

HJR

41

# Representative Beth Kerttula

---

Alaska State Legislature District 3

**Sponsor Statement  
House Joint Resolution 41  
Land Recreational Visitor Protection Act**

Winter recreation is an important part of most Alaskan's lives. Unfortunately, Alaska has the highest per capita avalanche death rate in the nation, but there is virtually no avalanche forecasting. The Legislature has recognized the importance of avalanche awareness and safety by designating November as Avalanche Awareness Month. However more can and should be done to reduce the threat of avalanches to Alaskans and visitors to our great state.

In April 2003, U.S. Senator Ted Stevens introduced the Federal Land Recreational Visitor Protection Act of 2003. The Federal Act would direct the Secretary of the Interior to establish an avalanche protection program that provides early identification of potential avalanches that could endanger the safety of visitors to units of the National Park System and to reduce the risks of avalanches to visitors, recreational users, neighboring communities, and transportation corridors. It also authorizes federal grants to be used for preventing, forecasting, detecting and mitigating avalanches, including the use of artillery or explosives for avalanche control; maintaining essential transportation and communications that could be affected by avalanches; and assisting public or private research on avalanche control methods.

House Joint Resolution 41 affirms our support for this important federal legislation. I would appreciate your support.

108TH CONGRESS  
1ST SESSION

# S. 931

To direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 29, 2003

Mr. STEVENS (for himself, Mr. CAMPBELL, Mr. DOMENICI, Mr. HATCH, Mr. INOUE, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

## A BILL

To direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Federal Land Rec-  
5 reational Visitor Protection Act of 2003".

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) PROGRAM.—The term “program” means  
2           the avalanche protection program established under  
3           section 3(a).

4           (2) SECRETARY.—The term “Secretary” means  
5           the Secretary of the Interior.

6 **SEC. 3. AVALANCHE PROTECTION PROGRAM.**

7           (a) ESTABLISHMENT.—The Secretary shall establish  
8 a coordinated avalanche protection program—

9           (1) to provide early identification of the poten-  
10           tial for avalanches that could endanger the safety of  
11           visitors to units of the National Park System and  
12           recreational users of public land, including skiers,  
13           backpackers, snowboarders, and campers; and

14           (2) to reduce the risks and mitigate the effects  
15           of avalanches on visitors, recreational users, neigh-  
16           boring communities, and transportation corridors.

17           (b) COORDINATION.—

18           (1) IN GENERAL.—In developing and imple-  
19           menting the program, the Secretary shall consult  
20           with the Secretary of Agriculture, and coordinate the  
21           program, to ensure adequate levels of protection for  
22           recreational users of public land and forests under  
23           the jurisdiction of the Secretary of Agriculture, in-  
24           cluding National Recreation Areas, wilderness and  
25           backcountry areas, components of the National Wild

1 and Scenic Rivers System, and other areas that are  
2 subject to the potential threat of avalanches.

3 (2) RESOURCES.—In carrying out this section,  
4 the Secretary and the Secretary of Agriculture—

5 (A) shall, to the maximum extent prac-  
6 ticable, use the resources of the National Ava-  
7 lanche Center of the Forest Service; and

8 (B) may use such other resources as the  
9 Secretary has available in the development and  
10 implementation of the program.

11 (c) ADVISORY COMMITTEE.—

12 (1) IN GENERAL.—The Secretary and the Sec-  
13 retary of Agriculture shall jointly establish an advi-  
14 sory committee to assist in the development and im-  
15 plementation of the program.

16 (2) MEMBERSHIP.—

17 (A) IN GENERAL.—The Advisory Com-  
18 mittee shall consist of 11 members, appointed  
19 by the Secretaries, who represent authorized  
20 users of artillery, other military weapons, or  
21 weapons alternatives used for avalanche control.

22 (B) REPRESENTATIVES.—The membership  
23 of the Advisory Committee shall include rep-  
24 resentatives of—

1 (i) Federal land management agencies  
2 and concessionaires or permittees that are  
3 exposed to the threat of avalanches;

4 (ii) State departments of transpor-  
5 tation that have experience in dealing with  
6 the effects of avalanches; and

7 (iii) Federal- or State-owned railroads  
8 that have experience in dealing with the ef-  
9 fects of avalanches.

10 (d) CENTRAL DEPOSITORY.—The Secretary, the Sec-  
11 retary of Agriculture, and the Secretary of the Army shall  
12 establish a central depository for weapons, ammunition,  
13 and parts for avalanche control purposes, including an in-  
14 ventory that can be made available to Federal and non-  
15 Federal entities for avalanche control purposes under the  
16 program.

17 (e) GRANTS.—

18 (1) IN GENERAL.—The Secretary and the Sec-  
19 retary of Agriculture may make grants to carry out  
20 projects and activities under the program—

21 (A) to assist in the prevention, forecasting,  
22 detection, and mitigation of avalanches for the  
23 safety and protection of persons, property, and  
24 at-risk communities;

1 (B) to maintain essential transportation  
2 and communications affected or potentially af-  
3 fected by avalanches;

4 (C) to assist avalanche artillery users to  
5 ensure the availability of adequate supplies of  
6 artillery and other unique explosives required  
7 for avalanche control in or affecting—

8 (i) units of the National Park System;

9 and

10 (ii) other Federal land used for recre-  
11 ation purposes; and

12 (iii) adjacent communities, and essen-  
13 tial transportation corridors, that are at  
14 risk of avalanches; and

15 (D) to assist public or private persons and  
16 entities in conducting research and development  
17 activities for cost-effective and reliable alter-  
18 natives to minimize reliance on military weap-  
19 ons for avalanche control.

20 (2) APPORTIONMENT OF FUNDS.—

21 (A) IN GENERAL.—Subject to subpara-  
22 graph (B), for each fiscal year for which funds  
23 are made available under section 4, the Sec-  
24 retary shall apportion the amount of funds  
25 made available for the fiscal year among States

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

1 with avalanche zones based on the ratio that  
2 the total area of avalanche zