, United States Department of
8 Agriculture; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
9 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
10 delegation in Congress.

Introduced by: Mayor
Date: 01/23/01
Action: Adopted as Amended
Vote: 7 Yes, 2 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2001-012**

**A RESOLUTION SUPPORTING THE ALASKA LEGISLATURE'S HOUSE JOINT
RESOLUTION NO. 6 OVERTURNING THE ROADLESS AREA CONSERVATION
RULE IN THE TONGASS AND CHUGACH NATIONAL FORESTS**

WHEREAS, the Kenai Peninsula Borough Assembly passed three resolutions in the past three months dealing with the Chugach National Forest Revised Land and Resource Management Plan; and President Clinton recently adopted the Roadless Area Conservation rule in the Tongass and Chugach National Forests and the Alaska State Legislature is considering House Joint Resolution 6 opposing this rule; and

WHEREAS, in Resolution 2000-108, adopted November 21, 2000 the Kenai Peninsula Borough supports continued public access to the Chugach National Forest for all recreational users and encourages the Federal Government to upgrade and improve trails and parking lots to increase public access; and a roadless policy will discourage the development of improved public access to public lands which will cause increased congestion amongst various user groups creating unnecessary and avoidable conflicts; and

WHEREAS, the Kenai Peninsula Borough Assembly passed Resolution 2000-112 on December 12, 2000 which supports timber harvest on the hundreds of thousand of acres of the Chugach National Forest within the Seward Ranger District which has been infested by the spruce bark beetle; and the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting, and reforestation of the hundreds of thousands of acres of trees impacted by the spruce bark beetle infestation within the 5.45 million acre Chugach National Forest; and a roadless policy will further affect the economic loss of millions of board feet of potentially valuable and already dead spruce trees which could otherwise have provided a vital part of the economic foundation for residents and businesses of the borough; and

WHEREAS, a roadless policy will effectively eliminate the feasibility of exploration for and development of new and existing mineral deposits that lie within the Chugach National Forest; and KPB Resolution 2000-112 also supports the adoption of provisions within the Proposed Revised Land and Resource Management Plan that will provide for new road access to newly discovered and existing mineral deposits that will allow for viable commercial and recreational ~~minerals~~ extraction; and

WHEREAS, the Kenai Peninsula Borough Assembly in passing Resolution 2001-005 on January 9, 2001 expressed its support of a complete and thorough legal review by the Office of General Counsel for the United States Forest Service or other appropriate agency to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act and other appropriate federal laws;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Assembly strongly supports the passage of HJR 6 by the Alaska State Legislature for all the reasons stated, but in particular for the portions of the resolution that pertain to the Chugach National Forest.

SECTION 2. That a copy of this resolution be sent to the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, the Alaska Congressional Delegation, and the United States Forest Service.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 23RD DAY OF JANUARY, 2001.



Timothy Navarre, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk





GATEWAY FOREST PRODUCTS

January 24, 2001

TO: House Resources Committee

RE: GFP Testimony supporting House Joint Resolution No. 6

Madam Chairman and distinguished Committee members:

My name is Cliff Skillings and I am testifying today on behalf of Gateway Forest Products and its 149 full time employees, urging you to support HJR 6 and seek expedited passage of this important Resolution.

Gateway Forest Products is a company of full time, year round employees operating a production Sawmill, a veneer mill, an operational sort yard and an industrial complex. Our mission is to provide a manufacturing process that best utilizes the lower quality sawlog from the Tongass and adds to the new integrated independent wood processing industry in Southeast. We are active participants in the Forest Service's independent/SBA timber sale program and rely on its continued existence at a level that supports not only our mill, but also the other independent wood products facilities located in Southeast.

The Clinton Roadless Initiative fails to recognize the fact that significant management initiatives have been applied to the Tongass. These include the Alaska National Interest Lands Act (ANILCA), the Tongass Timber Reform Act (TTRA) and continuously updated versions of the Tongass Land Management Plan (TLMP). Every one of these received a high level of commitment from regional Department of Agriculture employees, local citizens and time commitments from the United States Congress relative to ratification. In the 8 years of the Clinton Administration, Southeast Alaska has seen an ASQ that dropped from 550 million board feet (mmbf) to 267 mmbf (1997 TLMP ROD) to 187 mmbf (1999 TLMP Lyons ROD) and the loss of two production pulp mills and various independent sawmills.

This latest initiative offers no science but rather an emotional plea from national special interest groups and legacy opportunity for an outgoing Administration. You have heard the best probable numbers should this Initiative be applied to the Tongass: 50 mmbf board foot maximum harvest, further decrease in the manufacturing base in the region, etc. All of this is correct. Our present industry of 7 small independent sawmills will surely be decreased to two with implementation. Our veneer mill, although being able to

ADMINISTRATION
P.O. BOX 779
Ward Cove, Alaska 99928
907-247-1647
907-247-1646 (Fax)

INDUSTRIAL/MARINE
P.O. BOX 779
Ward Cove, Alaska 99928
907-247-1651
907-247-8660 (Fax)

MANUFACTURING
P.O. BOX 779
Ward Cove, Alaska 99928
907-228-0128
907-228-7824 (Fax)

**GFP Testimony on HJR 6
House Resources 01/24/01**

run on one shift in this scenario, will do so at the cost of our sawmill that may at best operate on a part time basis if the supply is available.

The Tongass is fully capable of supporting a viable timber manufacturing industry to the ASQ stated in the 1997 TLMP decision and then condoned by the Governor that same year. This ASQ decision of 267 mmbf provides a level of harvest that maintains year round, family supporting jobs, healthy local economies and an industry that has the ability to plan ahead for operations and make investments in manufacturing processes.

Under present land management plans and historical legislative actions, areas identified as environmentally sensitive are protected. In actuality, the industry is already limited as to areas it can access and the quality of timber that can be extracted. Numerous areas that are available for harvest and have high volume/quality timber are inaccessible due to Habitat Conservation Areas (HCA) set around the profitable timber, giving industry access to the lower quality timber and allowing the higher volume HCA classified stands to blow down in these small, exclusive set asides.

The Roadless Initiative also ties the hands of land managers in the future relative to forest practices to improve forest health and denies access of our resource rich region to those visitors who may be bound by physical limitations and wish to see it first hand.

In closing, I do not believe that a "majority of Alaskan's" support this action as you may hear in opposing testimony. Local representation is hardly met by visitors who may sign a prewritten post card after being coerced into signing. Significant locals submitted letters and memos of opposition to the Clinton Administration relative to this Initiative and I do not believe that one can base the opinion of the region by those who chose to stand at microphone.

Gateway Forest Products and the timber industry of Southeast Alaska can ill afford to be subject to additional inaccessibility to the resource due to management decisions based on emotional appeals over sound science. We adamantly support your actions to ratify HJR6, opposing the Roadless Initiative and supporting the Governors litigative efforts, and hope that you do so in an expeditious manner.

**Testimony of Loren Gerhard, Executive Director, Southeast Conference
House Resources Committee 1/24/01**

I will speak mainly to the issues in the Tongass National Forest, as those are the ones I am most familiar with, as our organization focuses on issues in Southeast Alaska, although some of this applies to the Chugach National Forest as well. Southeast Conference and the Southeast Conference of Mayors are very concerned with the negative impacts the ex president's action will have on our regional economy. We are still trying to deal with the impacts from the dramatic 75% decline in the timber industry occasioned by the Tongass Land Management Process. The future impacts of the Roadless designation, if it remains intact, will deal a death blow to that once significant portion of our regional economic base.

Over 96% of the total area of the Tongass National Forest was protected from further development before the Roadless proposal. The Roadless designation reduces available timber harvest on The Tongass National Forest by 2/3rds, to an amount which cannot even support the single veneer plant in Ketchikan, a valiant effort by business and the community of Ketchikan to salvage some kind of timber industry there. There are twelve sawmills operating in Southeast Alaska, all under a cloud of unknown future harvest levels. If this administrative action stands, 2/3rds of them will be gone in 5 years. This action will cost the region another 1000 jobs, direct and indirect. The large multinational timber companies are gone, what we are talking about now are Alaskans doing business in Alaska, and they will be put out of work by this action. The environmental advocates asked for a smaller scale, sustainable level of harvest, supporting a scaled back, value added processing industry, and that's what they got. The Roads ban goes way beyond that to an almost non existent industry, way below the known thresholds of sustainability.

The directive is an affront to the legal process mandated in federal law to manage the national forests. It ignores the National Forest Management Act, the law that mandated the Tongass Land Management Plan, which has been in process for over 10 years with 13 million dollars spent on it. The roads ban is the crowning achievement of an administration determined to lock up lands without the consent or involvement of the U.S. Congress.

Advocates for the roads ban reference heavy support in Alaska for this proposal, citing percentages of attendees at public meetings held in the state

last summer. The Forest Service never measured those percentages, they are self serving estimates by the people in environmental advocacy organizations that packed these meetings with their supporters. There was an all out campaign last summer across the country, with millions of dollars spent on full page ads in big city newspapers, and millions of prepared post cards, handed out on street corners and in shopping malls to people to send to the white house. It was a well executed effort to create the illusion of broad support across the country, which has never really been proven. In fact, when the directive was signed, an msnbc live poll indicated 53% of respondents were opposed to the president's plan. None of these measures are scientifically valid, and the point is that forest management is mandated by law to be undertaken by a more scientific process, less influenced by mass media public opinion manipulation.

The Roadless EIS clearly shows that the majority of Alaskans do not favor this designation. There are multiple resolutions in Volume 4 from communities all around the state opposing it. You may have some of them in your packet, and I can provide at least 10 resolutions from Southeast communities. It is totally appropriate for the Legislature to go on record opposing this regulatory end run by a lame duck president, seeking to build his legacy. It is yet another example of federal officials taking liberties with people's lives thousands of miles from the beltway, with no regard to the economic consequences or for the process of law. Undersecretary of Agriculture Jim Lyons told us in the Southeast Conference annual meeting in Sitka in fall of 1999, that the resolution of appeals to the 1999 Record of Decision was the final action this administration would take "to provide some certainty with regard to future uses of the Tongass". A month later, Clinton launched the roadless process. 4 times over in the last 20 years starting with ANILCA, the Federal government has promised us "no more" and every promise has been broken. We need to get the message back to Washington that enough is enough.

We applaud the Governor's action in pursuing legal remedies to this injustice, and urge the Legislature to support him in that effort. The former president has no right to ignore laws on the books dealing with forest management, and this directive should be scrapped. Your unequivocal support will help in that effort.

Thank you for the opportunity to speak to this, and I welcome any questions.

22-LS0316\C
Luckhaupt
1/24/01

**CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION**

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES WILSON, Williams, Hudson, Scalzi, Dyson, James

the former
~~_____~~

A RESOLUTION

1 **Relating to opposition to the inclusion of national forests in Alaska within/President**
2 **Clinton's Roadless Area Conservation rule and supporting the overturning of this**
3 **inclusion by litigation, by congressional action, or by action of President Bush.**

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

5 **WHEREAS** the forest products industry has been and continues to be an important
6 economic sector in Alaska that contributes significant employment income to the economy of
7 the state, and, through purchases of timber from National Forest System lands, contributes
8 significant revenue to local communities through the 25 percent revenue sharing provisions of
9 federal law; and

10 **WHEREAS** ^{the} President ~~Clinton's~~ Roadless Area Conservation rule is contrary to the
11 land management planning process for individual forests established by the National Forest
12 Management Act of 1976 and its implementing regulations; and

13 **WHEREAS** ^{the} application of President ~~Clinton's~~ Roadless Area Conservation rule to the
14 Tongass and Chugach National Forests designates significant additional acreage as
15 administrative, de facto wilderness areas within Alaska; and

1 WHEREAS application of President ^{the} Clinton's Roadless Area Conservation rule in
2 Alaska is contrary to sec. 708(b)(4), Alaska National Interest Lands Conservation Act
3 (ANILCA), which specifically prohibits another roadless area review and evaluation (RARE)
4 on national forest lands in Alaska for the purpose of setting aside commercial forest land as
5 wilderness; and

6 WHEREAS application of President ^{the} Clinton's Roadless Area Conservation rule in
7 Alaska is contrary to sec. 1326(a) of ANILCA, which prohibits the withdrawal of more than
8 5,000 acres, in the aggregate, of public lands within Alaska without the consent of the
9 Congress; and

10 WHEREAS application of President ^{the} Clinton's Roadless Area Conservation rule in
11 Alaska is contrary to sec. 1326(b) of ANILCA, which expressly prohibits studies of public
12 lands for the purpose of considering the establishment of new conservation system units,
13 recreation areas, national conservation areas, or for related or similar purposes; and

14 WHEREAS the Tongass Timber Reform Act of 1990 and other Congressional and
15 administrative actions have withdrawn more than 97 percent of the Tongass National Forest
16 from availability for timber harvest and other resource development opportunities; and

17 WHEREAS the 1997 and 1999 revisions of the Tongass Land Management Plan
18 (TLMP) further reduced the available commercial forest lands in the Tongass to 576,000
19 acres out of nearly 6,000,000 suitable acres across the forest; and

20 WHEREAS the available commercial forest lands remaining after the 1999 TLMP
21 amendments are insufficient to satisfy the raw material needs of Southeast Alaska's forest
22 products manufacturing industry, given the plan's maximum annual economic offering level
23 of 153,000,000 board feet; and

24 WHEREAS, by applying the roadless policy to the Tongass, the federal government
25 has further reduced the available commercial forest lands in the Tongass to less than half the
26 currently available acreage and will further reduce the maximum annual offering level to less
27 than 50,000,000 board feet; and

28 WHEREAS application of President ^{the} Clinton's Roadless Area Conservation rule to the
29 Tongass, together with Under Secretary Lyons' 1999 unilateral TLMP amendment, nullifies
30 the results of the United States Forest Service's 1986-1997 planning process in the Tongass,
31 which cost the taxpayers more than \$13,000,000; and

1 ^{the} **WHEREAS** application of President ~~Clinton's~~ Roadless Area Conservation rule to the
2 Tongass, together with Under Secretary Lyons' 1999 unilateral TLMP amendment, will
3 further destabilize the already unstable timber-based economy of Southeast Alaska by forcing
4 the closure of most of the remaining forest products manufacturing facilities, resulting in loss
5 of employment and associated negative socioeconomic impacts within timber-dependent
6 communities and the Southeast Alaska region; and

7 **WHEREAS** the Chugach National Forest has spent three years and several million
8 dollars conducting a revision to its land management plan and is within a few months of
9 issuing the Final Environmental Impact Statement for that plan; and

10 **WHEREAS** a wide range of interests from the Alaska public has been involved in the
11 Chugach land management planning process, working to develop a range of plan alternatives
12 that respond to the public's interests, needs, and concerns, and President Clinton's Roadless
13 Area Conservation rule will render that involvement and expense pointless and undermine
14 public confidence in the planning process; and

15 **WHEREAS** the public, through the Chugach Land Management Plan revision
16 scoping process, has expressed deep concern that the approximately 130,000 acres of the
17 Chugach National Forest suffering from spruce bark beetle damage must be managed for the
18 restoration of a green, healthy forest, and President Clinton's Roadless Area Conservation rule
19 prevents access required by land managers to accomplish that restoration work; and

20 ^{the} **WHEREAS** application of President ~~Clinton's~~ Roadless Area Conservation rule will
21 render it virtually impossible for inholders and adjacent landowners, particularly families and
22 small business owners, to obtain the access to their property that was promised them in
23 ANILCA;

24 **BE IT RESOLVED** that the Alaska State Legislature strongly opposes the Roadless
25 Area Conservation rule, and particularly opposes the illegal inclusion of the Tongass and
26 Chugach National Forests in the Roadless Area Conservation rule; and be it

27 **FURTHER RESOLVED** that the Alaska State Legislature fully supports Governor
28 Knowles' decision to litigate against the application of the Roadless Area Conservation rule to
29 National Forest System lands in Alaska; and be it

30 **FURTHER RESOLVED** that the Alaska State Legislature urges members of the
31 Alaska delegation in Congress to use all available means to set aside the Roadless Area

1 Conservation rule through Congressional action; and be it

2 **FURTHER RESOLVED** that the Alaska State Legislature urges President George
3 W. Bush to overturn the classification and inclusion of the national forests located inside
4 Alaska's boundaries.

5 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
6 of the United States; the Honorable Ann Veneman, United States Secretary of Agriculture;
7 Mike Dombeck, Chief of the United States Forest Service, United States Department of
8 Agriculture; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
9 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
10 delegation in Congress.

22-LS0316\C
Luckhaupt
1/24/01

CS FOR HOUSE JOINT RESOLUTION NO. 6(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES WILSON, Williams, Hudson, Scalzi, Dyson, James

A RESOLUTION

1 **Relating to opposition to the inclusion of national forests in Alaska within former**
2 **Clinton's Roadless Area Conservation rule and supporting the overturning of this**
3 **inclusion by litigation, by congressional action, or by action of President Bush.**

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

5 **WHEREAS** the forest products industry has been and continues to be an important
6 economic sector in Alaska that contributes significant employment income to the economy of
7 the state, and, through purchases of timber from National Forest System lands, contributes
8 significant revenue to local communities through the 25 percent revenue sharing provisions of
9 federal law; and

10 **WHEREAS** ~~President Clinton's~~ *the add in all 10 following places* Roadless Area Conservation rule is contrary to the
11 land management planning process for individual forests established by the National Forest
12 Management Act of 1976 and its implementing regulations; and

13 **WHEREAS** application of President Clinton's Roadless Area Conservation rule to the
14 Tongass and Chugach National Forests designates significant additional acreage as
15 administrative, de facto wilderness areas within Alaska; and

1 **WHEREAS** application of President Clinton's Roadless Area Conservation rule in
2 Alaska is contrary to sec. 708(b)(4), Alaska National Interest Lands Conservation Act
3 (ANILCA), which specifically prohibits another roadless area review and evaluation (RARE)
4 on national forest lands in Alaska for the purpose of setting aside commercial forest land as
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4 the closure of most of the remaining forest products manufacturing facilities, resulting in loss
5 of employment and associated negative socioeconomic impacts within timber-dependent
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7 **WHEREAS** the Chugach National Forest has spent three years and several million
8 dollars conducting a revision to its land management plan and is within a few months of
9 issuing the Final Environmental Impact Statement for that plan; and

10 **WHEREAS** a wide range of interests from the Alaska public has been involved in the
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1 Conservation rule through Congressional action; and be it

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3 W. Bush to overturn the classification and inclusion of the national forests located inside
4 Alaska's boundaries.

5 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
6 of the United States; the Honorable Ann Veneman, United States Secretary of Agriculture;
7 Mike Dombeck, Chief of the United States Forest Service, United States Department of
8 Agriculture; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
9 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
10 delegation in Congress.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK. 99801-1182

Representative Peggy Wilson

SPONSOR STATEMENT – HJR 6.

This resolution opposes the Clinton Administrations' decision on the Roadless Policy.

On January 5, 2001 then President Clinton announced the final Record of Decision for the roadless policy including the Tongass and Chugach National Forests.

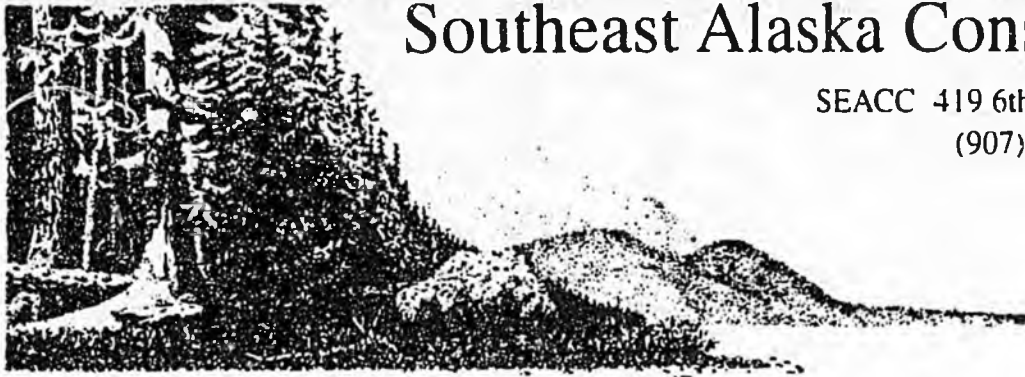
Alaskans from across this state must join forces to overturn the inclusion of Alaska forests within former President Clinton's Roadless Policy.

This presidential action is an affront to all Alaskans and continues their history of breaking promises to Alaskans regarding land management.

This Roadless Policy is in blatant disregard of the processes that have been agreed to. Countless hours, over eleven years and 13 million dollars were spent making revisions to the Tongass Land Management Plan. The Chugach Forest Plan revision process has been underway for over three years requiring considerable investment of time money and resources. Now these processes have been completely disregarded

This Roadless Policy violates the "no-more" clauses of ANILCA and creates approximately 15 million acres of new defacto wilderness within Alaska.

I, like many Alaskans, am vehemently opposed to the inclusion of the Tongass and Chugach National Forests in this Roadless Policy and ask that we work together and support the overturning of this inclusion by litigation, by congressional action or by action of President Bush.



Southeast Alaska Conservation Council

SEACC 419 6th Street, Suite 328, Juneau, AK 99801
(907) 586-6942 phone (907) 463-3312 fax
info@seacc.org

**STATEMENT OF
KATYA KIRSCH, EXECUTIVE DIRECTOR
SOUTHEAST ALASKA CONSERVATION COUNCIL**

HEARING ON HOUSE JOINT RESOLUTION 6

**BEFORE THE
ALASKA HOUSE RESOURCES COMMITTEE
JANUARY 24, 2001**

Mr. Chairman and Members of the Resources Committee:

My name is Katya Kirsch. I am the Executive Director of the Southeast Alaska Conservation Council (SEACC).

SEACC is a coalition of eighteen volunteer conservation groups in fourteen communities across Southeast Alaska, from Yakutat to Ketchikan. SEACC's individual members include Alaska Natives, subsistence users, commercial and sport fishermen, hunters and guides, tourism and recreation business owners, small timber operators and high value-added wood product manufacturers, as well as concerned citizens from all walks of life. SEACC is dedicated to safeguarding the integrity of Southeast Alaska's unsurpassed natural environment while providing for balanced, sustainable use of our region's resources.

I have lived in Southeast—Haines, Juneau, Wrangell, and Ketchikan—for the past 26 years. During this time I have seen many changes—many thousands of acres of clearcuts, and in this last decade, a much more diversified economy, including huge growth in the tourism and recreation industries, as well as new high tech businesses, fishing and much more.

It is time to stop looking backwards to recreate an economy that chews through our landscape for the gain of just one industry sector. Southeast Alaska's largest industries depend on a healthy Tongass National Forest and the renewable forest resources it provides. While employment in the timber industry continues to decline, increases in tourism, recreation, construction, health care and other parts of the service sector continue to march forward. *Alaska Economic Trends* (Jan. 2001). We must keep moving ahead. We need you to have the wisdom to look forward, instead of trying to recreate the economy of past years.

SEACC strongly supports the decision to immediately include the Tongass National Forest in the National Roadless Area Conservation Rule. This decision is not about closing down any of the nearly 5,000 miles of roads that currently exist on the Tongass National Forest. It is about

ALASKA SOCIETY OF AMERICAN FOREST DWELLERS, Point Baker • ALASKANS FOR JUNEAU • CHICHAGOF CONSERVATION COUNCIL, Tenakee
FRIENDS OF BERNERS BAY, Juneau • FRIENDS OF GLACIER BAY, Gustavus • JUNEAU GROUP SIERRA CLUB • LOWER CHATHAM CONSERVATION
SOCIETY, Port Alexander • LYNN CANAL CONSERVATION, Haines • NARROWS CONSERVATION COALITION, Petersburg • PELICAN FORESTRY
COUNCIL • PRINCE OF WALES CONSERVATION LEAGUE, Craig • SITKA CONSERVATION SOCIETY • TONGASS CONSERVATION SOCIETY, Ketchikan
TAKU CONSERVATION SOCIETY, Juneau • WRANGELL RESOURCE COUNCIL • YAKUTAT RESOURCE CONSERVATION COUNCIL

managing these valuable wildlands for multiple uses, such as hunting, fishing, subsistence, recreation, and tourism.

Southeast Alaskans depend upon these roadless areas for food, recreation and income. For example, the policy protects the roadless Farragut Bay. Logging and roading there would likely impact king salmon trolling areas and crab grounds which are very important to Petersburg fishermen, and recreation and tourism businesses.

The Forest Service listened to what the people said. It is time for you to listen also. The fact that the majority of Alaskans, 1.6 million Americans, and the scientific community support full and immediate protection of Tongass roadless areas cannot be overlooked by those who may challenge this decision. The roadless policy is a thoroughly considered administrative rule-making process that afforded the maximum opportunity for public involvement.

The Forest Service held more than 617 public hearings--including 17 in Alaska--that were attended by more than 39,000 Americans. More than 1.6 million comments were received, the vast majority of which supported inclusion of the Tongass and the Chugach in the final rule. Estimates based on eyewitness accounts show that nearly 75 percent of the citizens who testified at public hearings in Southeast Alaska's four (4) largest communities (Juneau, Ketchikan, Sitka, & Petersburg) supported including the Tongass in the Roadless policy. In the 13 hearings held across the region, roughly 60 percent of the Southeast Alaskans who testified supported protecting all Tongass roadless wildlands from commercial logging and roadbuilding. Local citizen support for applying the roadless policy on the Tongass shows that Southeast Alaskans reject the assumption that the recently revised Tongass plan, by itself, will ensure the long-term ecological integrity of our nation's largest national forest. It also reveals a desire for the Tongass to be treated just like any other national forest.

In fact, the best rationale for including the Tongass in the national roadless policy immediately was the very product of implementing the revised Tongass Land Management Plan (TLMP). As required by TLMP, the Forest Service and other federal and state agencies evaluated the ability of existing forest roads to meet TLMP standards for fish passage. The results of this inter-agency effort are shocking and show the legacy of damage caused by roadbuilding on salmon and trout habitat. According to the Tongass Road Condition Survey Report, released by ADF&G in June 2000, two-thirds of the culverts crossing salmon streams provided inadequate fish passage; eighty-five percent of the culverts crossing trout streams provided inadequate fish passage.

Out of an estimated \$20 million backlog to fix more than 700 culverts that block safe fish passage, the Forest Service has been budgeting only one half million dollars per year to fix these failing roads. At this rate, it would take 40 years to fix current fish passage problems on the Tongass. Instead of this resolution, the Alaska Legislature should call for sufficient federal funding to fix these culverts---providing jobs for Southeast Alaskans and safe passage for wild salmon so important to our commercial and sports fishermen. The Forest Service needs to use its shrinking budget to maintain its existing road network instead of punching new roads and clearcuts into roadless areas.

We strongly disagree that the Tongass Timber Reform Act of 1990 (TTRA) provides any basis for treating the Tongass differently from other national forests. This excuse is contrary to judicial interpretation of this landmark conservation bill. By deleting in its entirety the mandate for unsustainable logging levels and excessive and permanent taxpayer subsidies, Congress clearly intended to halt the practice of treating the Tongass differently from other national forests. Thus, the Forest Service's first obligation on the Tongass is to manage "all of the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people." 16 U.S.C. § 531(a) (Multiple Use-Sustained Yield Act). If the combination of renewable resources that best meets the needs of the American people protects the roadless areas on the Tongass from commercial logging and roadbuilding, as a majority of Alaskans agree, then the Forest Service is complying with the TTRA.

The resolution's reliance on ANILCA's "no-more" clause is similarly misplaced because this is not a "withdrawal" of public lands but the exercise of the Forest Service's management discretion to define appropriate uses for land under its jurisdiction. The policy does not bar location, entry, or leasing of minerals under federal mining laws. Nor, as alleged in the resolution, does the national roadless policy violate the "study" provision contained in Section 1326(b) of ANILCA. This section does not prohibit the Forest Service's review of roadless area management because the review was not conducted for the single purpose of establishing new conservation system units. The Forest Service review was only a process for the agency to decide how to manage the lands under its jurisdiction pursuant to its existing management authorities and responsibilities.

As a last note, it appears that HJR 6 was hastily written. There are several errors in the "whereas" sections. For example, the resolution claims, "the forest products industry ... contributes significant revenue to local communities through the 25 percent revenue sharing provisions of federal law." However, a new federal law (P.L. 106-393) was passed last year and guarantees stable payments for roads and schools to local forest communities. According to the formula provided under that statute, local governments would get an annual payment equivalent to the average payment of their 3 highest years of timber receipts over the past 15 years. A reduction, if any, in timber receipts on the Tongass resulting from its immediate inclusion in the roadless policy will not reduce the amount of money Southeast Alaska communities receive for roads and schools.

Please look forward and not backward. Please do not support this resolution. Instead, support fixing the culverts which are impeding safe fish passage now, providing jobs for Alaskans who fix them, and the commercial and sport fishing, and recreation and tourism industries which will thrive along with wild salmon, wildlife and wild roadless forests.

Thank you.

Baseline:

Roadless

NOI, mid Oct. 1999

Scoping Info Meeting & "Hearing", Dec. 1999

DEIS Info Meeting, May-June 2000

DEIS "Hearing", May-June 2000

FEIS, November 2000

ROD, mid January 2001

15 months TOTAL

58.5 million acres in 38 states (with vastly differing ecosystems)

Comparison:

Luck Lake

NOI, July 1997

FEIS, June 2000

3 years total

840 acres (12.9 mmbf timber sale offering)

Woodpecker

Scoping, Fall of 1998

DEIS, June 1999

FEIS, July 2000

no ROD yet

2 years so far (not including pre-project analysis)

1,140 acres (12 mmbf timber sale offering)

3 Mile

NOI, March 1999

DEIS, January 2001

no FEIS yet

no ROD yet

2 years so far

515 acres (14 mmbf timber sale offering)

North America at night; captured by satellite camera

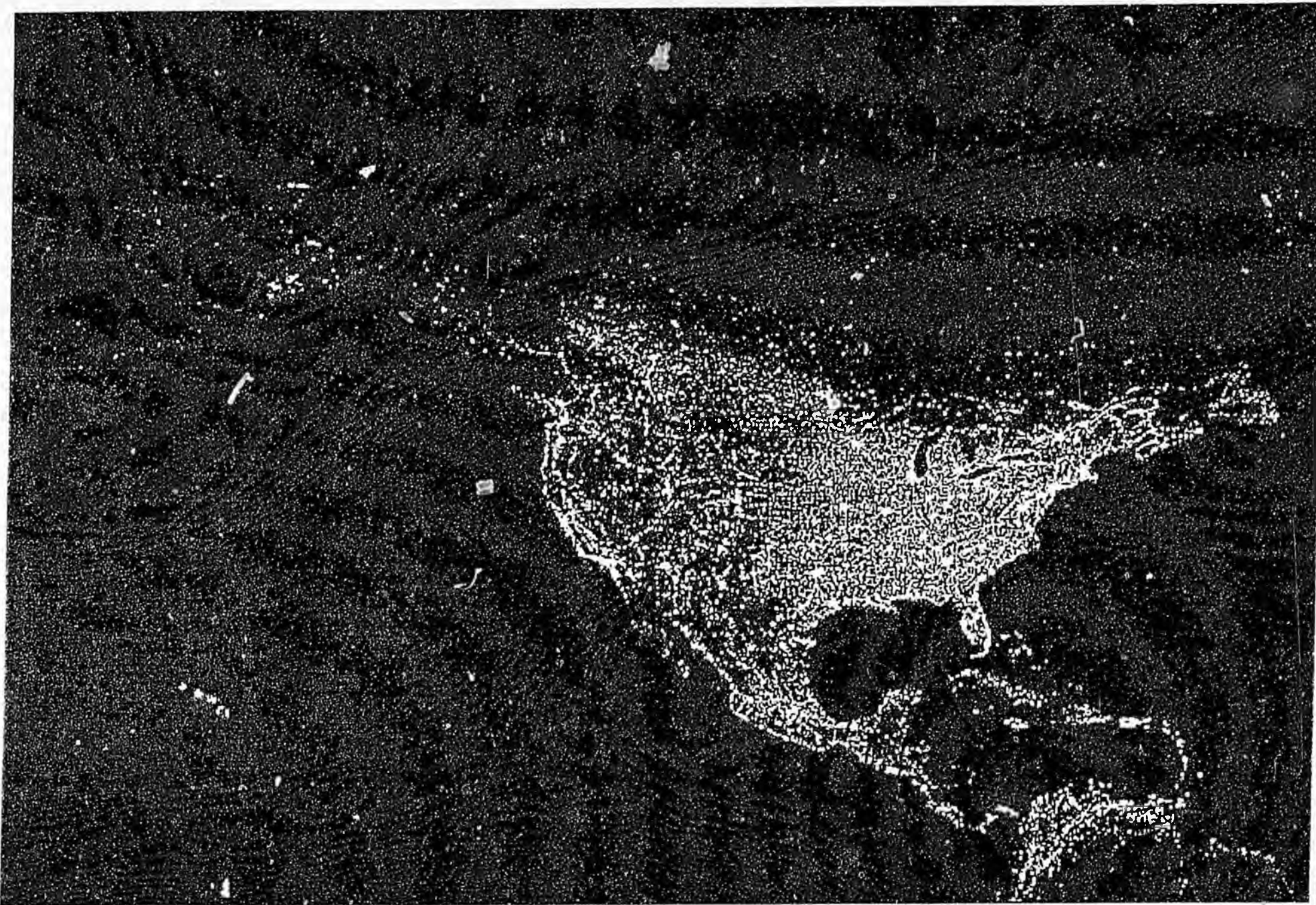


PHOTO CREDIT: NASA

The lights from towns and cities across the United States, Canada and Mexico reveal the scope and density of these nation's populations. In contrast, the view of Alaska presents a clear reminder of our state's minimal development and its extensive wildlife habitat. Alaska's largest concentration of light is located in its major population centers, the Kenai peninsula, Anchorage and Fairbanks. Prudhoe Bay's industrial complex, including gas flares, is also visible. Foresters, geographers, biologists and others are making increasing use of satellite photography to inventory existing values when development is planned.



GATEWAY FOREST PRODUCTS

January 24, 2001

TO: House Resources Committee

RE: GFP Testimony supporting House Joint Resolution No. 6

Madam Chairman and distinguished Committee members:

My name is Cliff Skillings and I am testifying today on behalf of Gateway Forest Products and its 149 full time employees, urging you to support HJR 6 and seek expedited passage of this important Resolution.

Gateway Forest Products is a company of full time, year round employees operating a production Sawmill, a veneer mill, an operational sort yard and an industrial complex. Our mission is to provide a manufacturing process that best utilizes the lower quality sawlog from the Tongass and adds to the new integrated independent wood processing industry in Southeast. We are active participants in the Forest Service's independent/SBA timber sale program and rely on its continued existence at a level that supports not only our mill, but also the other independent wood products facilities located in Southeast.

The Clinton Roadless Initiative fails to recognize the fact that significant management initiatives have been applied to the Tongass. These include the Alaska National Interest Lands Act (ANILCA), the Tongass Timber Reform Act (TTRA) and continuously updated versions of the Tongass Land Management Plan (TLMP). Every one of these received a high level of commitment from regional Department of Agriculture employees, local citizens and time commitments from the United States Congress relative to ratification. In the 8 years of the Clinton Administration, Southeast Alaska has seen an ASQ that dropped from 550 million board feet (mmbf) to 267 mmbf (1997 TLMP ROD) to 187 mmbf (1999 TLMP Lyons ROD) and the loss of two production pulp mills and various independent sawmills.

This latest initiative offers no science but rather an emotional plea from national special interest groups and legacy opportunity for an outgoing Administration. You have heard the best probable numbers should this Initiative be applied to the Tongass: 50 mmbf board foot maximum harvest, further decrease in the manufacturing base in the region, etc. All of this is correct. Our present industry of 7 small independent sawmills will surely be decreased to two with implementation. Our veneer mill, although being able to

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907-247-1651
907-247-0600 (Fax)

MANUFACTURING
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907-225-7424 (Fax)

**GFP Testimony on HJR 6
House Resources 01/24/01**

run on one shift in this scenario, will do so at the cost of our sawmill that may at best operate on a part time basis if the supply is available.

The Tongass is fully capable of supporting a viable timber manufacturing industry to the ASQ stated in the 1997 TLMP decision and then condoned by the Governor that same year. This ASQ decision of 267 mmbf provides a level of harvest that maintains year round, family supporting jobs, healthy local economies and an industry that has the ability to plan ahead for operations and make investments in manufacturing processes.

Under present land management plans and historical legislative actions, areas identified as environmentally sensitive are protected. In actuality, the industry is already limited as to areas it can access and the quality of timber that can be extracted. Numerous areas that are available for harvest and have high volume/quality timber are inaccessible due to Habitat Conservation Areas (HCA) set around the profitable timber, giving industry access to the lower quality timber and allowing the higher volume HCA classified stands to blow down in these small, exclusive set asides.

The Roadless Initiative also ties the hands of land managers in the future relative to forest practices to improve forest health and denies access of our resource rich region to those visitors who may be bound by physical limitations and wish to see it first hand.

In closing, I do not believe that a "majority of Alaskan's" support this action as you may hear in opposing testimony. Local representation is hardly met by visitors who may sign a prewritten post card after being coerced into signing. Significant locals submitted letters and memos of opposition to the Clinton Administration relative to this Initiative and I do not believe that one can base the opinion of the region by those who chose to stand at microphone.

Gateway Forest Products and the timber industry of Southeast Alaska can ill afford to be subject to additional inaccessibility to the resource due to management decisions based on emotional appeals over sound science. We adamantly support your actions to ratify HJR6, opposing the Roadless Initiative and supporting the Governors litigative efforts, and hope that you do so in an expeditious manner.

**Testimony of Loren Gerhard, Executive Director, Southeast Conference
House Resources Committee 1/24/01**

I will speak mainly to the issues in the Tongass National Forest, as those are the ones I am most familiar with, as our organization focuses on issues in Southeast Alaska, although some of this applies to the Chugach National Forest as well. Southeast Conference and the Southeast Conference of Mayors are very concerned with the negative impacts the ex president's action will have on our regional economy. We are still trying to deal with the impacts from the dramatic 75% decline in the timber industry occasioned by the Tongass Land Management Process. The future impacts of the Roadless designation, if it remains intact, will deal a death blow to that once significant portion of our regional economic base.

Over 96% of the total area of the Tongass National Forest was protected from further development before the Roadless proposal. The Roadless designation reduces available timber harvest on The Tongass National Forest by 2/3rds, to an amount which cannot even support the single veneer plant in Ketchikan, a valiant effort by business and the community of Ketchikan to salvage some kind of timber industry there. There are twelve sawmills operating in Southeast Alaska, all under a cloud of unknown future harvest levels. If this administrative action stands, 2/3rds of them will be gone in 5 years. This action will cost the region another 1000 jobs, direct and indirect. The large multinational timber companies are gone, what we are talking about now are Alaskans doing business in Alaska, and they will be put out of work by this action. The environmental advocates asked for a smaller scale, sustainable level of harvest, supporting a scaled back, value added processing industry, and that's what they got. The Roads ban goes way beyond that to an almost non existent industry, way below the known thresholds of sustainability.

The directive is an affront to the legal process mandated in federal law to manage the national forests. It ignores the National Forest Management Act, the law that mandated the Tongass Land Management Plan, which has been in process for over 10 years with 13 million dollars spent on it. The roads ban is the crowning achievement of an administration determined to lock up lands without the consent or involvement of the U.S. Congress.

Advocates for the roads ban reference heavy support in Alaska for this proposal, citing percentages of attendees at public meetings held in the state

last summer. The Forest Service never measured those percentages, they are self serving estimates by the people in environmental advocacy organizations that packed these meetings with their supporters. There was an all out campaign last summer across the country, with millions of dollars spent on full page ads in big city newspapers, and millions of prepared post cards, handed out on street corners and in shopping malls to people to send to the white house. It was a well executed effort to create the illusion of broad support across the country, which has never really been proven. In fact, when the directive was signed, an msnbc live poll indicated 53% of respondents were opposed to the president's plan. None of these measures are scientifically valid, and the point is that forest management is mandated by law to be undertaken by a more scientific process, less influenced by mass media public opinion manipulation.

The Roadless EIS clearly shows that the majority of Alaskans do not favor this designation. There are multiple resolutions in Volume 4 from communities all around the state opposing it. You may have some of them in your packet, and I can provide at least 10 resolutions from Southeast communities. It is totally appropriate for the Legislature to go on record opposing this regulatory end run by a lame duck president, seeking to build his legacy. It is yet another example of federal officials taking liberties with people's lives thousands of miles from the beltway, with no regard to the economic consequences or for the process of law. Undersecretary of Agriculture Jim Lyons told us in the Southeast Conference annual meeting in Sitka in fall of 1999, that the resolution of appeals to the 1999 Record of Decision was the final action this administration would take "to provide some certainty with regard to future uses of the Tongass". A month later, Clinton launched the roadless process. 4 times over in the last 20 years starting with ANILCA, the Federal government has promised us "no more" and every promise has been broken. We need to get the message back to Washington that enough is enough.

We applaud the Governor's action in pursuing legal remedies to this injustice, and urge the Legislature to support him in that effort. The former president has no right to ignore laws on the books dealing with forest management, and this directive should be scrapped. Your unequivocal support will help in that effort.

Thank you for the opportunity to speak to this, and I welcome any questions.

Excerpt from US Forest Service New Release
+ Fact sheet on Roadless Rule 1/4/01

Alaska Roadless Conservation Rule Fact Sheet

page 2



We believe that the Southeast Alaska Electrical Intertie may be built as long as a road is not needed. Recreation and tourism developments that do not require roads could be developed.

“Timber may be cut, sold or removed when appropriate for personal or administrative use (such as firewood cutting) or to implement a management activity not prohibited by the rule (such as building a power line).”

Job Effects: In the long-term (after 5 years), the FEIS estimates that for the private sector, 370 direct timber jobs and 370 indirect jobs on the Tongass National Forest could be affected. It also estimates that 52 road construction jobs could be affected after 5 years and 104 indirectly related to road construction.

We do not know how the new President might influence the decision on the Final Rule. Congress does have oversight authority on new regulations, and within a given time period could vote to over turn a rule, subject to Presidential approval.

We do not know the amount of timber available from land outside the Tongass National Forest that could support the local mills. Both the State Forester and the local Native Corporations could supply estimates.

.....

**House Joint Resolution 6
Opposing the Roadless Rule**

Testimony before the Alaska House Resources Committee, January 24, 2001

Mr. Chairman, members of the committee, thank you for the opportunity to testify today. For the record, my name is Rachael Moreland, and I am the Associate Director of the Alaska Forest Association. The Alaska Forest Association (AFA) is the forest products industry trade association for Alaska and we represent about 90 small businesses in the forest products sector.

The Alaska Forest Association strongly supports HJR 6 and we urge the committee to move it to the floor as soon as possible. As you already know, the timber industry, and in turn the communities of Southeast Alaska, have already been badly damaged by imposed federal actions. Further withdrawal of roadless areas and prohibition of entry into those areas will have a detrimental, perhaps even a fatal effect on the small remaining sawmill industry.

The net effect of the roadless area withdrawal on the Tongass National Forest is particularly drastic. While the Forest Service touts the net impact of the Roadless rule to be a mere 2 percent of the nation's land base; the rule effects 31 percent of all national forest lands. In Alaska, the Roadless rule withdraws an additional 67 percent, or 15 million acres, from the Tongass and Chugach National Forests.

In addition to severely restricting roaded access to Alaska's National Forests, the Roadless rule reduces the land available for scheduled timber sales on the Tongass from 576,000 acres to approximately 311,000 acres. This is an extremely small parcel of land which is certainly not large enough to support the existing industry, much less the re-development of a "sustainable, value-added" forest products industry.

With respect to the Chugach National Forest, 99 percent of that forest is roadless. The Roadless rule prohibits all new transportation infrastructure in the Chugach without the benefit of a public planning process specific to that forest. 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 actively involved in the Chugach planning process. We believe that process, and similar processes provided for by law (namely the NFMA), are the proper venues for land use allocations in our national forests.

Furthermore, inclusion of Alaska's national forests – the Tongass & the Chugach – in the roadless rule violates the "no more" clause of the Alaska National Interest Lands Conservation Act. The rule is inconsistent with existing forest plans, especially in light of the latest revisions of the Tongass Land Management Plan. HJR 6 correctly states that the roadless rule creates de facto wilderness without Congressional action or approval. The state is correct to demand that the "no more" clause of ANILCA be honored.

Concurrently (actually the day before, January 4), the Forest Service issued new regulations on their Transportation Policy which, when combined with the Roadless rule, creates a one-two punch for management and stewardship for the entire national forest system, not just the roadless areas. They are building a wall around 58.5 million acres with the Roadless rule, and then, with the Transportation policy, making it all but impossible for local land managers to do their jobs. They have made the road building and maintenance procedures intentionally onerous so as to effectively make the remaining national forest lands subject to similar extreme restrictions. These two policies when combined cover every inch of our national forests. The implications of this policy are devastating for the 38 million acres of our national forests at risk to wildfire and the 28 million at risk of insect and disease.

The government's withdrawal of roadless areas is bad for ALL national forests, it is bad for the American public, and is particularly bad for Alaska. There is widespread opposition within Alaska to this Roadless rule and the Alaska Forest Association urges the legislature to join that chorus with a loud voice.

Again, Mr. Chairman and members of the committee, thank you for the opportunity to testify today. I would be happy to answer any questions regarding AFA's support of HJR 6.



Alaska State Legislature

Please enter into the record my testimony to the House Resources
 committee name
 committee on HJR 6, dated 1/24/01
 bill/subject

My name is Florian Sever and I am a long-time resident of Sitka, Alaska, I have lived in Sitka for 25 years, and I have worked in the timber industry in the past.

I am definitely in favor of President Clinton's Roadless Policy, so I am against passage of HJR 6. There are way too many logging roads in Southeast Alaska already. The USFS does not maintain existing roads, and this has caused a heavy, negative impact on fish-rearing streams & receiving water from sediment-laden runoff. Silt generated by clearcuts is smothering spawning beds wherever these clearcuts exist, or occur.

Lastly, I feel it is incumbent upon this committee to hold public hearings on this issue in the towns of Southeast Alaska. Most working people cannot take time off of work to sit around at the legislative information office waiting for an opportunity to speak. Specifically I request that Representative Wilson come to Sitka to hold evening public meetings to gauge the public feeling on this issue before she votes on this issue.

Signed: Florian Sever - Florian Sever
 Testifier
SELF
 Representing (Optional)
1706 Edgcombe Drive, Sitka AK 99835
 Address
907-747-8466
 Phone No.

REQUEST THAT REPRESENTATIVE WILSON COME TO SITKA TO HOLD EVENING PUBLIC MEETINGS TO GAUGE THE PUBLIC FEELING ON THIS ISSUE BEFORE SHE VOTES ON THIS ISSUE.

— END —



Alaska State Legislature

Please enter into the record my testimony to the House Resources
 committee name
 committee on HJR 6, dated 1/24/01
 bill/subject

Why did Sitka not receive an equal opportunity to testify?
 Every other community has multiple opportunities to testify before we were called.
 The wording of the ~~resolution~~ ^{sponsors support} is not correct. The Action is not
 an affront to all Alaskans. Many Alaskans testified in favor of
 the policy.

The impetus for the roadless policy is fiscal. The Forest Service cannot obtain enough funds to adequately maintain existing roads. Poorly maintained roads cause damage to fisheries habitat and water quality. In the steep terrain of S.E. Alaska, roads cost over \$100,000 per mile to build. A recent report, done by the Forest Service and APF&G, documented that over 70% of our 4500 miles of roads on the Tongass are currently damaging fish resources. Fishery resources renew on a 7 yr. time cycle, trees 200 or more years. By supporting this resolution, the legislature would be urging the roads be built without any guarantee that there would be maintenance funds available, thereby damaging a resource that is much more important in the state's economy and renewable on a much swifter time scale.

Signed: Page D. Elze
 Testifier
Myself
 Representing (Optional)
2219 SMC
 Address
747-7509
 Phone No.

1 of 2

OVER

The TLMP process took 11 years because the viability population committee, composed of Alaska state agency representatives and other federal agencies sought for protection for fish & wildlife resources.

- it us were, unable to sp

... of the viable population committee
were not implemented in TLMP. Therefore
Secretary Lyons was forced to make additional
habitat protections. The cost of road
maintenance was not adequately addressed
under TLMP, nor was the research completed
on the roads & fish crossing problem.

Page 82



Alaska State Legislature

Please enter into the record my testimony to the House Resource
committee name
 committee on HJR 6, dated 1/24/01
bill/subject

I support HJR 6, I've spent the last 3 years going to every meeting there was working on the Chignik National Forest Revision near Cordova. I developed my own Alternative for the revision to the Forest Service. What Bill Clinton did with the Roadless initiative is completely disregard the Public Process. I hope the State of Alaska isn't the only State going after this Roadless initiative. Do whatever it takes to try and get President Bush to overturn this ruling.
 Thank You for listening to my comments.

Signed: A. Jean Connor
Testifier

Self
Representing (Optional)

P.O. Box 42 CORDOVA, ALASKA, 99574
Address

907-424-7642
Phone No.

| | |
|----------------|-----------------------|
| Introduced by: | Mayor |
| Date: | 01/23/01 |
| Action: | Adopted as Amended |
| Vote: | 7 Yes, 2 No, 0 Absent |

**KENAI PENINSULA BOROUGH
RESOLUTION 2001-012**

**A RESOLUTION SUPPORTING THE ALASKA LEGISLATURE'S HOUSE JOINT
RESOLUTION NO. 6 OVERTURNING THE ROADLESS AREA CONSERVATION
RULE IN THE TONGASS AND CHUGACH NATIONAL FORESTS**

WHEREAS, the Kenai Peninsula Borough Assembly passed three resolutions in the past three months dealing with the Chugach National Forest Revised Land and Resource Management Plan; and President Clinton recently adopted the Roadless Area Conservation rule in the Tongass and Chugach National Forests and the Alaska State Legislature is considering House Joint Resolution 6 opposing this rule; and

WHEREAS, in Resolution 2000-108, adopted November 21, 2000 the Kenai Peninsula Borough supports continued public access to the Chugach National Forest for all recreational users and encourages the Federal Government to upgrade and improve trails and parking lots to increase public access; and a roadless policy will discourage the development of improved public access to public lands which will cause increased congestion amongst various user groups creating unnecessary and avoidable conflicts; and

WHEREAS, the Kenai Peninsula Borough Assembly passed Resolution 2000-112 on December 12, 2000 which supports timber harvest on the hundreds of thousand of acres of the Chugach National Forest within the Seward Ranger District which has been infested by the spruce bark beetle; and the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting, and reforestation of the hundreds of thousands of acres of trees impacted by the spruce bark beetle infestation within the 5.45 million acre Chugach National Forest; and a roadless policy will further affect the economic loss of millions of board feet of potentially valuable and already dead spruce trees which could otherwise have provided a vital part of the economic foundation for residents and businesses of the borough; and

WHEREAS, a roadless policy will effectively eliminate the feasibility of exploration for and development of new and existing mineral deposits that lie within the Chugach National Forest; and KPB Resolution 2000-112 also supports the adoption of provisions within the Proposed Revised Land and Resource Management Plan that will provide for new road access to newly discovered and existing mineral deposits that will allow for viable commercial and recreational mineral extraction; and

WHEREAS, the Kenai Peninsula Borough Assembly in passing Resolution 2001-005 on January 9, 2001 expressed its support of a complete and thorough legal review by the Office of General Counsel for the United States Forest Service or other appropriate agency to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act and other appropriate federal laws;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Assembly strongly supports the passage of HJR 6 by the Alaska State Legislature for all the reasons stated, but in particular for the portions of the resolution that pertain to the Chugach National Forest.

SECTION 2. That a copy of this resolution be sent to the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, the Alaska Congressional Delegation, and the United States Forest Service.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 23RD DAY OF JANUARY, 2001.

Timothy Navarre

Timothy Navarre, Assembly President

ATTEST:

Linda S. Murphy

Linda S. Murphy, Borough Clerk



Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK. 99801-1182

Representative Peggy Wilson

SPONSOR STATEMENT – HJR 6.

This resolution opposes the Clinton Administrations' decision on the Roadless Policy.

On January 5, 2001 then President Clinton announced the final Record of Decision for the roadless policy including the Tongass and Chugach National Forests.

Alaskans from across this state must join forces to overturn the inclusion of Alaska forests within former President Clinton's Roadless Policy.

This presidential action is an affront to all Alaskans and continues their history of breaking promises to Alaskans regarding land management.

This Roadless Policy is in blatant disregard of the processes that have been agreed to. Countless hours, over eleven years and 13 million dollars were spent making revisions to the Tongass Land Management Plan. The Chugach Forest Plan revision process has been underway for over three years requiring considerable investment of time money and resources. Now these processes have been completely disregarded

This Roadless Policy violates the "no-more" clauses of ANILCA and creates approximately 15 million acres of new defacto wilderness within Alaska.

I, like many Alaskans, am vehemently opposed to the inclusion of the Tongass and Chugach National Forests in this Roadless Policy and ask that we work together and support the overturning of this inclusion by litigation, by congressional action or by action of President Bush.

State of Alaska
Office of the Governor

Tony Knowles
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
NEWS RELEASE



Bob King
Press Secretary
Claire Richardson
Deputy Press Secretary
907-465-3500
FAX: 907-465-3533
www.gov.state.ak.us

FOR IMMEDIATE RELEASE: January 5, 2001

01-004

TONGASS ROADLESS ACTION VIOLATES PUBLIC PROCESS, TRUST

Knowles Seeks Legal, Congressional Action to Uphold "Doing It Right" Principles

Callin. " another federal fiat that constitutes a double-cross of the public process and the public's trust, Gov. Tony Knowles today directed his Attorney General to file suit against the Clinton Administration's midnight-hour executive action on roadless policy in the Tongass and Chugach National Forests. Knowles also called on Congress and the incoming Administration to take actions to confirm his "doing it right" principles of resource management in federal law.

"Our forests must be managed by the principles of sound science, conservation-based management, and an open, public process," Knowles said. "The executive action announced in Washington today is based on little or no science, and makes a mockery of the public process that was involved in the creation of the Tongass Land Management Plan and shortcuts the process now underway for the Chugach.

"Alaskans are tired of being double-crossed by the federal government with false promises of public involvement that is subsequently overturned by executive policy actions from Washington," Knowles added. "I am directing my Attorney General to file suit against this illegal and ill-advised executive fiat to preserve the integrity of the planning process."

Knowles called on Sen. Frank Murkowski, chairman of the Senate Energy and Natural Resources Committee, and Congressman Don Young, chairman of the Alaska Task Force of the House Resources Committee, to take the necessary congressional actions that confirm the 'doing it right' principles of science, management, and public process that exist in federal law." Knowles will also seek review of the roadless policy by the incoming Bush Administration.

Outgoing President Bill Clinton announced the roadless initiative in Washington, D.C. today, ignoring a 10-year, \$12 million, science based, public planning process that took place for the Tongass. Knowles has steadfastly supported the public process over federal fiats in resource decision making and said that bypassing the process was not a victory for either side. Conservation measures that were gained in the Tongass Plan could as easily be overturned by future executive action if today's roadless policy were left unchallenged, Knowles noted.

"There are no winners in the forest if the management of our resources is based on executive fiats rather than sound science and a public process," Knowles said. "Those who claim victory today may find themselves the victims of an executive action tomorrow. When federal policy establishes an open, public process in decision making, they must abide by the public's decision. That's why this action is wrong and must be challenged."

**CITY OF PETERSBURG**

P.O. BOX 329 • PETERSBURG, ALASKA 99833

TELEPHONE (907) 772-4511

TELECOPIER (907) 772-3759

January 19, 2001

Representative Peggy Wilson
Room 409
State Capital
Juneau, AK 99801

Dear Representative Wilson,

The City of Petersburg has been and remains strongly opposed to the Roadless Initiative, especially the inclusion of the Tongass National Forest in this initiative. Petersburg has gone so far as to send Representatives to Washington D.C., to voice our opposition to the Tongass inclusion. The City of Petersburg has also passed and distributed a resolution opposing this initiative, which we have attached to this letter for your utilization. Petersburg has additionally voiced its agreement with our Federal Congressional Delegation and the Governors intention to sue the Federal Government in opposition to this intrusion.

Petersburg thanks you for your co-sponsorship of HJR6 and whole heartedly supports your efforts in this matter. If we can be of any further service, besides our support, please feel free to contact our city offices.

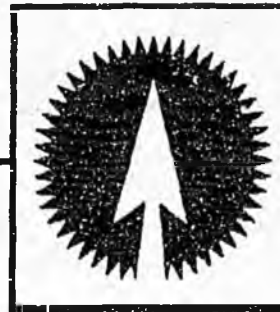
Sincerely,

Theodore (Ted) Smith
Mayor of Petersburg

Enclosure (1)

sk

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

January 12, 2001

Representative Peggy Wilson
State Capitol, Room 409
Juneau, AK 99801-1182

JAN 12 2001

Via Fax (907) 465-3175, Original Via Mail

Re: House Joint Resolution 6, Opposing the Roadless Rule

Dear Representative Wilson:

Thank you for introducing HJR 6, a resolution opposing the inclusion of the Tongass and Chugach National Forests in the President's Roadless Rule. The Alaska Forest Association fully supports HJR 6 because Alaska is disproportionately harmed by the rule.

As HJR 6 clearly spells out, Alaska National Interest Lands Conservation Act (ANILCA) contains provisions which were intended to prohibit the very kinds of actions that are at issue here. Aside from the immediate harm that will accrue to the industry and communities of Alaska's coastal region, the Roadless Rule should be opposed by the State of Alaska because of the promises embodied in ANILCA. Whether the Clinton Administration chose to call these roadless withdrawals "wilderness" or not, it amounts to the same thing. As HJR 6 states, these new areas will be *de facto* wilderness, the designation of which, or *even the study* of which, is prohibited by ANILCA. Additionally, the Roadless Rule violates the National Forest Management Act of 1976 (NFMA) which established a planning process for land management plans in individual forests.


The Tongass Land Management Plan (TLMP) 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.

Estimates given by the Forest Service, Alaska Region, state that application of the Roadless Rule to the Tongass and the Chugach will further reduce the land available for timber harvest from 576,000 to 311,000 acres in the Tongass, and to 53,000 in the Chugach. The Forest Service estimates it can offer approximately 50-55 million board feet of timber per year under the Roadless Rule and TLMP. If implementation of the Roadless Rule 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.

With respect to the Chugach National Forest, 98 percent of that forest is presently inventoried roadless. Application of the Roadless Rule 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.

Again, thank you for introducing this important resolution. It is our hope that the Alaska State Legislature will act swiftly in strong support of HJR 6. If you have any questions regarding the Roadless Rule, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Jack Phelps" with "by Ram" written below it.

Jack E. Phelps
Executive Director

cc: The Honorable Tony Knowles, Governor of Alaska
Senator John Torgerson



January 12, 2001

Representative Peggy Wilson
State Capitol, Room 409
Juneau, AK 99801-1182

JAN 13 2001

Via Fax (907) 465-3175, Original Via Mail

Re: HJR 6, Federal Roadless Rule

Dear Representative Wilson:

I am writing on behalf of Chugach Alaska Corporation (Chugach) to express our full support of HJR 6. As the largest non-federal landowner within the Chugach National Forest (Chugach owns or has selection rights to 625,000 acres of full fee, subsurface and oil and gas estate within the boundaries of the Chugach National Forest) Chugach has participated fully in the Chugach Forest Plan revision process, investing considerable resources over the past several years. The roadless rule makes a mockery of that process.

We also have a future need to perfect road access across National Forest lands, access that was promised to Chugach as an integral part of its land settlement. It is disingenuous for the Forest Service to characterize those lands within the Chugach Forest that are burdened by Chugach's statutory access rights as forever roadless. The Roadless rule will only make perfecting such promised access more difficult.

We applaud Governor Knowle's resolve to defend our Corporation and all Alaskans who will suffer from this executive fiat. HJR 6 articulates these issues well and will further support the Governor's effort, while providing the needed backing for our President-elect and Congressional delegation in Washington to overturn this rule.

Enclosed is additional correspondence regarding this matter, should you wish to explore Chugach's position on this issue in greater detail. Feel free to contact me if you would like to discuss this issue further. Thank-you for your support

Sincerely,

Rick Rogers, Vice President
Lands, Resources and Tourism

Enclosures: Letter to Governor Knowles

Letter to Secretary of Agriculture Glickman

560 East 34th Avenue Suite 200 Anchorage, Alaska 99503-4196 Phone 907-563-8866 Fax 907-563-8402

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January 19, 2001

Representative Peggy Wilson
Alaska State Capital
Juneau, AK 99801-1182

Dear Representative Wilson,

My family and I applaud yours and Representative Williams' sponsorship of HJR6 opposing President Clinton's Roadless Proposal. We also strongly support Governor Knowles' decision to file suit against the proposal. This Proposal must be overturned by whatever methods it can, be it litigation, congressional action, or Presidential order.

I have lived in Alaska all my life. My parents settled in Alaska and fought for statehood over 50 years ago. My small family and myself currently reside in Ketchikan, where we own our home and operate a business. Please do not be deceived by those who have no stake in this area that the majority of testimonies at hearings were in favor of the Roadless Policy. I testified at the hearings in Ketchikan, and only in Ketchikan. I am certain if one compares names of those who testified at the hearings one will find a pattern of duplications. I have seen many of the same people soliciting ill guided comments from unsuspecting visitors unfamiliar with the issues and the areas. In fact, they launched a well-staffed and funded campaign in Ketchikan's summer 2000 visitor season to solicit 20,000 comments in favor of the Presidential initiative. To claim that the majority of hearing testimonies were in favor of the Roadless Policy truly emphasizes these people's methods of public deception.

This Roadless Policy action further handcuffs our state from ever being able to comply with our Statehood Compact of utilizing our natural resources to fund State Government. I believe the legislature should also re-consider former Governor Hickel's lawsuit against the federal government in breach of Alaska's statehood contract.

Thank you again for your sponsorship of HJR6.

Sincerely yours,

K.A. Swiger
Owner

Gerald and Deloris Herbrandson

**Solar Wind
P.O. Box 1374
720 Sandy Beach Road
Petersburg, Alaska 99833
(907) 772-4898**

Jan. 21, 2001

Regarding HJR-6

Peggy Wilson -

My wife and I are very concerned that the Roadless legislation as being imposed upon our country, through executive order, is not in accordance with the will of the people and in many cases violates many of the public comment/check-and-balances which have been built into proposed actions of our government.

It is my observation that the communities of SE Alaska have been significantly effected by the management polices of the Forest Service. Through the 1970's, 80's, and early 90's the communities staggered under a tremendous housing shortage caused by the growth of the timber program and Forest Service employment. Hospitals, schools, support services, and community housing were all expanded to meet the demands of a growing economy. The cost of housing rose significantly as the communities tried to react to housing shortages.

Beginning in the mid 90' Forest Service policy changed. Timber programs were cut, timber related industries closed, and Forest Service employment reduced. These government actions (many of which bordered being fraudulent and deceitful) significantly effected the economy of SE Alaska. The communities found themselves contenting with high unemployment, excess housing, declining property values, and unmet budgets.

It is my feeling that the Federal Government, as the largest land owner of SE Alaska, has a moral obligation to the economy of each community. This obligation is further burdened when one understands that the communities were built-up to their current condition in response to actions of the Federal Government.

For the Federal Government to arbitrarily close access to the natural resources that these communities rely upon with out taken full responsibility for the loss of property value, loss of employment, loss of economic incomes is not acceptable.

It is promoted by some that tourism and recreation are the new economies of SE Alaska. This sounds good but has no basis. Tourism provides employment to a very limited few for less than 12 months out of the year. No viable community can build it's economy upon tourism alone which can evaporate on the whims of public sentiment. The economy of SE Alaska, as with our total Nation, must be diverse with segments rooted in the development and wise management of natural resources.

**Thank you for your support
Gerald and Deloris Herbrandson**

January 19, 2001

Representative Peggy Wilson
House of Representatives
Room 409
Juneau, AK 99801-1182

Re: Tongass Roadless Policy

Dear Representative Wilson;

I am delighted that you have taken the time and effort to pursue passage of a Resolution condemning the "Roadless" policy recently imposed upon us by the Clinton administration. I support this resolution and am adamantly opposed to this 'dictate', which is the death knell to our remaining chance of maintaining any type of a stable economy.

Any type of logging in the Tongass has been under attack by the extreme environmental organizations for years. However, the past 8 years have been particularly devastating to our economy in Southeast Alaska. We have witnessed the closure of our only two pulp mills in Sitka and in Ketchikan. We went through a 10 year Tongass Land Use Management Plan (TLMP) with literally hundreds of public hearings and studies that cost millions of dollars. The alternative that was finally agreed to (which further reduced timber harvest levels) and was 'signed-off' by the Forest Service was unilaterally altered by Under Secretary of Agriculture Jim Lyons. Without any public input or public hearings, he further reduced the harvest levels, set aside more lands as protected from any resource based activity, and increased the timber harvest rotation from 100 to 200 years.

This, now, has been followed by two staggering and unprecedented assaults on the Tongass. First is the "Roadless" issue which prohibits any road building in the Tongass except under unusual circumstances. This effectively limits timber harvest to under 50 million board feet per year - hardly enough to keep one small sawmill operating. The second, and most blatant edict issued recently WITHOUT any public input or comment, is the recent ruling by Dan Glickman that no "old growth" trees can be harvested at all!!

I've lived in Petersburg for over 20 years. Our school enrollment has been declining each year for the past 5 years. There are more homes for sale than ever before in Petersburg's history. Our sales tax revenues are declining. Property values are declining as well. Because of this, funding for schools, streets and roads, parks and recreation, and other services have been cut. People are leaving town; not because they want to but because there is no longer employment.

I will close here for the sake of brevity. But, what is presently happening in California with the energy crisis is the direct result of the environmental community fighting to keep any new power plants from being constructed within the State. These same extremists are now attempting to close the Tongass to any resource based activity including timber, fishing, and tourism (except the backpacker, of course). It is indeed sad when I, as a parent of two kids, have to admit that there is no chance of them coming back to live here because there are no jobs here. This is a sad day for Petersburg and a sad day for Alaska if this is allowed to happen.

I urge unanimous passage of your resolution.

Sincerely,



Dave Carlson
PO Box 669
Petersburg, AK 99833

I'm sick of the people in
Washington D.C. Making these decisions
for us who live in the Tongass N.F.
This Roadless issue is a big waste of
time and money that no one can
afford. I worked for the Forest Service
During the time T.L.M.P. was put together.
Where are our Leaders minds.

Thank you

Sid
Sid Bacom
P.O. Box 683
Petersburg, AK 99833

Subject: Roadless Letter

Date: Sat, 20 Jan 2001 16:18:12 -0900

From: "Wilma E Leslie" <wilma@alaskawaters.com>

To: <Jean_Ellis@legis.state.ak.us>

Dear Representative Wilson:

I am opposed to President Clinton's Roadless Area Conservation rule. I support the overturning of this inclusion by litigation, by congressional action or by action of President Bush. The Roadless Area Conservation rule, if enforced will have a devastating effect on more than just the Timber industry. This Roadless Area Conservation rule is "THE DESTROYER OF FAMILIES" living in Southeast Alaska. This issue is a people issue not a wilderness issue. If initiated, the Roadless Rule will be the last nail in Southeast Alaska's economic coffin!

The goal of all environmental groups has been and always will be to shut down all Natural Resource based industries in Alaska. The timber industry just happen to be the first casualty. Legislation limiting access to the Tongass has already caused unnecessary hardship and grief for many families who were previously employed in the timber industry. If we don't stop this Roadless Rule there will be more families that will be devastated.

I know that national preservationist groups as well as the Southeast Alaska Conservation Council (SEACC) do not think that they have personally caused anyone harm. They are wrong, they have. These preservationist groups continue to cause the annihilation of small (rural) Alaskan communities by supporting radical environmental legislation. They need to look into the faces of the people who's lives they are destroying. They need to be held publicly accountable for their actions!

The only way to save Alaska from the whims of legislators in Washington D.C. is to educate the rest of the Nation about Alaska. The real issues and truths about Alaska are unknown to most Americans. Alaska is too far away and the Alaskan's lifestyle too "foreign" for most people to grasp. Radical environmental groups have used fear and misinformation to motivate these same people to send in money and sway the vote for extreme and sometimes absurd environmental legislation.

Alaska needs to initiate a scientifically based "Alaska Natural Resource Education Program". This program needs to be in all Alaska elementary, middle and high schools. Hopefully, through educating our own citizens about Alaska's natural resource based industries.

Alaska Women In Timber in cooperation with the U.S. Forest Service tried to initiate a program called "Alaska's Great Green Forest". Unfortunately, their program did not address all Natural Resource Industries.

The Timber Industry was assured in 1990 by Congress and environmental groups that no jobs would be lost if the Tongass Timber Reform Act was put in place and 1.1 million additional acres set aside. This has turned out not to be the case. Promises now about maintaining the existing industry ring hollow when we are unable to redeem previous promises and more of the Tongass is being withdrawn through the proposed Roadless Area Conservation rule.

Wrangell's economy and families depend on multiple use access to the Tongass National Forest for their survival! Alaska's state legislators, Alaska's governor and the Alaska congressional delegation need to make sure that President Clinton's Roadless Area Conservation rule is overturned!

Sincerely,

12 Wilma E. Leslie - Wrangell

Subject: KPPLUG SUPPORTS HJR 6

Date: Sat, 20 Jan 2001 17:11:52 -0900

From: "DeVito's" <gooches4@alaska.net>

To: Representative_Peggy_Wilson@legis.state.ak.us

January 17, 2001

Kenai Peninsula Public Land Users Group

P.O. Box 1424

Soldotna, Alaska 99669

Alaska State Senate
State Capitol
Juneau, Alaska 99801-1182

Dear Senator,

On behalf of the Kenai Peninsula-Public Land Users Group (KPPLUG), it is with great concern that we support and urge the adoption of HJR 6 and SJR 2, which opposes the inclusion of National Forests in Alaska within President Clinton's Roadless Area Conservation rule. We strongly support overturning this inclusion by litigation, congressional action, or by the action of President Bush.

KPPLUG represents many members and incorporates all varieties of user groups. We are a grass roots organization interested in the responsible utilization of our public lands on the Kenai Peninsula in particular, and the other public lands of Alaska in general.

Clinton's rule disregards the land management process, which Congress intended under the National Forest Management Act of 1976. It further conflicts with several specific sections of the Alaska National Interest Lands Conservation Act (ANILCA). As a result, the economic, social, traditional, recreational and educational rights and opportunities of Alaskans have been ignored.

The National Forests in Alaska are unique and mostly absent of roads, access, and abusive resource development. There is no cause, evidence, or legitimate explanation for such a drastic roadless conservation rule.

Again, KPPLUG strongly supports the Alaska State Legislature in opposing Clinton's Roadless Area Conservation rule, and particularly opposes the illegal inclusion of the Tongass and Chugach National Forests in this rule. We urge you to adopt HJR 6 and SJR 2.

Thank you,

Dennis Merkes - President KPPLUG

Cc: Alaska House of Representatives
Alaska House Resource Committee
Alaska State Senate
Alaska State Senate Resource Committee

MY TURN

by Robert W. Loescher

President & CEO, Sealaska Corporation

Alaskans from across this great state need to join forces with Governor Tony Knowles and the Alaska Congressional Delegation and keep the Clinton Administration's "roadless policy" out of our Tongass and Chugach National Forests. Here are four reasons why: (1) The roadless policy totally ignores the established forest land planning process. (2) By fiat, the roadless policy locks up so much suitable forest land that we can not sustain jobs and a viable timber industry. (3) The roadless policy violates the clause in Alaska National Interest Lands Conservation Act (ANILCA) that unequivocally said no more public land would be locked up in Alaska. (4) It precludes rural communities from improving their core infrastructure needs including drinking water and utility and transportation corridors.

Governor Tony Knowles staunchly supports the right of the Alaskan public to participate in administrative and legislative actions that affect their lives. He said that the roadless initiative is not a public process. He understands that the roadless policy ensures that Alaska's forests will not sustain a viable and economically important timber industry. This policy will hurt Alaska's urban and rural communities. Alaska and our forest-dependent communities cannot absorb more loss of jobs and restricted access to land for core community needs that this policy will cause.

Alaska has a long history of responsible, public processes to guide the management of our forests and forest ecosystems. They were designed to protect wilderness, jobs and community well-being. ANILCA struck the right balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition. ANILCA's "no more" clause prohibited any further land withdrawals without the

approval of the US Congress. The "no more" clause made sure that voices of the small, forest-dependent communities were not drowned out by the "postcard diplomacy" of well-financed corporate environmental organizations and foundations.

Congress passed the Tongass Timber Reform Act (TTRA) in 1990 and set aside another 1.2 million acres of national forest land. TTRA was a very public process that fixed obvious oversights in ANILCA by adding small but important ecosystems to conservation units. In this process, the voice of Alaska residents was heard.

Unfortunately, the Clinton administration ignored the open and public processes in ANILCA and TTRA that produced the revisions to the Tongass Land Management Plan (TLMP). The revised TLMP Plan, initiated in 1986, and finally ratified in May 1997 allowed national public participation. Two years later, US Dept. of Interior Undersecretary Lyons disregarded this public process and significantly amended the 1997-revised TLMP. He cut the annual allowable harvest from the Tongass National Forest by over 30% and injured Alaskans' ability to sustain a viable timber industry.

This blatant disregard for the public process and the health of Alaska's forest-dependent communities occurred after Undersecretary Lyons declared his support for the public forest land management planning process. Lyons said to the Southeast Conference that there would be no further significant timber or other land withdrawals on the Tongass National Forest. Undersecretary Lyon's unilateral actions demonstrate clearly why there was a "no more" provision in the ANILCA: to stop Washington D.C. bureaucrats from imposing their own misguided ideology behind closed doors.

The Clinton administration continues to steamroll the Alaskan public. Undersecretary Lyons told us that the new national roadless policy would not apply to the Tongass National Forest because the Tongass land planning

process had just been completed. In an about-face, the US Forest Service EIS now recommends inclusion of the Tongass. This action reduces the annual harvest from Tongass by 82% and destroys our forest industry. All this without any meaningful site-specific considerations that the local planning processes require. The key public official obligated to ensure public participation in forest management decisions ignored the public's rights and became an agent for the corporate national environmental organizations who place ideology and perception above good science and the people's right to live and work in this great land.

The roadless agenda is clear. The Clinton administration's threat to implement its roadless policies is real. It will harm our communities, who depend on access to the adjacent forests for drinking water, for cheaper electrical power, and for basic safe and reliable transportation corridors.

We, as a State, must pull together and stop the economic strangulation of our communities. I applaud the way Governor Knowles stood up for Alaska and protested the preemption of the TLMP process. Governor Knowles said in a letter to Agriculture Secretary Dan Glickman, "I remain firm in my opposition to any action that undermines the Tongass plan through federal fiat."

The Congressional Delegation has been using its authority and prestige in Washington, D.C. to urge Secretary Glickman to adhere to the National Forest Management Land Planning process and not to apply the roadless policy to the Alaska National Forests. The Governor and the Congressional Delegation working together with Alaskans can influence the outcome. However, lukewarm and measured responses to this threat will not prevail. We must adopt an aggressive strategy that may include litigation, congressional action and administrative challenges to prevent application of the roadless policy to either the Tongass or Chugach National Forest.

This is now a matter of survival. Alaskans treasure independence, and take pride in self-reliance. If we fail to act, our communities and the economies of the Tongass and Chugach National Forests will become financially-dependent wards of the State and Federal government.

Robert M. Lander

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.

708(b)(4)

TITLE VIII—SUBSISTENCE MANAGEMENT AND USE

FINDINGS

16 USC 3111.

SEC. 801. The Congress finds and declares that—

705a

(1) the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence;

(2) the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply rural residents dependent on subsistence uses;

(3) continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, by increased accessibility of remote areas containing subsistence resources, and by taking of fish and wildlife in a manner inconsistent with recognized principles of fish and wildlife management;

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43 USC 1601 note.

(4) in order to fulfill the policies and purposes of the Alaska Native Claims Settlement Act and as a matter of equity, it is necessary for the Congress to invoke its constitutional authority over Native affairs and its constitutional authority under the property clause and the commerce clause to protect and provide the opportunity for continued subsistence uses on the public lands by Native and non-Native rural residents; and

(5) the national interest in the proper regulation, protection, and conservation of fish and wildlife on the public lands in Alaska and the continuation of the opportunity for a subsistence way of life by residents of rural Alaska require that an administrative structure be established for the purpose of enabling rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses on the public lands in Alaska.

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POLICY

16 USC 3112.

SEC. 802. It is hereby declared to be the policy of Congress that—

(1) consistent with sound management principles, and the conservation of healthy populations of fish and wildlife, the utilization of the public lands in Alaska is to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources of such lands; consistent with management of fish and wildlife in accordance with recognized

ACCESS

Nonfederally owned lands. 16 USC 3210.

SEC. 1323. (a) Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of Agriculture may prescribe, the Secretary shall provide such access to nonfederally owned land within the boundaries of the National Forest System as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and regulations applicable to ingress and egress to or from the National Forest System.

(b) Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of the Interior may prescribe, the Secretary shall provide such access to nonfederally owned land surrounded by public lands managed by the Secretary under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701-82) as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and regulations applicable to access across public lands.

YUKON FLATS NATIONAL WILDLIFE REFUGE AGRICULTURAL USE

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.

Publication in Federal Register; notification of Congress.

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.

(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.



SEC. 1327. No additional requirements for the operation of the National Transportation System and approved by the Secretary imposing any restrictions concerning such system.

SEC. 1328. (a) made pursuant to (44 Stat. 1364), Stat. 1097), within the time in Alaska that statutes when enacted hundred and except where subsection, or adjusted pursuant approval pursuant the time the adj

(2) Where an unit of the National Wildlife Refuge System in the State of Alaska before the effective date of the land was not within Native Claims land which has which on or tentatively approved Alaska pursuant to section 11(a) from those lands the Act by any 11(b) of such Act of this section cated pursuant 1328(a)(1) hereof other applicable

(3) Paragraph apply and the requirements on or before the effective date of

(A) a National the Interior entitled to withdrawn Alaska National

(B) the Secretary stating that access to land a political thereon, or

7050

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RESOLUTION NO. 1598-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PETERSBURG, ALASKA OPPOSING THE INCLUSION OF THE
TONGASS NATIONAL FOREST IN THE USDA FOREST SERVICE'S
NATIONAL ROADLESS AREA REVIEW**

Whereas, Section 708 of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA) resolved roadless issues in a compromise bill as well as established over five million acres in 14 areas as Wilderness on the Tongass National Forest; and

Whereas, the Tongass Timber Reform Act of 1990 added 350,000 acres on the Tongass National Forest in five new Wilderness areas and one addition to an existing wilderness; and

Whereas, the Tongass Timber Reform Act also designates almost 690,000 acres in 12 Congress mandated roadless areas to maintain their wildland characteristics; and

Whereas, the Record of Decision (ROD) signed by Undersecretary Lyons noted the Tongass National Forest would be exempt from roadless moratorium as the newly revised plan had the benefit of considerable science and public involvement in the 12 year revision process for the Forest Plan; and

Whereas, Mr. Lyons also noted that he considered the roadless issue in his decision and addressed it through changing land allocations to mostly natural Land Use Designations in 18 un-roaded areas totaling 500,000 acres; and

Whereas, Mr. Lyons stated in the ROD that 90 percent or more of all currently un-roaded lands on the Tongass will still be roadless at the time of the next forest plan revision; and

Whereas, only 3 percent of 17 million acres on the Tongass National Forest will be used to sustain the timber industry over the next 10 years; and

Whereas, approximately ½ of the current Tongass National Forest timber base is included in areas which would remain un-roaded under the initiative; and

Whereas, Mr. Lyons, on September 28, 1999 in Sitka, Alaska, stated at the Southeast Conference of Mayors, that his decision on the Tongass Plan was made to "finally provide some certainty with regard to future uses and management direction on the Tongass", and also assured the Mayors that "we have to move on"; and

Whereas, we agree with the Governor of the State of Alaska that the inclusion of the Tongass in the roadless review would be an outrage as assurances were provided that the resolution of the Tongass planning process would put an end to this issue; and

Whereas, the Tongass National Forest is essential in bringing stability and certainty to the economy of Southeast Alaska, providing jobs for many families dependent on such stability; and

Whereas, the implementation of the roadless initiative to the Tongass National Forest would greatly diminish access to timber and other natural resources and may eliminate opportunities for construction of future transportation or utility corridors throughout the Southeast Alaska region; and

Whereas, any further diminishment of the timber base in the Tongass National Forest would exacerbate economic harm to Petersburg and other Southeast Alaska communities caused by previous changes in federal policy.

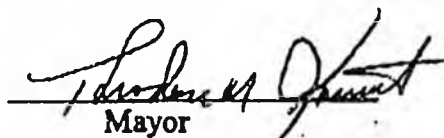
Now Therefore Be It Resolved by the City Council of the City of Petersburg as follows:

1. The City Council strongly opposes the inclusion of the Tongass National Forest in the "roadless area" policy review; and
2. The Petersburg City Council opposes any unilateral action to modify the Record of Decision as such action is contrary to proper resource planning and circumvents the public planning process.

Passed and Approved by the City Council of the City of Petersburg, Alaska this 10th day of

December, 1999.




Mayor



Greater Ketchikan Chamber of Commerce

P.O. Box 5957, Ketchikan, Alaska 99901

(907) 225-3184 • FAX: (907) 225-3187

A RESOLUTION OPPOSING INCLUSION OF THE TONGASS AND CHUGACH NATIONAL FORESTS IN THE US FOREST SERVICE'S NATIONAL ROADLESS AREA CONSERVATION RULE AND REQUESTING APPROPRIATE LEGAL ACTION TO STOP INCLUSION

WHEREAS, managed access to the natural resources in the Tongass and Chugach National Forests, including timber, minerals, fisheries, water, and recreation opportunities is essential for the well-being of numerous communities within and adjacent to these forests; and

WHEREAS, after years of study, public comment, and spending millions of dollars, the US Forest Service release of the revised Tongass Land Management Plan (TLMP) in 1997 to effect a detailed resource management plan; and

WHEREAS, the revised 1997 TLMP removed substantial amounts of natural resources from future development status; and

WHEREAS, in an April 1999 TLMP Record of Decision, the US Department of Agriculture unilaterally reclassified additional natural resource areas, thus making them ineligible for development; and

WHEREAS, President Clinton issued his "Roadless Directive" to implement the removal from development of "roadless areas" in national forests; and

WHEREAS, the Forest Service is now completing a revision of the Chugach National Forest Land Management Plan (CLMP); and

WHEREAS, the 1997 TLMP constitutes a substantially more complete analysis of the Tongass National Forest than the proposed Directive's process; and

WHEREAS, any further restrictions to access and road building in the Tongass National Forest as part of a nationwide ban are not appropriate due to the substantial recent management decisions made by the US Forest Service, US Department of Agriculture; and

WHEREAS, any further reduction of the resource base in the Tongass National Forest will increase the economic harm already felt by numerous Southeast Alaska communities; and

WHEREAS, the president has selected Alternative 3 (the most restrictive) as the preferred alternative in the Final Environmental Impact Statement for his Roadless Area Conservation Rule; and

WHEREAS, this selected Roadless Conservation Area rule alternative will prohibit road construction and reconstruction and seriously limit other management activities immediately within the Chugach National Forest and will likewise limit development activities within the Tongass National Forest, even prior to full implementation in 2004; and

WHEREAS, in passing the Alaska National Interest Lands Conservation Act in 1980, Congress asserted that the appropriate balance had been struck between development and conservation and to that end included the "NO-MORE" clauses that prohibit the formation of new conservation units in Alaska without congressional approval;

NOW, THEREFORE, BE IT RESOLVED, that the Ketchikan Chamber of Commerce strongly opposes the inclusion of Alaska's two National Forests in the President's Roadless Area Conservation Rule; and

AND BE IT FURTHER RESOLVED, that the Ketchikan Chamber of Commerce strongly requests the Governor of Alaska and Alaska's Congressional Delegation to work together to develop an integrated strategy for altering the roadless policy and to take all appropriate actions, including any appropriate litigation, to prevent the inclusion of the Tongass and Chugach National Forests in the National Roadless Area Conservation Rule.

Hereby adopted by the Greater Ketchikan Chamber of Commerce on this 13th day of December, 2000.

Signed: Dick Coose
Dick Coose, President

Dated: Dec 13, 2000

cc: Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young
Governor Tony Knowles
Mayor Jack Shay
Mayor Bob Weinstein
Alaska Forest Association
Ketchikan Visitors Bureau

Introduced by: Popp, Merka, Brown
Date: 01/09/01
Action: Adopted as Amended
Vote: 8 Yea, 1 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2001-005**

**A RESOLUTION OBJECTING TO THE IMPLEMENTATION OF THE FINAL
VERSION OF THE PROPOSED REVISED LAND AND RESOURCE MANAGEMENT
PLAN FOR THE CHUGACH NATIONAL FOREST BEFORE A COMPLETE LEGAL
REVIEW OF THE PLAN CAN BE COMPLETED**

- WHEREAS,** the Draft Environmental Impact Statement and the Proposed Revised Land and Resource Management Plan for the Chugach National Forest were available for public comment until December 14, 2000, and the National Forest Management Act of 1964 regulations require each Forest Plan to be revised every 10 to 15 years; and
- WHEREAS,** the planning area encompasses over 5.45 million acres within the Chugach National Forest, which is the second largest forest in the United States National Forest System and is subdivided into 3 administrative units, the Glacier, Seward and the Cordova Ranger Districts; and
- WHEREAS,** the Seward Ranger District of the Chugach National Forest encompasses a significant portion of the Kenai Peninsula Borough and includes a number of Kenai Peninsula Borough communities such as Hope, Cooper Landing, Moose Pass and Seward; and
- WHEREAS,** the "Situation Statements" of the Proposed Revised Land and Resource Management Plan describes conflicting public interests and existing conditions that could be improved by changing the 1984 Forest Plan, and that one of these conflicts was identified as a conflict between cross-country skiers and cross-country snowmobile operators that would be resolved by closing a number of existing trails or trailheads to snowmobiles because of these major ecological or social conflicts; and
- WHEREAS,** the Forest Service has stated that they have not completed any scientific studies to support closing any of the existing trails or trailheads to snowmobiles because of any major ecological or social conflicts; and
- WHEREAS,** the Proposed Revised Land and Resource Management Plan for the 5.45 million acre Chugach National Forest does not allow for reasonable methods of minerals extraction as access to the minimal amount of acreage made available for minerals exploration within the Forest is severely restricted by the Proposed Revised Land and Management Plan because the Revised Plan does not allow for any new roads to be constructed to provide access to newly surveyed mineral deposits within the Forest; and

WHEREAS, the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting and reforestation of a total of 3,343 acres per year out of the hundreds of thousands of acres of forest impacted by the Spruce Bark Beetle infestation within the 5.45 million acre Chugach National Forest; and

WHEREAS, the Revised Land and Resource Management Plan for the Chugach National Forest advocates the addition of over 2.5 million acres to restrictive classifications such as Wilderness, Wild Rivers, ANILCA classifications, Backcountry, Scenic Rivers, Brown Bear Core Area, and Recreation-Reduced Noise, all of which may have additional restrictions on numerous user groups and resource development within the Chugach National Forest; and

WHEREAS, the Office of General Counsel for the United States Forest Service has indicated to the Forest Service planners that it would take approximately one and a half years to complete a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to, in part, conduct a legal determination of the Proposed Plan for consistency with the legal provisions of the Alaska National Interest Lands Conservation Act, or ANILCA; and

WHEREAS, the Forest Service has no stated plans to conduct a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of ANILCA; and

WHEREAS, the Kenai Peninsula Borough Assembly has previously expressed its support for continued public access to Chugach National Forest for all recreational users of the forest through Kenai Peninsula Borough Resolution 2000-108; and

WHEREAS, the Kenai Peninsula Borough Assembly has previously expressed its support for provisions for expanded timber harvesting and minerals exploration within the Chugach National Forest and has requested a complete legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest through Kenai Peninsula Borough Resolution 2000-112; and

WHEREAS, the implementation of the final version of the Proposed Land and Resource Management Plan for the Chugach National Forest without a complete and thorough legal review to assure that the Plan is consistent with the provisions of ANILCA could cause serious harm to the economy and quality of life enjoyed now, and in the future, by the citizens of the Kenai Peninsula Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

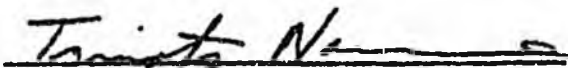
SECTION 1. That the Kenai Peninsula Borough Assembly strongly objects to the implementation of the final version of the Proposed Revised Land and Resource Management Plan

for the Chugach National Forest and reserves its support until a complete and thorough legal review of the final version of the Proposed Revised Plan can be completed that provides a legal determination stating the final version of the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act.

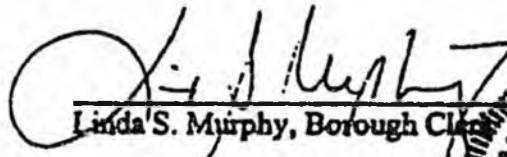
SECTION 2. That the Kenai Peninsula Borough Assembly specifically requests a complete and thorough legal review by the Office of General Counsel for the United States Forest Service or other appropriate agency of the final version of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest with the objective to provide a detailed, written legal determination that the final version of the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act and other appropriate federal laws.


SECTION 3. That a copy of this resolution be sent to the members of the Alaska Congressional Delegation, the members of the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, and to the United States Forest Service.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 9TH DAY OF JANUARY 2001.


Timothy Nease, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



Introduced by: Merkes, Brown, Popp, Fischer
Date: 11/21/00
Action: Adopted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2000-108**

**A RESOLUTION SUPPORTING LEAVING ALL EXISTING TRAILS IN THE
CHUGACH NATIONAL FOREST OPEN FOR EXISTING RECREATIONAL USES,
SUPPORTING IMPROVEMENTS TO AND MAINTENANCE OF TRAILS AND
PARKING LOTS, AND SUPPORTING BUILDING NEW CROSS-COUNTRY SKI
TRAILS**

- WHEREAS,** the Draft Environmental Impact Statement and the Proposed Revised Land and Resource Management Plan for the Chugach National Forest are available for public comment until December 14, 2000, and the National Forest Management Act of 1964 regulations require each Forest Plan to be revised every 10 to 15 years; and
- WHEREAS,** the planning area encompasses over 5.45 million acres in the Chugach National Forest, which is the second largest forest in the National Forest System and is subdivided into 3 administrative units, the Glacier, Seward and the Cordova Ranger Districts; and
- WHEREAS,** the Forest interdisciplinary team must consider the environmental conditions, historic use and occupation, and other past and current data while conducting many planning meetings; and
- WHEREAS,** the "Situation Statements" describe conflicting public interests and existing conditions that could be improved by changing the 1984 Forest Plan, and one of these conflicts was identified as a conflict between cross-country skiers and cross-country snowmobilers; and
- WHEREAS,** four public meetings have been held on the Kenai Peninsula to receive comments on the Draft Plan, and comments at the Soldotna meeting, which was attended by over 200 people, overwhelmingly supported keeping all existing trails and railheads open to both snowmobiles and cross-country skiers, with possible opening of additional trails and parking lots; and
- WHEREAS,** all user groups should be able to work out compromises so they can use the existing trails and railheads at all times rather than for parts of a season or alternating years, and RS 2477 may have already established easements for traditional uses of both snowmobiles and cross-country skiers; and

WHEREAS, the Forest Service has stated that they have not completed any scientific studies to support closing any of the existing trails or railheads to snowmobiles because of any major ecological or social conflicts; and

WHEREAS, the Preferred Plan advocates considering adding over 2.5 million acres to restrictive classifications such as Wilderness, Wild Rivers, ANILCA classifications, Backcountry, Scenic Rivers, Brown Bear Core Area, Recreation-Reduced Noise, all of which may have additional restrictions on snowmobiles;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough assembly strongly supports the Forest Service's not recommending closing, or restricting to seasonal use, the use by snowmobiles and skiers of any existing trails or trailheads in the Chugach National Forest-Seward District.

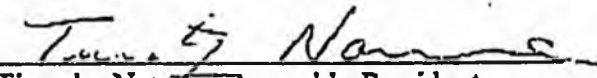
SECTION 2. That the existing trails and parking lots be upgraded for use by both snowmobiles and cross-country skiers in partnership with the federal, state, and local governments. Intergovernmental agreements should be made regarding leasing or exchanging land reasonably necessary to accomplish this goal.

SECTION 3. The Kenai Peninsula Borough also supports the federal government's giving grants or allowing private recreational groups to form partnerships with the federal government to improve or build trails or parking lots.

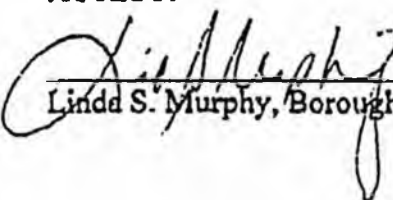
SECTION 4. That the Forest Service Plan consider building new access trails for cross-country skiers in appropriate locations in order to alleviate safety issues and conflicts with snowmobile use.

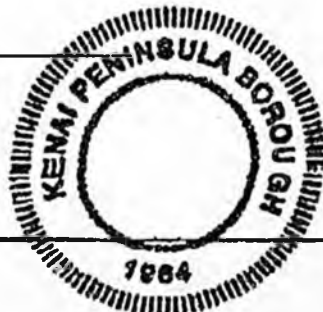
SECTION 5. That copies of this resolution be sent to the Alaskan Congressional Delegation, the Kenai Peninsula Borough State Delegation, and to the Forest Service Department.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 21ST DAY OF NOVEMBER, 2000.


Timothy Navarre, Assembly President

ATTEST:


Lindd S. Murphy, Borough Clerk



Introduced by: Popp, Merkes
Dates: 12/12/00
Action: Adopted
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2000-112**

**A RESOLUTION SUPPORTING NEW TIMBER HARVESTING AND MINERALS
EXTRACTION AS PART OF THE PROPOSED REVISED LAND AND RESOURCE
MANAGEMENT PLAN FOR THE CHUGACH NATIONAL FOREST**

- WHEREAS,** the Draft Environmental Impact Statement and the Proposed Revised Land and Resource Management Plan for the Chugach National Forest are available for public comment until December 14, 2000, and the National Forest Management Act of 1964 regulations require each Forest Plan to be revised every 10 to 15 years; and
- WHEREAS,** the planning area encompasses over 5.45 million acres in the Chugach National Forest, which is the second largest forest in the National Forest System and is subdivided into 3 administrative units, the Glacier, Seward and the Cordova Ranger Districts; and
- WHEREAS,** the Seward Ranger District of the Chugach National Forest encompasses a significant portion of the Kenai Peninsula Borough and includes a number of Kenai Peninsula Borough communities such as Hope, Cooper Landing, Moose Pass and Seward; and
- WHEREAS,** hundreds of thousands of acres of the Chugach National Forest within the Seward Ranger District have been infested by the Spruce Bark Beetle which has created a substantial fire hazard for the many communities, residences, businesses and citizens of the Kenai Peninsula Borough that reside within the Chugach National Forest; and
- WHEREAS,** the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting and reforestation of a total of 3,343 acres per year out of the hundreds of thousands of acres of trees impacted by the Spruce Bark Beetle infestation within the 5.45 million acre Chugach National Forest; and
- WHEREAS,** the lack of a more comprehensive plan for mitigation, harvesting and reforestation of the hundreds of thousands of acres impacted by the Spruce Bark Beetle will result in the total loss of millions of board feet of potentially valuable trees and place millions of dollars of private property and many citizens of the Kenai Peninsula Borough at risk from catastrophic wildfires within the Chugach National Forest; and

WHEREAS, the "Preferred Alternative" proposed by the Forest Supervisor within the Proposed Revised Land and Resource Management Plan for the Chugach National Forest allows for less than 80 acres out of the total 5.45 million acres of the Chugach National Forest to be surveyed for commercial or recreational minerals deposits; and

WHEREAS, the Proposed Revised Land and Resource Management Plan for the 5.45 million acre Chugach National Forest does not allow for reasonable methods of minerals extraction as access to any newly discovered mineral deposits within the Forest is severely restricted by the Proposed Revised Land and Management Plan because the Revised Plan does not allow for any new roads to be constructed to provide access to newly surveyed mineral deposits within the Forest; and

WHEREAS, the Office of General Council for the United States Forest Service has indicated to the Forest Service planners that it would take approximately one and a half years to complete a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to, in part, conduct a legal determination of the Proposed Plan for consistency with the legal provisions of the Alaska National Interest Lands Conservation Act, or ANILCA; and

WHEREAS, the Forest Service has no stated plans to conduct a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of ANILCA; and

WHEREAS, the Kenai Peninsula Borough Assembly has previously expressed its support for continued public access to Chugach National Forest for all recreational users of the Park through Kenai Peninsula Borough Resolution 2000-108; and

WHEREAS, the Kenai Peninsula Borough Assembly has concerns about the potential impacts that many of the provisions of the Proposed Land and Resource Management Plan for the Chugach National Forest will have on the economy and quality of life enjoyed now, and in the future, by the citizens of Kenai Peninsula Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The Kenai Peninsula Borough Assembly urges the United States Forest Service to adopt more comprehensive provisions within the Proposed Revised Land and Resource Management Plan for the Chugach National Forest for the mitigation, harvesting and reforestation of the hundreds of thousands of acres impacted by the Spruce Bark Beetle infestation within the Seward Ranger District to prevent the loss of millions of board feet of potentially valuable trees and reduce the possible loss of millions of dollars worth of private property that is at risk from catastrophic wildfires within the Chugach National Forest Seward Ranger District;

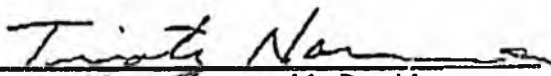
SECTION 2. That the Kenai Peninsula Borough Assembly further urges the United States Forest Service to adopt additional provisions within the Proposed Revised Land and Resource Management Plan for the Chugach National Forest that will provide for new road access to newly discovered and existing mineral deposits that will allow for viable commercial and recreational minerals extraction.

SECTION 3. That the Kenai Peninsula Borough Assembly requests that the United States Forest Service perform a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Act.

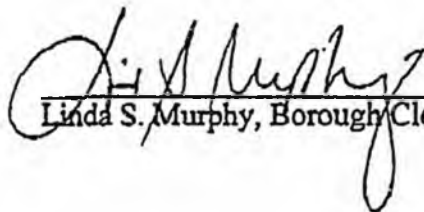
SECTION 4. That copies of this resolution be sent to the Alaska Congressional Delegation, the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, and to the United States Forest Service.

SECTION 5. That this resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF DECEMBER 2000.


Timothy Navarre, Assembly President

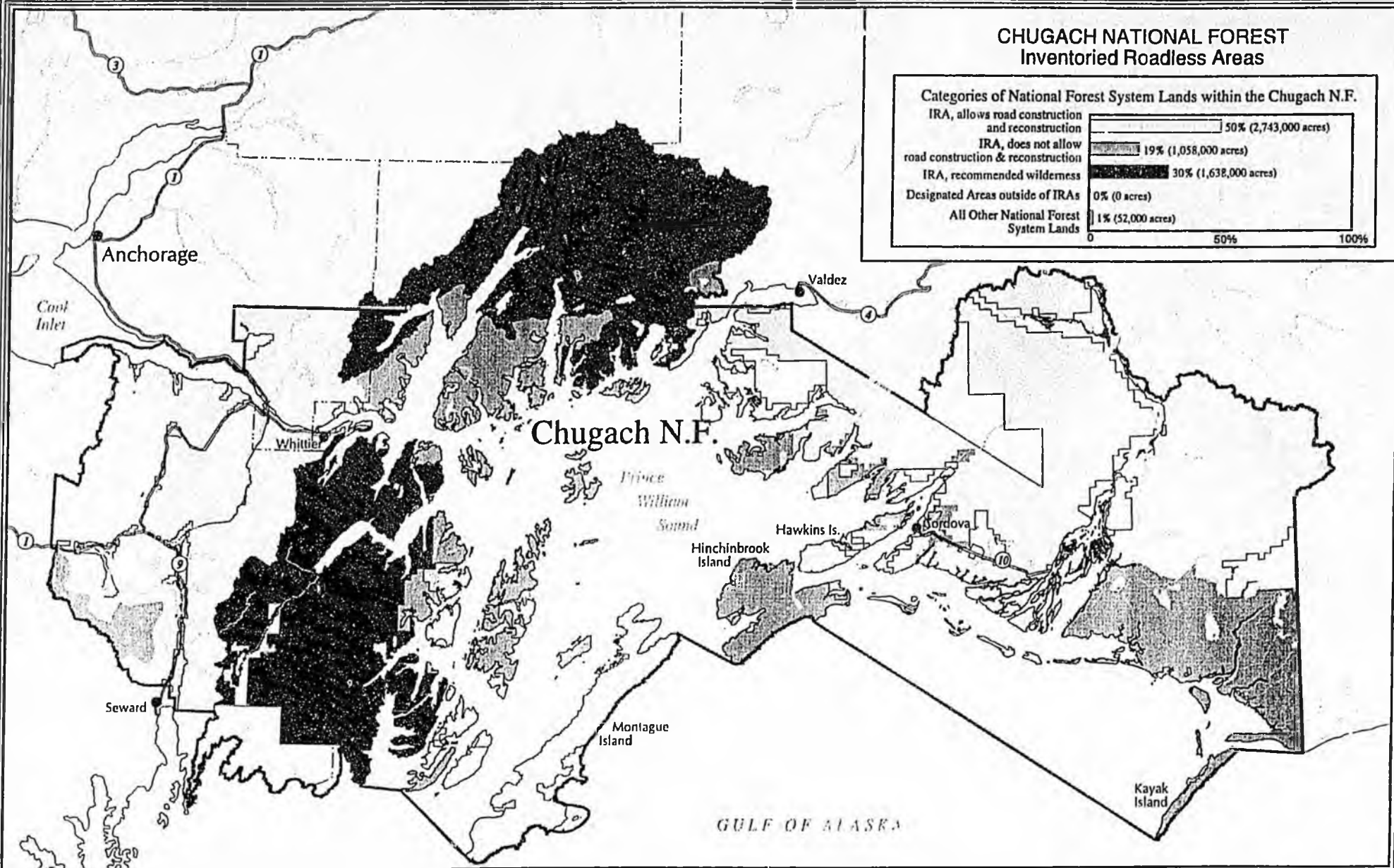
ATTEST:


Linda S. Murphy, Borough Clerk

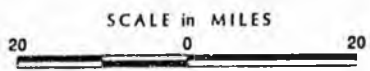


CHUGACH NATIONAL FOREST Inventoried Roadless Areas

| Categories of National Forest System Lands within the Chugach N.F. | |
|--|-----------------------|
| IRA, allows road construction and reconstruction | 50% (2,743,000 acres) |
| IRA, does not allow road construction & reconstruction | 19% (1,058,000 acres) |
| IRA, recommended wilderness | 30% (1,638,000 acres) |
| Designated Areas outside of IRAs | 0% (0 acres) |
| All Other National Forest System Lands | 1% (52,000 acres) |



The USDA Forest Service uses the most current and complete data available. GIS data and product accuracy may vary. Using GIS products for purposes other than those for which they were intended may yield inaccurate or misleading results. The USDA Forest Service reserves the right to correct, update, modify, or replace GIS products without notification.



September 15, 2000
Data Supplied by Chugach National Forest
Contact: Chugach N.F.
3301 C Street, Suite 300
Anchorage, AK 99503-3998
(907) 271-2500



- Inventoried Roadless Area where road construction or reconstruction is allowed
- Inventoried Roadless Area where road construction or reconstruction is not allowed
- Inventoried Roadless Area where road construction or reconstruction is not allowed, and the forest plan recommends as wilderness
- Designated Areas outside of Inventoried Roadless Areas
- National Forest System lands outside of Inventoried Roadless Areas - not all private land is shown on the map

- Interstate Highway
- Other Highways
- County boundaries

Alaska

**TONGASS NATIONAL FOREST
Inventoried Roadless Areas**

Map 2)

The USDA Forest Service uses the most current and complete data available. GIS data and product accuracy may vary. Using GIS products for purposes other than those for which they were intended may yield inaccurate or misleading results. The USDA Forest Service reserves the right to correct, update, modify, or replace GIS products without notification.

September 15, 2000
Data Supplied by Tongass National Forest
Contact: Tongass N.F.
Federal Building
648 Mission Street
Ketchikan, AK 99701
907/738-6292



SCALE IN MILES



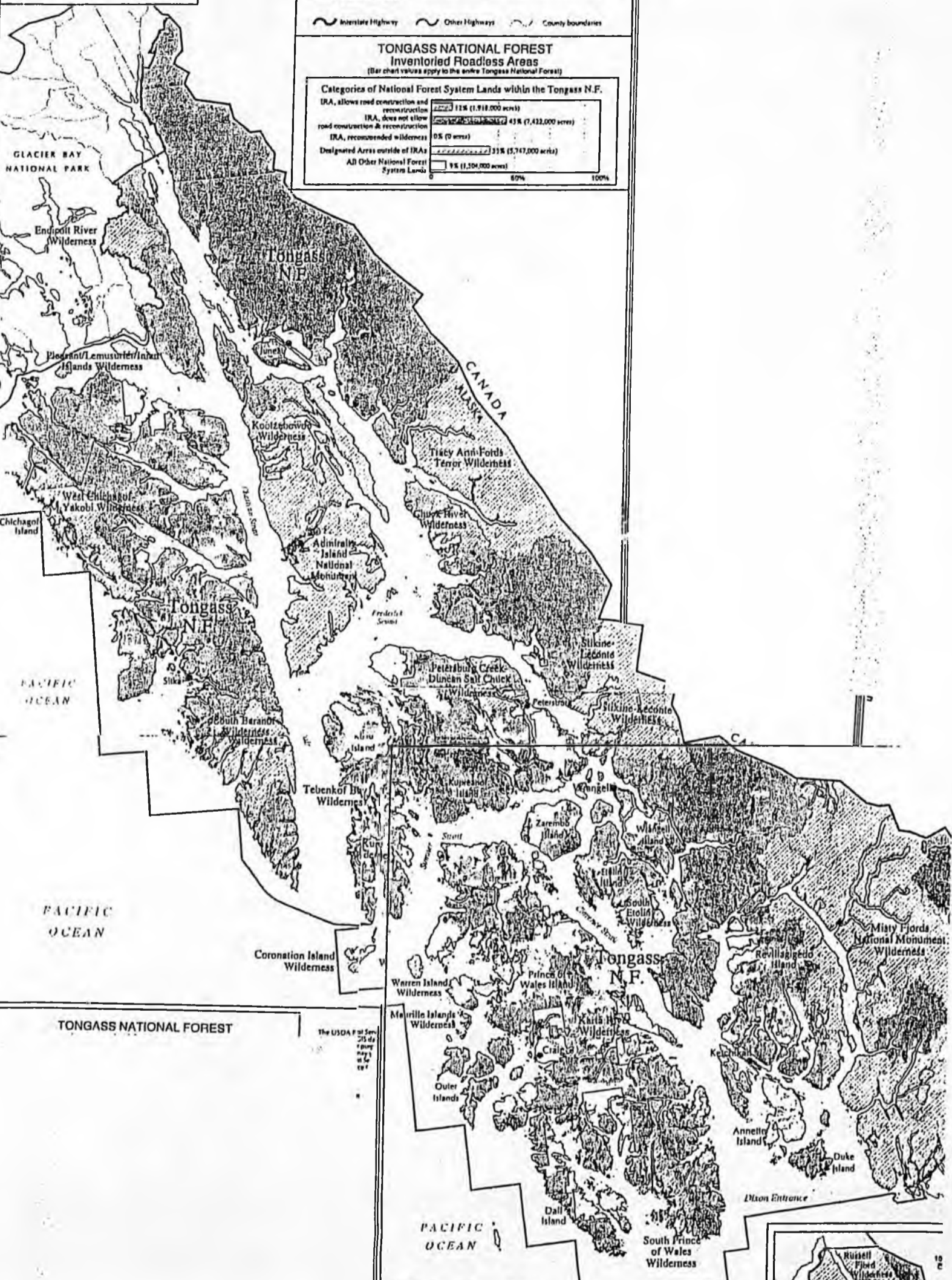
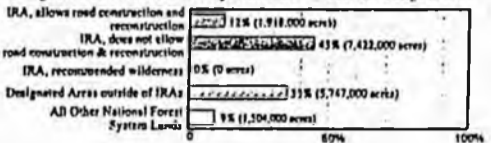
- Inventoried Roadless Area where road construction or reconstruction is allowed
- Inventoried Roadless Area where road construction or reconstruction is not allowed
- Inventoried Roadless Area where road construction or reconstruction is not allowed, and the forest plan recommends as wilderness
- Designated Areas outside of Inventoried Roadless Areas - *These are already roadless*
- National Forest System lands outside of Inventoried Roadless Areas - not all private land is shown on the map

Interstate Highway Other Highway County boundaries

**TONGASS NATIONAL FOREST
Inventoried Roadless Areas**

(Bar chart values apply to the entire Tongass National Forest)

Categories of National Forest System Lands within the Tongass N.F.



TONGASS NATIONAL FOREST

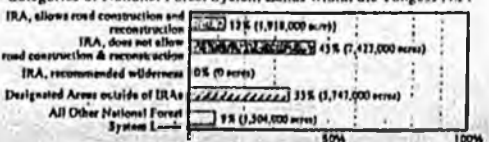
The USDA Forest Service uses the most current and complete data available. GIS data and product accuracy may vary. Using GIS products for purposes other than those for which they were intended may yield inaccurate or misleading results. The USDA Forest Service reserves the right to correct, update, modify, or replace GIS products without notification.

Map 4) 0 10 Miles

**TONGASS NATIONAL FOREST
Inventoried Roadless Areas**

(Bar chart values apply to the entire Tongass National Forest)

Categories of National Forest System Lands within the Tongass N.F.



GULF OF ALASKA
Tongass N.F.

**Alaska State Legislature
House Resources Committee**

**Public Testimony On HJR 6
January 24,2001**

ROADLESS AREAS

Thank you for the opportunity to testify on Resolution HJR 6. For more than two decades, Alaskans have been held to a separate standard from the other 49 states regarding the way the Federal Government has approached the management of lands in Alaska. Each time Alaskans and the Federal agencies have reached an agreement on land management policies in our National Forests, we've been told, "This is it. There will be no more withdrawal of lands". Recently, I served with fourteen other Alaskans on Governor Knowles Timber Task Force. At that time, former Secretary of Agriculture Dan Glickman told the Governor and our task force that the 1997 record of decision should be viewed as a conclusive decision after spending \$13 million and taking eleven years to revise the Tongass Land Use Plan. But as we all know, months later Undersecretary Lyons made wide sweeping changes to the Record Of Decision with no input from the public. Reasonable Alaskans were irked because certain selfish federal bureaucrats had duped us again. At the same time, the Roadless proposal for our national forests was being evaluated across the nation. Alaskans were told both the Tongass and Chugach would be exempt from inclusion because land use plans had just been completed. We know the rest of the story. Not only are we included, but as late as this past December, the effective date was to be the year 2004, but in the end, we were included with the same effective date and the other national forests. This is not a roadless policy for the Tongass. This can only be described as a **dead end** road policy. It is a **dead end** road to the sustainability of a viable wood fiber industry in Alaska. This presidential order brings a **dead end** road to access routes for hydro sites and power line corridors. It is a **dead end** road for funding for local schools that would have come from future timber sales receipts. It is a **dead end** road for entrance into watersheds to access public drinking water systems. It is a **dead end** road for hard surface linkage of our cities and towns. It is a **dead end** road for employment opportunities and further strangles local economies by forcing families to move on to seek other jobs – usually in a completely different field. Sadly and most important, this latest effort is a **dead end**

road for integrity and commitment made to Alaskans by the federal government. When there is no longer any trust in what our federal officials do and say, we are fraying the cords that bind democracy together.

The Governor has every reason to be outraged at this eleventh hour decision. And so should every reasonable Alaskan. The former President's Roadless decision violates numerous federal laws and I trust the Attorney General and other groups will be successful in quickly overturning this action in the courts. It is time for Alaskans to put up a **Dead End** sign to the heavy handed, selfishly motivated and non-involvement in the decision making process by our Federal government bureaucrats. I support the adoption of HJR 6 and commend the legislature for taking a strong stand opposing the Road less policy in Alaska.

However, please allow me to take another minute of your time because the Alaska timber industry desperately needs more legislative help than just the adoption of HJR 6. We are short on resources for fighting the legal battles that are associated with the environmental challenges brought by the well-healed environmental community. In addition, one of the biggest requirements we have is a current and objective report on the supply and demand for Alaska's wood fiber. To be really meaningful, this report must be expanded beyond the typical federal report of industry capacity and annual production. Other independent reports have stated that there is unlimited demand for Alaska type wood products. The constraint is the supply of timber from National Forest Land. For the past decade, these federal reports always conclude that production of manufactured wood products is declining and thus the federal supply of timber from the Tongass and Chugach should be further reduced. When USFS management sets annual harvest volumes using these incomplete reports, the outcome can best be described as sending the industry into a death spiral. We need a fresh in depth look from the state's perspective at the impacts of a shrinking forest products industry upon Alaska's citizens and communities. We must focus on the diminishing opportunity for jobs and the eroding ability for these communities to sustain their local economies. It is a very serious matter and time is of the essence to put forth the real facts about Alaska's remaining wood fiber industry. Thank you for the opportunity to testify this afternoon. I would be happy to answer any questions you may have.



January 9, 2001

The Honorable Tony Knowles
Governor of Alaska
PO Box 110001
Juneau, AK 99811-0001

JAN 19 2001

RE: Forest Service Roadless Rule

Dear Governor Knowles:

I was encouraged to read that you have directed your attorney general to prepare and file a legal complaint regarding the federal government's trumping of the forest planning process through implementation of the roadless rule. As you may be aware, Chugach Alaska Corporation (Chugach) has participated in the three year long Chugach National Forest Plan Revision. While we still have issues regarding the final outcome of that process, we were dismayed at how the roadless rule made a mockery of this public process, trumping its outcome by presidential fiat.

I am in total agreement with you that our public forests must be managed by the principles of sound science, conservation-based management, and an open, public process. The ongoing federal process to deem vast tracts of land in Alaska as forever roadless is clearly a slap in the face to those who struck the landmark compromise legislation, ANILCA, as well as those of us who have expended considerable funds and long hours in participating in the Forest Plan revision processes both on the Chugach and Tongass Forests. I want to thank you personally and on behalf of Chugach Alaska Corporation's entire board of directors for intervening in this most important issue. We stand by ready to assist that effort in any way deemed appropriate.

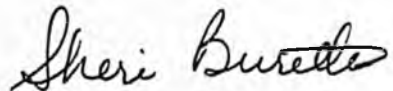
Our shared philosophy of open process, and sound science-based management may lead to further areas where we might be able to work towards common goals. As discussed at

Governor Knowles, January 9, 2001

the ANCSA Regional CEO meeting prior to the AFN annual meeting, Chugach welcomes the opportunity to meet with you personally and discuss areas where we can explore possible solutions to land management issues in the Chugach Region.

Again, thank you for standing up for Alaska on this important issue.

Sincerely,

A handwritten signature in cursive script that reads "Sheri Buretta".

Sheri Buretta,
Chairman of the Board

Cc: Julie Kitka, President, AFN
ANCSA Regional CEOS
The Honorable Senator Ted Stevens
The Honorable Senator Frank Murkowski
The Honorable Congressman Don Young
Rick Halford, Alaska State Senate President
Brian Porter, Alaska State Speaker of the House

January 24, 2001
P.O. Box 1331
Petersburg, Ak. 99833

House Resource Committee
Alaska State Legislature
State Capitol
Juneau, Ak. 99801

Re; House Joint Resolution 6

Dear Honorable Representatives Masek, Scalzi, Fate, Green, Chenault, McGuire, Stevens, Kapsner, and Kertula:

I am a long time business owner in Petersburg. I hold a SE Alaska Salmon Drift Gillnet permit and I strongly support inclusion of the Tongass National Forest in the US Forest Service's Roadless Conservation Plan. I am a wife and mother of three sons, and we have fished together as a family since my sons were babies. My oldest is in now in college. While we have been forced over the years to adapt to change and engage in multiple fisheries, Southeast gillnetting has been our bread and butter.

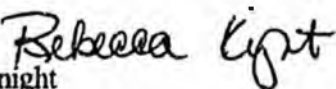
As you know, commercial fishing is Alaska's number one industry. The inability of the Forest Service to maintain the thousands of miles of logging roads currently on the Tongass is a disgrace and jeopardizes salmon stocks due to fish passage issues for juvenile salmon and resident fish species. Fish biologists are in agreement that salmon fisheries have peaked and are now on the down side of the "Pacific Decadal Oscillation" (PDO). Simply put, productive ocean cycles are declining which is exactly when habitat becomes very important. While I am in strong disagreement with the proposed resolution I am miffed that there was no acknowledgement of the condition of Tongass roads included. Shouldn't there be an amendment, which addresses Tongass road conditions in the proposed resolution?

If Tongass roads were repaired, there would be jobs ad infinitum for heavy equipment operators, support personnel, and region wide trickle-down employment. Forest Service timber sale/road planning jobs could be diverted to restoration planning and recreation projects. Forest Service personnel are adaptable. As you are probably also aware, recreation is the number one use of national forests. If Ted Stevens can secure funding for development projects, certainly he can do the same for habitat rehabilitation and recreation projects. Perhaps he needs to hear from you regarding that. And perhaps salmon fishermen need to hear from Alaska legislators that fishing is an important industry as well - important enough to defend fish habitat now and for the future.

Thank you for the opportunity to comment on the proposed resolution.

Sincerely,

Rebecca Knight





Alaska State Legislature

Please enter into the record my testimony to the House Resources
 committee name
 committee on HJR 6, dated 1/27/01
 bill/subject

My name is Florian Sever and I am a long-time resident of Sitka, Alaska, I have lived in Sitka for 25 years, and I have worked in the timber industry in the past.

I am definitely in favor of President Clinton's Roadless Policy, so I am against passage of HJR 6. There are way too many logging roads in Southeast Alaska already. The USFS does not maintain existing roads, and this has caused a heavy, negative impact on fish-rearing streams & receiving water from sediment-laden runoff. Silt generated by clearcuts is smothering spawning beds wherever these clearcuts exist, or occur.

Lastly, I feel it is incumbent upon this committee to hold public hearings on this issue in the towns of Southeast Alaska. Most working people cannot take time off of work to sit around at the legislative information office waiting for an opportunity to speak. Specifically I

Signed: Florian Sever - Florian Sever
 Testifier
 SELF
 Representing (Optional)
1706 Edgcombe Drive, Sitka AK 99835
 Address
907-747-8466
 Phone No.

REQUEST THAT REPRESENTATIVE WILSON COME TO SITKA TO HOLD EVENING PUBLIC MEETINGS TO GAUGE THE PUBLIC FEELING ON THIS ISSUE BEFORE SHE VOTES ON THIS ISSUE.

—END—



Alaska State Legislature

Please enter into the record my testimony to the House Resources
 committee name
 committee on HJR 6, dated 1/24/01
 bill/subject

Why did Sitka not receive an equal opportunity to testify?
 Every other community has multiple opportunities to testify before we were called.
 The wording of the ^{resolution} ~~resolution~~ ^{sponsors support} is not correct. The Action is not
 an affront to all Alaskans. Many Alaskans testified in favor of
 the policy.

The impetus for the roadless policy is fiscal. The Forest Service cannot obtain enough funds to adequately maintain existing roads. Poorly maintained roads cause damage to fisheries habitat and water quality. In the steep terrain of S.E. Alaska, roads cost over \$100,000 per mile to build. A recent report, done by the Forest Service and ADF&G, documented that over 70% of our 4500 miles of roads on the Tongass are currently damaging fish resources. Fishery resources renew on a 7 yr. time cycle, trees 200 or more years. By supporting this resolution, the legislature would be urging the roads be built without any guarantee that there would be maintenance funds available, thereby damaging a resource that is much more important in the state's economy and renewable on a much swifter time scale.

Signed: Page V. Elbe
 Testifier
 Myself
 Representing (Optional)
2219 SMC
 Address
747-7509
 Phone No.

1 of 2

9/86 Legislative Information Office

OVER

The TLMP process took 11 years because the viability population committee, composed of Alaska state agency representatives and other federal agencies fought for protection for fish & wildlife resources

of us were unable to speak during waiting hours.

Recommendations of the Viable Population Committee were not implemented in TLMP. Therefore Secretary Lyons was forced to make additional habitat protections. The cost of road maintenance was not adequately addressed under TLMP, nor was the research completed on the roads & fish crossing problem.

Page 82x

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK. 99801-1182

Representative Peggy Wilson

SPONSOR STATEMENT – HJR 6

Opposing the Clinton Administrations' decision on the Roadless Policy

On January 5, 2001, President Clinton announced the final Record of Decision for the roadless policy including the Tongass and Chugach National Forests.

Alaskans from across this state must join forces to overturn the inclusion of Alaska forests within President Clinton's Roadless Policy.

This Presidential action is an affront to all Alaskans and continues the history of breaking promises to Alaskans regarding land management.

The president's Roadless Policy is a blatant disregard of the process that has been agreed to. Countless hours, over eleven years and 13 million dollars were spent making revisions to the Tongass Land Management Plan. The Chugach Forest Plan revision process has been underway for over three years requiring considerable investment of time money and resources. Now these processes have been completely disregarded.

The Roadless Initiative violates the "no-more" clauses of ANILCA and creates approximately 15 million acres of new defacto wilderness within Alaska.

I, like many Alaskans, am vehemently opposed to the inclusion of the Tongass and Chugach National Forests in the president's Roadless Initiative and ask that we work together and support the overturning of this inclusion by litigation, congressional action or by action of President-elect Bush.

State of Alaska
Office of the Governor

Tony Knowles
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
NEWS RELEASE



Bob King
Press Secretary
Claire Richardson
Deputy Press Secretary
907-465-3500
FAX: 907-465-3533
www.gov.state.ak.us

FOR IMMEDIATE RELEASE: January 5, 2001

01-004

TONGASS ROADLESS ACTION VIOLATES PUBLIC PROCESS, TRUST
Knowles Seeks Legal, Congressional Action to Uphold "Doing it Right" Principles

Calling it another federal fiat that constitutes a double-cross of the public process and the public's trust, Gov. Tony Knowles today directed his Attorney General to file suit against the Clinton Administration's midnight-hour executive action on roadless policy in the Tongass and Chugach National Forests. Knowles also called on Congress and the incoming Administration to take actions to confirm his "doing it right" principles of resource management in federal law.

"Our forests must be managed by the principles of sound science, conservation-based management, and an open, public process," Knowles said. "The executive action announced in Washington today is based on little or no science, and makes a mockery of the public process that was involved in the creation of the Tongass Land Management Plan and shortcuts the process now underway for the Chugach.

"Alaskans are tired of being double-crossed by the federal government with false promises of public involvement that is subsequently overturned by executive policy actions from Washington," Knowles added. "I am directing my Attorney General to file suit against this illegal and ill-advised executive fiat to preserve the integrity of the planning process."

Knowles called on Sen. Frank Murkowski, chairman of the Senate Energy and Natural Resources Committee, and Congressman Don Young, chairman of the Alaska Task Force of the House Resources Committee, to take the necessary congressional actions that confirm the 'doing it right' principles of science, management, and public process that exist in federal law." Knowles will also seek review of the roadless policy by the incoming Bush Administration.

Outgoing President Bill Clinton announced the roadless initiative in Washington, D.C. today, ignoring a 10-year, \$12 million, science based, public planning process that took place for the Tongass. Knowles has steadfastly supported the public process over federal fiats in resource decision making and said that bypassing the process was not a victory for either side. Conservation measures that were gained in the Tongass Plan could as easily be overturned by future executive action if today's roadless policy were left unchallenged, Knowles noted.

"There are no winners in the forest if the management of our resources is based on executive fiats rather than sound science and a public process," Knowles said. "Those who claim victory today may find themselves the victims of an executive action tomorrow. When federal policy establishes an open, public process in decision making, they must abide by the public's decision. That's why this action is wrong and must be challenged."

**CITY OF PETERSBURG**

P.O. BOX 329 • PETERSBURG, ALASKA 99833

TELEPHONE (907) 772-4511

TELECOPIER (907) 772-3759

January 19, 2001

Representative Peggy Wilson
Room 409
State Capital
Juneau, AK 99801

Dear Representative Wilson,

The City of Petersburg has been and remains strongly opposed to the Roadless Initiative, especially the inclusion of the Tongass National Forest in this initiative. Petersburg has gone so far as to send Representatives to Washington D.C., to voice our opposition to the Tongass inclusion. The City of Petersburg has also passed and distributed a resolution opposing this initiative, which we have attached to this letter for your utilization. Petersburg has additionally voiced its agreement with our Federal Congressional Delegation and the Governors intention to sue the Federal Government in opposition to this intrusion.

Petersburg thanks you for your co-sponsorship of HJR6 and whole heartedly supports your efforts in this matter. If we can be of any further service, besides our support, please feel free to contact our city offices.

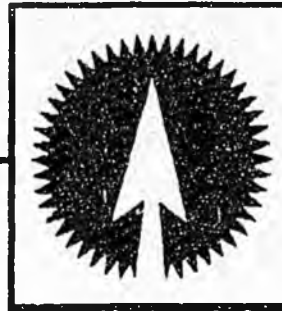
Sincerely,

Theodore (Ted) Smith
Mayor of Petersburg

Enclosure (1)

sk

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

January 12, 2001

Representative Peggy Wilson
State Capitol, Room 409
Juneau, AK 99801-1182

JAN 12 2001

Via Fax (907) 465-3175, Original Via Mail

Re: House Joint Resolution 6, Opposing the Roadless Rule

Dear Representative Wilson:

Thank you for introducing HJR 6, a resolution opposing the inclusion of the Tongass and Chugach National Forests in the President's Roadless Rule. The Alaska Forest Association fully supports HJR 6 because Alaska is disproportionately harmed by the rule.

As HJR 6 clearly spells out, Alaska National Interest Lands Conservation Act (ANILCA) contains provisions which were intended to prohibit the very kinds of actions that are at issue here. Aside from the immediate harm that will accrue to the industry and communities of Alaska's coastal region, the Roadless Rule should be opposed by the State of Alaska because of the promises embodied in ANILCA. Whether the Clinton Administration chose to call these roadless withdrawals "wilderness" or not, it amounts to the same thing. As HJR 6 states, these new areas will be *de facto* wilderness, the designation of which, or *even the study* of which, is prohibited by ANILCA. Additionally, the Roadless Rule violates the National Forest Management Act of 1976 (NFMA) which established a planning process for land management plans in individual forests.

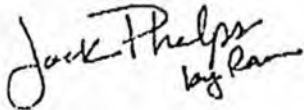
The Tongass Land Management Plan (TLMP) was revised in 1997 after the Forest Service spent 11 years and \$13 million on the revision. In 1999, Under Secretary of Agriculture, Jim Lyons unilaterally amended the plan under the guise of granting appeal points to some radical environmental groups. Whether 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.

Estimates given by the Forest Service, Alaska Region, state that application of the Roadless Rule to the Tongass and the Chugach will further reduce the land available for timber harvest from 576,000 to 311,000 acres in the Tongass, and to 53,000 in the Chugach. The Forest Service estimates it can offer approximately 50-55 million board feet of timber per year under the Roadless Rule and TLMP. If implementation of the Roadless Rule 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.

With respect to the Chugach National Forest, 98 percent of that forest is presently inventoried roadless. Application of the Roadless Rule 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.

Again, thank you for introducing this important resolution. It is our hope that the Alaska State Legislature will act swiftly in strong support of HJR 6. If you have any questions regarding the Roadless Rule, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Jack Phelps" with "by Ram" written below it.

Jack E. Phelps
Executive Director

cc: The Honorable Tony Knowles, Governor of Alaska
Senator John Torgerson



January 12, 2001

Representative Peggy Wilson
State Capitol, Room 409
Juneau, AK 99801-1182

JAN 12 2001

Via Fax (907) 465-3175, Original Via Mail

Re: HJR 6, Federal Roadless Rule

Dear Representative Wilson:

I am writing on behalf of Chugach Alaska Corporation (Chugach) to express our full support of HJR 6. As the largest non-federal landowner within the Chugach National Forest (Chugach owns or has selection rights to 625,000 acres of full fee, subsurface and oil and gas estate within the boundaries of the Chugach National Forest) Chugach has participated fully in the Chugach Forest Plan revision process, investing considerable resources over the past several years. The roadless rule makes a mockery of that process.

We also have a future need to perfect road access across National Forest lands, access that was promised to Chugach as an integral part of its land settlement. It is disingenuous for the Forest Service to characterize those lands within the Chugach Forest that are burdened by Chugach's statutory access rights as forever roadless. The Roadless rule will only make perfecting such promised access more difficult.

We applaud Governor Knowle's resolve to defend our Corporation and all Alaskans who will suffer from this executive fiat. HJR 6 articulates these issues well and will further support the Governor's effort, while providing the needed backing for our President-elect and Congressional delegation in Washington to overturn this rule.

Enclosed is additional correspondence regarding this matter, should you wish to explore Chugach's position on this issue in greater detail. Feel free to contact me if you would like to discuss this issue further. Thank-you for your support

Sincerely,

Rick Rogers, Vice President
Lands, Resources and Tourism

Enclosures: Letter to Governor Knowles
Letter to Secretary of Agriculture Glickman

560 East 34th Avenue Suite 200 Anchorage, Alaska 99503-4196 Phone 907-563-8866 Fax 907-563-8402

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January 19, 2001

Representative Peggy Wilson
Alaska State Capital
Juneau, AK 99801-1182

Dear Representative Wilson,

My family and I applaud yours and Representative Williams' sponsorship of HJR6 opposing President Clinton's Roadless Proposal. We also strongly support Governor Knowles' decision to file suit against the proposal. This Proposal must be overturned by whatever methods it can, be it litigation, congressional action, or Presidential order.

I have lived in Alaska all my life. My parents settled in Alaska and fought for statehood over 50 years ago. My small family and myself currently reside in Ketchikan, where we own our home and operate a business. Please do not be deceived by those who have no stake in this area that the majority of testimonies at hearings were in favor of the Roadless Policy. I testified at the hearings in Ketchikan, and only in Ketchikan. I am certain if one compares names of those who testified at the hearings one will find a pattern of duplications. I have seen many of the same people soliciting ill guided comments from unsuspecting visitors unfamiliar with the issues and the areas. In fact, they launched a well-staffed and funded campaign in Ketchikan's summer 2000 visitor season to solicit 20,000 comments in favor of the Presidential initiative. To claim that the majority of hearing testimonies were in favor of the Roadless Policy truly emphasizes these people's methods of public deception.

This Roadless Policy action further handcuffs our state from ever being able to comply with our Statehood Compact of utilizing our natural resources to fund State Government. I believe the legislature should also re-consider former Governor Hickel's lawsuit against the federal government in breach of Alaska's statehood contract.

Thank you again for your sponsorship of HJR6.

Sincerely yours,

K.A. Swiger
Owner

Gerald and Deloris Herbrandson
Solar Wind
P.O. Box 1374
720 Sandy Beach Road
Petersburg, Alaska 99833
(907) 772-4898

Jan. 21, 2001

Regarding HJR-6

Peggy Wilson -

My wife and I are very concerned that the Roadless legislation as being imposed upon our country, through executive order, is not in accordance with the will of the people and in many cases violates many of the public comment/check-and-balances which have been built into proposed actions of our government.

It is my observation that the communities of SE Alaska have been significantly effected by the management polices of the Forest Service. Through the 1970's, 80's, and early 90's the communities staggered under a tremendous housing shortage caused by the growth of the timber program and Forest Service employment. Hospitals, schools, support services, and community housing were expanded to meet the demands of a growing economy. The cost of housing rose significantly as the communities tried to react to housing shortages.

Beginning in the mid 90' Forest Service policy changed. Timber programs were cut, timber related industries closed, and Forest Service employment reduced. These government actions (many of which bordered being fraudulent and deceitful) significantly effected the economy of SE Alaska. The communities found themselves contenting with high unemployment, excess housing, declining property values, and unmet budgets.

It is my feeling that the Federal Government, as the largest land owner of SE Alaska, has a moral obligation to the economy of each community. This obligation is further burdened when one understands that the communities were built-up to their current condition in response to actions of the Federal Government.

For the Federal Government to arbitrarily close access to the natural resources that these communities rely upon with out taken full responsibility for the loss of property value, loss of employment, loss of economic incomes is not acceptable.

It is promoted by some that tourism and recreation are the new economies of SE Alaska. This sounds good but has no basis. Tourism provides employment to a very limited few for less than 12 months out of the year. No viable community can build it's economy upon tourism alone which can evaporate on the whims of public sentiment. The economy of SE Alaska, as with our total Nation, must be diverse with segments rooted in the development and wise management of natural resources.

Thank you for your support
Gerald and Deloris Herbrandson

January 19, 2001

Representative Peggy Wilson
House of Representatives
Room 409
Juneau, AK 99801-1182

Re: Tongass Roadless Policy

Dear Representative Wilson:

I am delighted that you have taken the time and effort to pursue passage of a Resolution condemning the "Roadless" policy recently imposed upon us by the Clinton administration. I support this resolution and am adamantly opposed to this 'dictate', which is the death knell to our remaining chance of maintaining any type of a stable economy.

Any type of logging in the Tongass has been under attack by the extreme environmental organizations for years. However, the past 8 years have been particularly devastating to our economy in Southeast Alaska. We have witnessed the closure of our only two pulp mills in Sitka and in Ketchikan. We went through a 10 year Tongass Land Use Management Plan (TLMP) with literally hundreds of public hearings and studies that cost millions of dollars. The alternative that was finally agreed to (which further reduced timber harvest levels) and was 'signed-off' by the Forest Service was unilaterally altered by Under Secretary of Agriculture Jim Lyons. Without any public input or public hearings, he further reduced the harvest levels, set aside more lands as protected from any resource based activity, and increased the timber harvest rotation from 100 to 200 years.

This, now, has been followed by two staggering and unprecedented assaults on the Tongass. First is the "Roadless" issue which prohibits any road building in the Tongass except under unusual circumstances. This effectively limits timber harvest to under 50 million board feet per year - hardly enough to keep one small sawmill operating. The second, and most blatant edict issued recently WITHOUT any public input or comment, is the recent ruling by Dan Glickman that no "old growth" trees can be harvested at all!!

I've lived in Petersburg for over 20 years. Our school enrollment has been declining each year for the past 5 years. There are more homes for sale than ever before in Petersburg's history. Our sales tax revenues are declining. Property values are declining as well. Because of this, funding for schools, streets and roads, parks and recreation, and other services have been cut. People are leaving town; not because they want to but because there is no longer employment.

I will close here for the sake of brevity. But, what is presently happening in California with the energy crisis is the direct result of the environmental community fighting to keep any new power plants from being constructed within the State. These same extremists are now attempting to close the Tongass to any resource based activity including timber, fishing, and tourism (except the backpacker, of course). It is indeed sad when I, as a parent of two kids, have to admit that there is no chance of them coming back to live here because there are no jobs here. This is a sad day for Petersburg and a sad day for Alaska if this is allowed to happen.

I urge unanimous passage of your resolution.

Sincerely,



Dave Carlson
PO Box 689
Petersburg, AK 99833

I'm sick of the people in
Washington D.C. Making these decisions
for us who live in the Tongass N.F.
This Roadless issue is a big waste of
time and money that no one can
afford. I worked for the Forest Service
during the time T.L.M.P. was put together.
Where are our Leaders minds.

Thank you

Sid
Sid Bacom
P.O. Box 683
Petersburg, AK 99833

Subject: Roadless Letter

Date: Sat, 20 Jan 2001 16:18:12 -0900

From: "Wilma E Leslie" <wilma@alaskawaters.com>

To: <Jean_Ellis@legis.state.ak.us>

Dear Representative Wilson:

I am opposed to President Clinton's Roadless Area Conservation rule. I support the overturning of this inclusion by litigation, by congressional action or by action of President Bush. The Roadless Area Conservation rule, if enforced will have a devastating effect on more than just the Timber industry. This Roadless Area Conservation rule is "THE DESTROYER OF FAMILIES" living in Southeast Alaska. This issue is a people issue not a wilderness issue. If initiated, the Roadless Rule will be the last nail in Southeast Alaska's economic coffin!

The goal of all environmental groups has been and always will be to shut down all Natural Resource based industries in Alaska. The timber industry just happen to be the first casualty. Legislation limiting access to the Tongass has already caused unnecessary hardship and grief for many families who were previously employed in the timber industry. If we don't stop this Roadless Rule there will be more families that will be devastated.

I know that national preservationist groups as well as the Southeast Alaska Conservation Council (SEACC) do not think that they have personally caused anyone harm. They are wrong, they have. These preservationist groups continue to cause the annihilation of small (rural) Alaskan communities by supporting radical environmental legislation. They need to look into the faces of the people who's lives they are destroying. They need to be held publicly accountable for their actions!

The only way to save Alaska from the whims of legislators in Washington D.C. is to educate the rest of the Nation about Alaska. The real issues and truths about Alaska are unknown to most Americans. Alaska is too far away and the Alaskan's lifestyle too "foreign" for most people to grasp. Radical environmental groups have used fear and misinformation to motivate these same people to send in money and sway the vote for extreme and sometimes absurd environmental legislation.

Alaska needs to initiate a scientifically based "Alaska Natural Resource Education Program". This program needs to be in all Alaska elementary, middle and high schools. Hopefully, through educating our own citizens about Alaska's natural resource based industries.

Alaska Women In Timber in cooperation with the U.S. Forest Service tried to initiate a program called "Alaska's Great Green Forest". Unfortunately, their program did not address all Natural Resource Industries.

The Timber Industry was assured in 1990 by Congress and environmental groups that no jobs would be lost if the Tongass Timber Reform Act was put in place and 1.1 million additional acres set aside. This has turned out not to be the case. Promises now about maintaining the existing industry ring hollow when we are unable to redeem previous promises and more of the Tongass is being withdrawn through the proposed Roadless Area Conservation rule.

Wrangell's economy and families depend on multiple use access to the Tongass National Forest for their survival! Alaska's state legislators, Alaska's governor and the Alaska congressional delegation need to make sure that President Clinton's Roadless Area Conservation rule is overturned!

Sincerely,

12 Wilma E. Leslie - Wrangell

Subject: KPPLUG SUPPORTS HJR 6

Date: Sat, 20 Jan 2001 17:11:52 -0900

From: "DeVito's" <gooches4@alaska.net>

To: Representative_Peggy_Wilson@legis.state.ak.us

January 17, 2001

Kenai Peninsula Public Land Users Group

P.O. Box 1424

Soldotna, Alaska 99669

Alaska State Senate

State Capitol

Juneau, Alaska 99801-1182

Dear Senator,

On behalf of the Kenai Peninsula-Public Land Users Group (KPPLUG), it is with great concern that we support and urge the adoption of HJR 6 and SJR 2, which opposes the inclusion of National Forests in Alaska within President Clinton's Roadless Area Conservation rule. We strongly support overturning this inclusion by litigation, congressional action, or by the action of President Bush.

KPPLUG represents many members and incorporates all varieties of user groups. We are a grass roots organization interested in the responsible utilization of our public lands on the Kenai Peninsula in particular, and the other public lands of Alaska in general.

Clinton's rule disregards the land management process, which Congress intended under the National Forest Management Act of 1976. It further conflicts with several specific sections of the Alaska National Interest Lands Conservation Act (ANILCA). As a result, the economic, social, traditional, recreational and educational rights and opportunities of Alaskans have been ignored.

The National Forests in Alaska are unique and mostly absent of roads, access, and abusive resource development. There is no cause, evidence, or legitimate explanation for such a drastic roadless conservation rule.

Again, KPPLUG strongly supports the Alaska State Legislature in opposing Clinton's Roadless Area Conservation rule, and particularly opposes the illegal inclusion of the Tongass and Chugach National Forests in this rule. We urge you to adopt HJR 6 and SJR 2.

Thank you,

Dennis Merkes - President KPPLUG

Cc: Alaska House of Representatives
Alaska House Resource Committee
Alaska State Senate
Alaska State Senate Resource Committee

MY TURN

by Robert W. Loescher

President & CEO, Sealaska Corporation

Alaskans from across this great state need to join forces with Governor Tony Knowles and the Alaska Congressional Delegation and keep the Clinton Administration's "roadless policy" out of our Tongass and Chugach National Forests. Here are four reasons why: (1) The roadless policy totally ignores the established forest land planning process. (2) By fiat, the roadless policy locks up so much suitable forest land that we can not sustain jobs and a viable timber industry. (3) The roadless policy violates the clause in Alaska National Interest Lands Conservation Act (ANILCA) that unequivocally said no more public land would be locked up in Alaska. (4) It precludes rural communities from improving their core infrastructure needs including drinking water and utility and transportation corridors.

Governor Tony Knowles staunchly supports the right of the Alaskan public to participate in administrative and legislative actions that affect their lives. He said that the roadless initiative is not a public process. He understands that the roadless policy ensures that Alaska's forests will not sustain a viable and economically important timber industry. This policy will hurt Alaska's urban and rural communities. Alaska and our forest-dependent communities cannot absorb more loss of jobs and restricted access to land for core community needs that this policy will cause.

Alaska has a long history of responsible, public processes to guide the management of our forests and forest ecosystems. They were designed to protect wilderness, jobs and community well-being. ANILCA struck the right balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition. ANILCA's "no more" clause prohibited any further land withdrawals without the

approval of the US Congress. The "no more" clause made sure that voices of the small, forest-dependent communities were not drowned out by the "postcard diplomacy" of well-financed corporate environmental organizations and foundations.

Congress passed the Tongass Timber Reform Act (TTRA) in 1990 and set aside another 1.2 million acres of national forest land. TTRA was a very public process that fixed obvious oversights in ANILCA by adding small but important ecosystems to conservation units. In this process, the voice of Alaska residents was heard.

Unfortunately, the Clinton administration ignored the open and public processes in ANILCA and TTRA that produced the revisions to the Tongass Land Management Plan (TLMP). The revised TLMP Plan, initiated in 1986, and finally ratified in May 1997 allowed national public participation. Two years later, US Dept. of Interior Undersecretary Lyons disregarded this public process and significantly amended the 1997-revised TLMP. He cut the annual allowable harvest from the Tongass National Forest by over 30% and injured Alaskans' ability to sustain a viable timber industry.

This blatant disregard for the public process and the health of Alaska's forest-dependent communities occurred after Undersecretary Lyons declared his support for the public forest land management planning process. Lyons said to the Southeast Conference that there would be no further significant timber or other land withdrawals on the Tongass National Forest. Undersecretary Lyon's unilateral actions demonstrate clearly why there was a "no more" provision in the ANILCA: to stop Washington D.C. bureaucrats from imposing their own misguided ideology behind closed doors.

The Clinton administration continues to steamroll the Alaskan public. Undersecretary Lyons told us that the new national roadless policy would not apply to the Tongass National Forest because the Tongass land planning

process had just been completed. In an about-face, the US Forest Service EIS now recommends inclusion of the Tongass. This action reduces the annual harvest from Tongass by 82% and destroys our forest industry. All this without any meaningful site-specific considerations that the local planning processes require. The key public official obligated to ensure public participation in forest management decisions ignored the public's rights and became an agent for the corporate national environmental organizations who place ideology and perception above good science and the people's right to live and work in this great land.

The roadless agenda is clear. The Clinton administration's threat to implement its roadless policies is real. It will harm our communities, who depend on access to the adjacent forests for drinking water, for cheaper electrical power, and for basic safe and reliable transportation corridors.

We, as a State, must pull together and stop the economic strangulation of our communities. I applaud the way Governor Knowles stood up for Alaska and protested the preemption of the TLMP process. Governor Knowles said in a letter to Agriculture Secretary Dan Glickman, "I remain firm in my opposition to any action that undermines the Tongass plan through federal fiat."

The Congressional Delegation has been using its authority and prestige in Washington, D.C. to urge Secretary Glickman to adhere to the National Forest Management Land Planning process and not to apply the roadless policy to the Alaska National Forests. The Governor and the Congressional Delegation working together with Alaskans can influence the outcome. However, lukewarm and measured responses to this threat will not prevail. We must adopt an aggressive strategy that may include litigation, congressional action and administrative challenges to prevent application of the roadless policy to either the Tongass or Chugach National Forest.

This is now a matter of survival. Alaskans treasure independence, and take pride in self-reliance. If we fail to act, our communities and the economies of the Tongass and Chugach National Forests will become financially-dependent wards of the State and Federal government.

Robert W. Jensen

ACCESS

Nonfederally owned lands. 16 USC 3210.

SEC. 1323. (a) Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of Agriculture may prescribe, the Secretary shall provide such access to nonfederally owned land within the boundaries of the National Forest System as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and regulations applicable to ingress and egress to or from the National Forest System.

(b) Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of the Interior may prescribe, the Secretary shall provide such access to nonfederally owned land surrounded by public lands managed by the Secretary under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701-82) as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and regulations applicable to access across public lands.

YUKON FLATS NATIONAL WILDLIFE REFUGE AGRICULTURAL USE

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.

Publication in Federal Register; notification of Congress.

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.

(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.



SEC. 1327. No additional requirement of transportation and approved transportation imposing any burden such as

SEC. 1328. (a) made pursuant (44 Stat. 1364), Stat. 1097), wh within the time in Alaska that statutes when hundred and e except where subsection, or adjusted pursuant approval pursuant the time the adj

(2) Where an unit of the Nat Refuge System in the before the effect land was not w Native Claims land which has which on or tentatively app Alaska pursuant to section 11(a) from those lands the Act by any 11(b) of such Act of this section cated pursuant 1328(a)(1) heret other applicable

(3) Paragraph apply and the requirements on on or before t effective date o

(A) a Nat the Interior entitled to withdrawn Alaska Nat

(B) the stating that access to la a political s thereon, or

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RESOLUTION NO. 1598-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PETERSBURG, ALASKA OPPOSING THE INCLUSION OF THE
TONGASS NATIONAL FOREST IN THE USDA FOREST SERVICE'S
NATIONAL ROADLESS AREA REVIEW**

Whereas, Section 708 of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA) resolved roadless issues in a compromise bill as well as established over five million acres in 14 areas as Wilderness on the Tongass National Forest; and

Whereas, the Tongass Timber Reform Act of 1990 added 350,000 acres on the Tongass National Forest in five new Wilderness areas and one addition to an existing wilderness; and

Whereas, the Tongass Timber Reform Act also designates almost 690,000 acres in 12 Congress mandated roadless areas to maintain their wildland characteristics; and

Whereas, the Record of Decision (ROD) signed by Undersecretary Lyons noted the Tongass National Forest would be exempt from roadless moratorium as the newly revised plan had the benefit of considerable science and public involvement in the 12 year revision process for the Forest Plan; and

Whereas, Mr. Lyons also noted that he considered the roadless issue in his decision and addressed it through changing land allocations to mostly natural Land Use Designations in 18 un-roaded areas totaling 500,000 acres; and

Whereas, Mr. Lyons stated in the ROD that 90 percent or more of all currently un-roaded lands on the Tongass will still be roadless at the time of the next forest plan revision; and

Whereas, only 3 percent of 17 million acres on the Tongass National Forest will be used to sustain the timber industry over the next 10 years; and

Whereas, approximately 1/2 of the current Tongass National Forest timber base is included in areas which would remain un-roaded under the initiative; and

Whereas, Mr. Lyons, on September 28, 1999 in Sitka, Alaska, stated at the Southeast Conference of Mayors, that his decision on the Tongass Plan was made to "finally provide some certainty with regard to future uses and management direction on the Tongass", and also assured the Mayors that "we have to move on"; and

Whereas, we agree with the Governor of the State of Alaska that the inclusion of the Tongass in the roadless review would be an outrage as assurances were provided that the resolution of the Tongass planning process would put an end to this issue; and

Whereas, the Tongass National Forest is essential in bringing stability and certainty to the economy of Southeast Alaska, providing jobs for many families dependent on such stability; and

Whereas, the implementation of the roadless initiative to the Tongass National Forest would greatly diminish access to timber and other natural resources and may eliminate opportunities for construction of future transportation or utility corridors throughout the Southeast Alaska region; and

Whereas, any further diminishment of the timber base in the Tongass National Forest would exacerbate economic harm to Petersburg and other Southeast Alaska communities caused by previous changes in federal policy.

Now Therefore Be It Resolved by the City Council of the City of Petersburg as follows:

1. The City Council strongly opposes the inclusion of the Tongass National Forest in the "roadless area" policy review; and
2. The Petersburg City Council opposes any unilateral action to modify the Record of Decision as such action is contrary to proper resource planning and circumvents the public planning process.

Passed and Approved by the City Council of the City of Petersburg, Alaska this 6th day of November, 1999.



[Signature]
Mayor



Greater Ketchikan Chamber of Commerce

P.O. Box 5957, Ketchikan, Alaska 99901

(907) 225-3184 • FAX: (907) 225-3187

A RESOLUTION OPPOSING INCLUSION OF THE TONGASS AND CHUGACH NATIONAL FORESTS IN THE US FOREST SERVICE'S NATIONAL ROADLESS AREA CONSERVATION RULE AND REQUESTING APPROPRIATE LEGAL ACTION TO STOP INCLUSION

WHEREAS, managed access to the natural resources in the Tongass and Chugach National Forests, including timber, minerals, fisheries, water, and recreation opportunities is essential for the well-being of numerous communities within and adjacent to these forests; and

WHEREAS, after years of study, public comment, and spending millions of dollars, the US Forest Service release of the revised Tongass Land Management Plan (TLMP) in 1997 to effect a detailed resource management plan; and

WHEREAS, the revised 1997 TLMP removed substantial amounts of natural resources from future development status; and

WHEREAS, in an April 1999 TLMP Record of Decision, the US Department of Agriculture unilaterally reclassified additional natural resource areas, thus making them ineligible for development; and

WHEREAS, President Clinton issued his "Roadless Directive" to implement the removal from development of "roadless areas" in national forests; and

WHEREAS, the Forest Service is now completing a revision of the Chugach National Forest Land Management Plan (CLMP); and

WHEREAS, the 1997 TLMP constitutes a substantially more complete analysis of the Tongass National Forest than the proposed Directive's process; and

WHEREAS, any further restrictions to access and road building in the Tongass National Forest as part of a nationwide ban are not appropriate due to the substantial recent management decisions made by the US Forest Service, US Department of Agriculture; and

WHEREAS, any further reduction of the resource base in the Tongass National Forest will increase the economic harm already felt by numerous Southeast Alaska communities; and

WHEREAS, the president has selected Alternative 3 (the most restrictive) as the preferred alternative in the Final Environmental Impact Statement for his Roadless Area Conservation Rule; and

WHEREAS, this selected Roadless Conservation Area rule alternative will prohibit road construction and reconstruction and seriously limit other management activities immediately within the Chugach National Forest and will likewise limit development activities within the Tongass National Forest, even prior to full implementation in 2004; and

WHEREAS, in passing the Alaska National Interest lands Conservation Act in 1980, Congress asserted that the appropriate balance had been struck between development and conservation and to that end included the "NO-MORE" clauses that prohibit the formation of new conservation units in Alaska without congressional approval;

NOW, THEREFORE, BE IT RESOLVED, that the Ketchikan Chamber of Commerce strongly opposes the inclusion of Alaska's two National Forests in the President's Roadless Area Conservation Rule; and

AND BE IT FURTHER RESOLVED, that the Ketchikan Chamber of Commerce strongly requests the Governor of Alaska and Alaska's Congressional Delegation to work together to develop an integrated strategy for altering the roadless policy and to take all appropriate actions, including any appropriate litigation, to prevent the inclusion of the Tongass and Chugach National Forests in the National Roadless Area Conservation Rule.

Hereby adopted by the Greater Ketchikan Chamber of Commerce on this 13th day of December, 2000.

Signed: _____

Dick Coose
Dick Coose, President

Dated: _____

Dec 13, 2000

cc: Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young
Governor Tony Knowles
Mayor Jack Shay
Mayor Bob Weinstein
Alaska Forest Association
Ketchikan Visitors Bureau

Introduced by: Popp, Merkes, Brown
Date: 01/9/01
Action: Adopted as Amended
Vote: 8 Yes, 1 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2001-005**

**A RESOLUTION OBJECTING TO THE IMPLEMENTATION OF THE FINAL
VERSION OF THE PROPOSED REVISED LAND AND RESOURCE MANAGEMENT
PLAN FOR THE CHUGACH NATIONAL FOREST BEFORE A COMPLETE LEGAL
REVIEW OF THE PLAN CAN BE COMPLETED**

- WHEREAS,** the Draft Environmental Impact Statement and the Proposed Revised Land and Resource Management Plan for the Chugach National Forest were available for public comment until December 14, 2000, and the National Forest Management Act of 1964 regulations require each Forest Plan to be revised every 10 to 15 years; and
- WHEREAS,** the planning area encompasses over 5.45 million acres within the Chugach National Forest, which is the second largest forest in the United States National Forest System and is subdivided into 3 administrative units, the Glacier, Seward and the Cordova Ranger Districts; and
- WHEREAS,** the Seward Ranger District of the Chugach National Forest encompasses a significant portion of the Kenai Peninsula Borough and includes a number of Kenai Peninsula Borough communities such as Hope, Cooper Landing, Moose Pass and Seward; and
- WHEREAS,** the "Situation Statements" of the Proposed Revised Land and Resource Management Plan describes conflicting public interests and existing conditions that could be improved by changing the 1984 Forest Plan, and that one of these conflicts was identified as a conflict between cross-country skiers and cross-country snowmobile operators that would be resolved by closing a number of existing trails or trailheads to snowmobiles because of these major ecological or social conflicts; and
- WHEREAS,** the Forest Service has stated that they have not completed any scientific studies to support closing any of the existing trails or trailheads to snowmobiles because of any major ecological or social conflicts; and
- WHEREAS,** the Proposed Revised Land and Resource Management Plan for the 5.45 million acre Chugach National Forest does not allow for reasonable methods of minerals extraction as access to the minimal amount of acreage made available for minerals exploration within the Forest is severely restricted by the Proposed Revised Land and Management Plan because the Revised Plan does not allow for any new roads to be constructed to provide access to newly surveyed mineral deposits within the Forest; and

- WHEREAS,** the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting and reforestation of a total of 3,343 acres per year out of the hundreds of thousands of acres of forest impacted by the Spruce Bark Beetle infestation within the 5.45 million acre Chugach National Forest; and
- WHEREAS,** the Revised Land and Resource Management Plan for the Chugach National Forest advocates the addition of over 2.5 million acres to restrictive classifications such as Wilderness, Wild Rivers, ANILCA classifications, Backcountry, Scenic Rivers, Brown Bear Core Area, and Recreation-Reduced Noise, all of which may have additional restrictions on numerous user groups and resource development within the Chugach National Forest; and
- WHEREAS,** the Office of General Counsel for the United States Forest Service has indicated to the Forest Service planners that it would take approximately one and a half years to complete a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to, in part, conduct a legal determination of the Proposed Plan for consistency with the legal provisions of the Alaska National Interest Lands Conservation Act, or ANILCA; and
- WHEREAS,** the Forest Service has no stated plans to conduct a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of ANILCA; and
- WHEREAS,** the Kenai Peninsula Borough Assembly has previously expressed its support for continued public access to Chugach National Forest for all recreational users of the forest through Kenai Peninsula Borough Resolution 2000-108; and
- WHEREAS,** the Kenai Peninsula Borough Assembly has previously expressed its support for provisions for expanded timber harvesting and minerals exploration within the Chugach National Forest and has requested a complete legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest through Kenai Peninsula Borough Resolution 2000-112; and
- WHEREAS,** the implementation of the final version of the Proposed Land and Resource Management Plan for the Chugach National Forest without a complete and thorough legal review to assure that the Plan is consistent with the provisions of ANILCA could cause serious harm to the economy and quality of life enjoyed now, and in the future, by the citizens of the Kenai Peninsula Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

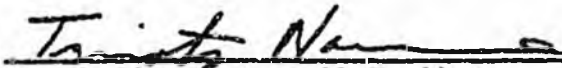
SECTION 1. That the Kenai Peninsula Borough Assembly strongly objects to the implementation of the final version of the Proposed Revised Land and Resource Management Plan

for the Chugach National Forest and reserves its support until a complete and thorough legal review of the final version of the Proposed Revised Plan can be completed that provides a legal determination stating the final version of the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act.

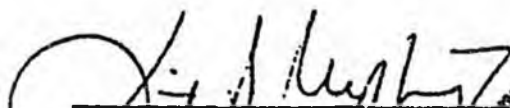
SECTION 2. That the Kenai Peninsula Borough Assembly specifically requests a complete and thorough legal review by the Office of General Counsel for the United States Forest Service or other appropriate agency of the final version of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest with the objective to provide a detailed, written legal determination that the final version of the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Conservation Act and other appropriate federal laws.

SECTION 3. That a copy of this resolution be sent to the members of the Alaska Congressional Delegation, the members of the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, and to the United States Forest Service.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 9TH DAY OF JANUARY 2001.


Timothy Naysate, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



Introduced by: Merkes, Brown, Popp, Fischer
Date: 11/21/00
Action: Adopted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2000-108**

**A RESOLUTION SUPPORTING LEAVING ALL EXISTING TRAILS IN THE
CHUGACH NATIONAL FOREST OPEN FOR EXISTING RECREATIONAL USES,
SUPPORTING IMPROVEMENTS TO AND MAINTENANCE OF TRAILS AND
PARKING LOTS, AND SUPPORTING BUILDING NEW CROSS-COUNTRY SKI
TRAILS**

- WHEREAS,** the Draft Environmental Impact Statement and the Proposed Revised Land and Resource Management Plan for the Chugach National Forest are available for public comment until December 14, 2000, and the National Forest Management Act of 1964 regulations require each Forest Plan to be revised every 10 to 15 years; and
- WHEREAS,** the planning area encompasses over 5.45 million acres in the Chugach National Forest, which is the second largest forest in the National Forest System and is subdivided into 3 administrative units, the Glacier, Seward and the Cordova Ranger Districts; and
- WHEREAS,** the Forest interdisciplinary team must consider the environmental conditions, historic use and occupation, and other past and current data while conducting many planning meetings; and
- WHEREAS,** the "Situation Statements" describe conflicting public interests and existing conditions that could be improved by changing the 1984 Forest Plan, and one of these conflicts was identified as a conflict between cross-country skiers and cross-country snowmobilers; and
- WHEREAS,** four public meetings have been held on the Kenai Peninsula to receive comments on the Draft Plan, and comments at the Soldotna meeting, which was attended by over 200 people, overwhelmingly supported keeping all existing trails and railheads open to both snowmobiles and cross-country skiers, with possible opening of additional trails and parking lots; and
- WHEREAS,** all user groups should be able to work out compromises so they can use the existing trails and railheads at all times rather than for parts of a season or alternating years, and RS 2477 may have already established easements for traditional uses of both snowmobiles and cross-country skiers; and

WHEREAS, the Forest Service has stated that they have not completed any scientific studies to support closing any of the existing trails or trailheads to snowmobiles because of any major ecological or social conflicts; and

WHEREAS, the Preferred Plan advocates considering adding over 2.5 million acres to restrictive classifications such as Wilderness, Wild Rivers, ANILCA classifications, Backcountry, Scenic Rivers, Brown Bear Core Area, Recreation-Reduced Noise, all of which may have additional restrictions on snowmobiles;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough assembly strongly supports the Forest Service's not recommending closing, or restricting to seasonal use, the use by snowmobiles and skiers of any existing trails or trailheads in the Chugach National Forest-Seward District.

SECTION 2. That the existing trails and parking lots be upgraded for use by both snowmobiles and cross-country skiers in partnership with the federal, state, and local governments. Intergovernmental agreements should be made regarding leasing or exchanging land reasonably necessary to accomplish this goal.

SECTION 3. The Kenai Peninsula Borough also supports the federal government's giving grants or allowing private recreational groups to form partnerships with the federal government to improve or build trails or parking lots.

SECTION 4. That the Forest Service Plan consider building new access trails for cross-country skiers in appropriate locations in order to alleviate safety issues and conflicts with snowmobile use.

SECTION 5. That copies of this resolution be sent to the Alaskan Congressional Delegation, the Kenai Peninsula Borough State Delegation, and to the Forest Service Department.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 21ST DAY OF NOVEMBER, 2000.

Timothy Navarre
Timothy Navarre, Assembly President

ATTEST:

Linda S. Murphy
Linda S. Murphy, Borough Clerk



Introduced by: Popp, Merkes
Dates: 12/12/00
Action: Adopted
Vote: 7 Yes, 0 No, 2 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2000-112**

**A RESOLUTION SUPPORTING NEW TIMBER HARVESTING AND MINERALS
EXTRACTION AS PART OF THE PROPOSED REVISED LAND AND RESOURCE
MANAGEMENT PLAN FOR THE CHUGACH NATIONAL FOREST**

- WHEREAS,** the Draft Environmental Impact Statement and the Proposed Revised Land and Resource Management Plan for the Chugach National Forest are available for public comment until December 14, 2000, and the National Forest Management Act of 1964 regulations require each Forest Plan to be revised every 10 to 15 years; and
- WHEREAS,** the planning area encompasses over 5.45 million acres in the Chugach National Forest, which is the second largest forest in the National Forest System and is subdivided into 3 administrative units, the Glacier, Seward and the Cordova Ranger Districts; and
- WHEREAS,** the Seward Ranger District of the Chugach National Forest encompasses a significant portion of the Kenai Peninsula Borough and includes a number of Kenai Peninsula Borough communities such as Hope, Cooper Landing, Moose Pass and Seward; and
- WHEREAS,** hundreds of thousands of acres of the Chugach National Forest within the Seward Ranger District have been infested by the Spruce Bark Beetle which has created a substantial fire hazard for the many communities, residences, businesses and citizens of the Kenai Peninsula Borough that reside within the Chugach National Forest; and
- WHEREAS,** the Revised Land and Resource Management Plan for the Chugach National Forest contains only minimal provisions for the mitigation, harvesting and reforestation of a total of 3,343 acres per year out of the hundreds of thousands of acres of trees impacted by the Spruce Bark Beetle infestation within the 5.45 million acre Chugach National Forest; and
- WHEREAS,** the lack of a more comprehensive plan for mitigation, harvesting and reforestation of the hundreds of thousands of acres impacted by the Spruce Bark Beetle will result in the total loss of millions of board feet of potentially valuable trees and place millions of dollars of private property and many citizens of the Kenai Peninsula Borough at risk from catastrophic wildfires within the Chugach National Forest; and

WHEREAS, the "Preferred Alternative" proposed by the Forest Supervisor within the Proposed Revised Land and Resource Management Plan for the Chugach National Forest allows for less than 80 acres out of the total 5.45 million acres of the Chugach National Forest to be surveyed for commercial or recreational minerals deposits; and

WHEREAS, the Proposed Revised Land and Resource Management Plan for the 5.45 million acre Chugach National Forest does not allow for reasonable methods of minerals extraction as access to any newly discovered mineral deposits within the Forest is severely restricted by the Proposed Revised Land and Management Plan because the Revised Plan does not allow for any new roads to be constructed to provide access to newly surveyed mineral deposits within the Forest; and

WHEREAS, the Office of General Council for the United States Forest Service has indicated to the Forest Service planners that it would take approximately one and a half years to complete a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to, in part, conduct a legal determination of the Proposed Plan for consistency with the legal provisions of the Alaska National Interest Lands Conservation Act, or ANILCA; and

WHEREAS, the Forest Service has no stated plans to conduct a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of ANILCA; and

WHEREAS, the Kenai Peninsula Borough Assembly has previously expressed its support for continued public access to Chugach National Forest for all recreational users of the Park through Kenai Peninsula Borough Resolution 2000-108; and

WHEREAS, the Kenai Peninsula Borough Assembly has concerns about the potential impacts that many of the provisions of the Proposed Land and Resource Management Plan for the Chugach National Forest will have on the economy and quality of life enjoyed now, and in the future, by the citizens of Kenai Peninsula Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The Kenai Peninsula Borough Assembly urges the United States Forest Service to adopt more comprehensive provisions within the Proposed Revised Land and Resource Management Plan for the Chugach National Forest for the mitigation, harvesting and reforestation of the hundreds of thousands of acres impacted by the Spruce Bark Beetle infestation within the Seward Ranger District to prevent the loss of millions of board feet of potentially valuable trees and reduce the possible loss of millions of dollars worth of private property that is at risk from catastrophic wildfires within the Chugach National Forest Seward Ranger District;

SECTION 2. That the Kenai Peninsula Borough Assembly further urges the United States Forest Service to adopt additional provisions within the Proposed Revised Land and Resource Management Plan for the Chugach National Forest that will provide for new road access to newly discovered and existing mineral deposits that will allow for viable commercial and recreational minerals extraction.

SECTION 3. That the Kenai Peninsula Borough Assembly requests that the United States Forest Service perform a legal review of the Proposed Revised Land and Resource Management Plan for the Chugach National Forest to provide a legal determination that the Proposed Revised Plan is consistent with the provisions of the Alaska National Interest Lands Act.

SECTION 4. That copies of this resolution be sent to the Alaska Congressional Delegation, the Kenai Peninsula Borough State Legislative Delegation, the Governor of the State of Alaska, and to the United States Forest Service.

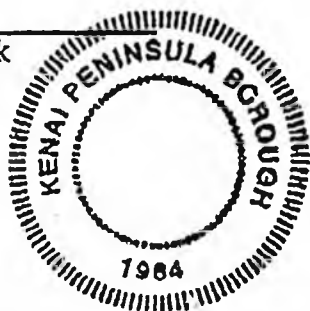
SECTION 5. That this resolution shall take effect immediately upon its adoption.

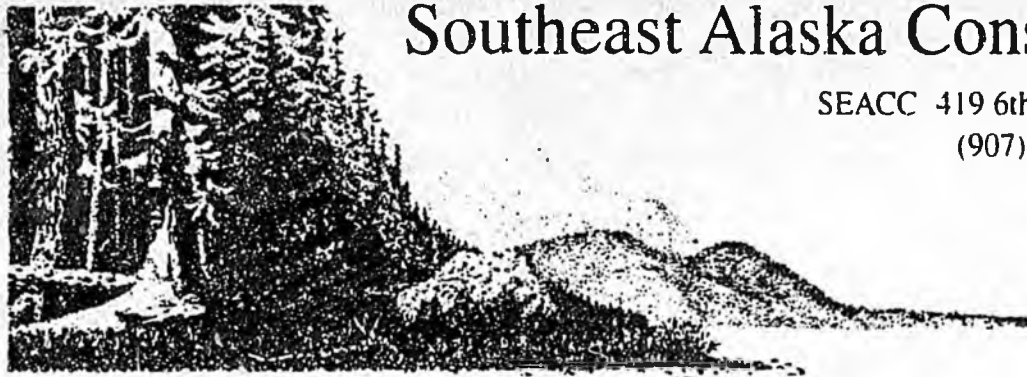
ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF DECEMBER 2000.

Timothy Navarre
Timothy Navarre, Assembly President

ATTEST:

Linda S. Murphy
Linda S. Murphy, Borough Clerk





Southeast Alaska Conservation Council

SEACC 419 6th Street, Suite 328, Juneau, AK 99801
(907) 586-6942 phone (907) 463-3312 fax
info@seacc.org

STATEMENT OF KATYA KIRSCH, EXECUTIVE DIRECTOR SOUTHEAST ALASKA CONSERVATION COUNCIL

HEARING ON HOUSE JOINT RESOLUTION 6

BEFORE THE ALASKA HOUSE RESOURCES COMMITTEE JANUARY 24, 2001

Mr. Chairman and Members of the Resources Committee:

My name is Katya Kirsch. I am the Executive Director of the Southeast Alaska Conservation Council (SEACC).

SEACC is a coalition of eighteen volunteer conservation groups in fourteen communities across Southeast Alaska, from Yakutat to Ketchikan. SEACC's individual members include Alaska Natives, subsistence users, commercial and sport fishermen, hunters and guides, tourism and recreation business owners, small timber operators and high value-added wood product manufacturers, as well as concerned citizens from all walks of life. SEACC is dedicated to safeguarding the integrity of Southeast Alaska's unsurpassed natural environment while providing for balanced, sustainable use of our region's resources.

I have lived in Southeast—Haines, Juneau, Wrangell, and Ketchikan—for the past 26 years. During this time I have seen many changes—many thousands of acres of clearcuts, and in this last decade, a much more diversified economy, including huge growth in the tourism and recreation industries, as well as new high tech businesses, fishing and much more.

It is time to stop looking backwards to recreate an economy that chews through our landscape for the gain of just one industry sector. Southeast Alaska's largest industries depend on a healthy Tongass National Forest and the renewable forest resources it provides. While employment in the timber industry continues to decline, increases in tourism, recreation, construction, health care and other parts of the service sector continue to march forward. *Alaska Economic Trends* (Jan. 2001). We must keep moving ahead. We need you to have the wisdom to look forward, instead of trying to recreate the economy of past years.

SEACC strongly supports the decision to immediately include the Tongass National Forest in the National Roadless Area Conservation Rule. This decision is not about closing down any of the nearly 5,000 miles of roads that currently exist on the Tongass National Forest. It is about

ALASKA SOCIETY OF AMERICAN FOREST DWELLERS, Point Baker • ALASKANS FOR JUNEAU • CHICHAGOF CONSERVATION COUNCIL, Tenakee
FRIENDS OF BERNERS BAY, Juneau • FRIENDS OF GLACIER BAY, Gustavus • JUNEAU GROUP SIERRA CLUB • LOWER CHATHAM CONSERVATION
SOCIETY, Port Alexander • LYNN CANAL CONSERVATION, Haines • NARROWS CONSERVATION COALITION, Petersburg • PELICAN FORESTRY
COUNCIL • PRINCE OF WALES CONSERVATION LEAGUE, Craig • SITKA CONSERVATION SOCIETY • TONGASS CONSERVATION SOCIETY, Ketchikan
TAKU CONSERVATION SOCIETY, Juneau • WRANGELL RESOURCE COUNCIL • YAKUTAT RESOURCE CONSERVATION COUNCIL

managing these valuable wildlands for multiple uses, such as hunting, fishing, subsistence, recreation, and tourism.

Southeast Alaskans depend upon these roadless areas for food, recreation and income. For example, the policy protects the roadless Farragut Bay. Logging and roading there would likely impact king salmon trolling areas and crab grounds which are very important to Petersburg fishermen, and recreation and tourism businesses.

The Forest Service listened to what the people said. It is time for you to listen also. The fact that the majority of Alaskans, 1.6 million Americans, and the scientific community support full and immediate protection of Tongass roadless areas cannot be overlooked by those who may challenge this decision. The roadless policy is a thoroughly considered administrative rule-making process that afforded the maximum opportunity for public involvement.

The Forest Service held more than 617 public hearings--including 17 in Alaska--that were attended by more than 39,000 Americans. More than 1.6 million comments were received, the vast majority of which supported inclusion of the Tongass and the Chugach in the final rule. Estimates based on eyewitness accounts show that nearly 75 percent of the citizens who testified at public hearings in Southeast Alaska's four (4) largest communities (Juneau, Ketchikan, Sitka, & Petersburg) supported including the Tongass in the Roadless policy. In the 13 hearings held across the region, roughly 60 percent of the Southeast Alaskans who testified supported protecting all Tongass roadless wildlands from commercial logging and roadbuilding. Local citizen support for applying the roadless policy on the Tongass shows that Southeast Alaskans reject the assumption that the recently revised Tongass plan, by itself, will ensure the long-term ecological integrity of our nation's largest national forest. It also reveals a desire for the Tongass to be treated just like any other national forest.

In fact, the best rationale for including the Tongass in the national roadless policy immediately was the very product of implementing the revised Tongass Land Management Plan (TLMP). As required by TLMP, the Forest Service and other federal and state agencies evaluated the ability of existing forest roads to meet TLMP standards for fish passage. The results of this inter-agency effort are shocking and show the legacy of damage caused by roadbuilding on salmon and trout habitat. According to the Tongass Road Condition Survey Report, released by ADF&G in June 2000, two-thirds of the culverts crossing salmon streams provided inadequate fish passage; eighty-five percent of the culverts crossing trout streams provided inadequate fish passage.

Out of an estimated \$20 million backlog to fix more than 700 culverts that block safe fish passage, the Forest Service has been budgeting only one half million dollars per year to fix these failing roads. At this rate, it would take 40 years to fix current fish passage problems on the Tongass. Instead of this resolution, the Alaska Legislature should call for sufficient federal funding to fix these culverts---providing jobs for Southeast Alaskans and safe passage for wild salmon so important to our commercial and sports fishermen. The Forest Service needs to use its shrinking budget to maintain its existing road network instead of punching new roads and clearcuts into roadless areas.

We strongly disagree that the Tongass Timber Reform Act of 1990 (TTTRA) provides any basis for treating the Tongass differently from other national forests. This excuse is contrary to judicial interpretation of this landmark conservation bill. By deleting in its entirety the mandate for unsustainable logging levels and excessive and permanent taxpayer subsidies, Congress clearly intended to halt the practice of treating the Tongass differently from other national forests. Thus, the Forest Service's first obligation on the Tongass is to manage "all of the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people." 16 U.S.C. § 531(a) (Multiple Use-Sustained Yield Act). If the combination of renewable resources that best meets the needs of the American people protects the roadless areas on the Tongass from commercial logging and roadbuilding, as a majority of Alaskans agree, then the Forest Service is complying with the TTTRA.

The resolution's reliance on ANILCA's "no-more" clause is similarly misplaced because this is not a "withdrawal" of public lands but the exercise of the Forest Service's management discretion to define appropriate uses for land under its jurisdiction. The policy does not bar location, entry, or leasing of minerals under federal mining laws. Nor, as alleged in the resolution, does the national roadless policy violate the "study" provision contained in Section 1326(b) of ANILCA. This section does not prohibit the Forest Service's review of roadless area management because the review was not conducted for the single purpose of establishing new conservation system units. The Forest Service review was only a process for the agency to decide how to manage the lands under its jurisdiction pursuant to its existing management authorities and responsibilities.

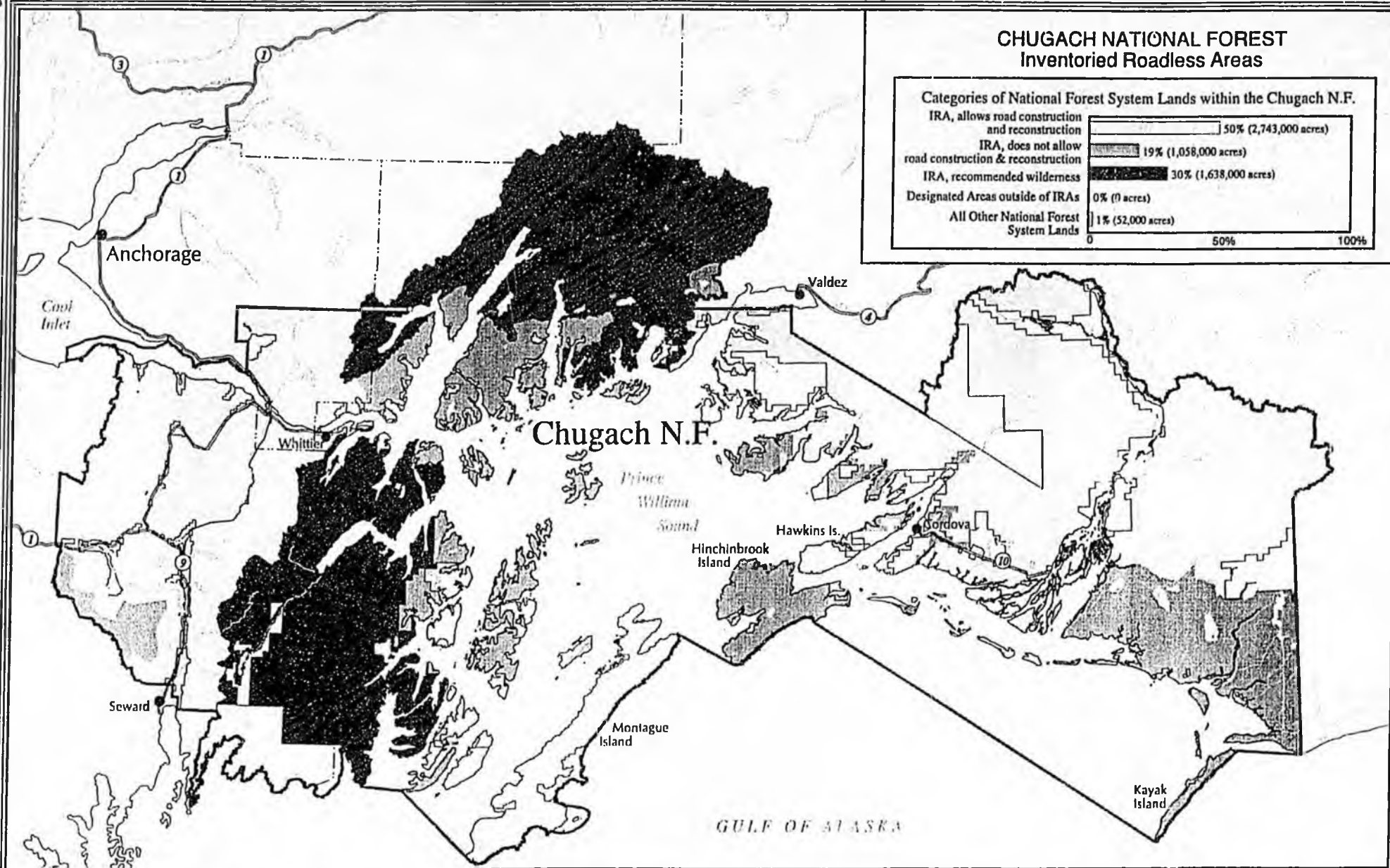
As a last note, it appears that HJR 6 was hastily written. There are several errors in the "whereas" sections. For example, the resolution claims, "the forest products industry ... contributes significant revenue to local communities through the 25 percent revenue sharing provisions of federal law." However, a new federal law (P.L. 106-393) was passed last year and guarantees stable payments for roads and schools to local forest communities. According to the formula provided under that statute, local governments would get an annual payment equivalent to the average payment of their 3 highest years of timber receipts over the past 15 years. A reduction, if any, in timber receipts on the Tongass resulting from its immediate inclusion in the roadless policy will not reduce the amount of money Southeast Alaska communities receive for roads and schools.

Please look forward and not backward. Please do not support this resolution. Instead, support fixing the culverts which are impeding safe fish passage now, providing jobs for Alaskans who fix them, and the commercial and sport fishing, and recreation and tourism industries which will thrive along with wild salmon, wildlife and wild roadless forests.

Thank you.

CHUGACH NATIONAL FOREST Inventoried Roadless Areas

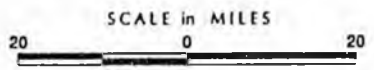
| Categories of National Forest System Lands within the Chugach N.F. | |
|--|-----------------------|
| IRA, allows road construction and reconstruction | 50% (2,743,000 acres) |
| IRA, does not allow road construction & reconstruction | 19% (1,058,000 acres) |
| IRA, recommended wilderness | 30% (1,638,000 acres) |
| Designated Areas outside of IRAs | 0% (0 acres) |
| All Other National Forest System Lands | 1% (52,000 acres) |



The USDA Forest Service uses the most current and complete data available. GIS data and product accuracy may vary. Using GIS products for purposes other than those for which they were intended may yield inaccurate or misleading results. The USDA Forest Service reserves the right to correct, update, modify, or replace GIS products without notification.



September 15, 2000
Data Supplied by Chugach National Forest
Contact: Chugach N.F.
3101 C Street, Suite 300
Anchorage, AK 99503-3998
(907) 271-2500



- Inventoried Roadless Area where road construction or reconstruction is allowed
- Inventoried Roadless Area where road construction or reconstruction is not allowed
- Inventoried Roadless Area where road construction or reconstruction is not allowed, and the forest plan recommends as wilderness
- Designated Areas outside of Inventoried Roadless Areas
- National Forest System lands outside of Inventoried Roadless Areas - not all private land is shown on the map
- Interstate Highway
- Other Highways
- County boundaries

The USDA Forest Service uses the most current and complete data available. GIS data and product accuracy may vary. Using GIS products for purposes other than those for which they were intended may yield inaccurate or misleading results. The USDA Forest Service reserves the right to correct, update, modify, or replace GIS products without notice.

September 15, 2000
 Data Supplied by Tongass National Forest
 Contact: Tongass N.F.
 Federal Building
 648 Mission Street
 Ketchikan, AK 99901
 (907) 228-6707
 UASI
 SCALE IN MILES

Map 2)

**TONGASS NATIONAL FOREST
 Inventoried Roadless Areas**

- Inventoried Roadless Area where road construction or reconstruction is allowed
 - Inventoried Roadless Area where road construction or reconstruction is not allowed
 - Inventoried Roadless Area where road construction or reconstruction is not allowed, and the forest plan recommends a wilderness
 - Designated Areas outside of Inventoried Roadless Areas - *These are already roadless*
 - National Forest System lands outside of Inventoried Roadless Areas - not all private land is shown on the map
- Interstate Highway Other Highways County boundaries

**TONGASS NATIONAL FOREST
 Inventoried Roadless Areas**

(Bar chart values apply to the entire Tongass National Forest)

Categories of National Forest System Lands within the Tongass N.F.

| | |
|--|-----------------------|
| IRA, allows road construction and reconstruction | 13% (1,918,000 acres) |
| IRA, does not allow road construction & reconstruction | 45% (7,412,000 acres) |
| IRA, recommended wilderness | 0% (0 acres) |
| Designated Areas outside of IRAs | 33% (5,747,000 acres) |
| All Other National Forest System Lands | 9% (1,504,000 acres) |



Map 4)

**TONGASS NATIONAL FOREST
 Inventoried Roadless Areas**

(Bar chart values apply to the entire Tongass National Forest)

| | |
|--|-----------------------|
| IRA, allows road construction and reconstruction | 13% (1,918,000 acres) |
| IRA, does not allow road construction & reconstruction | 45% (7,412,000 acres) |
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and 4)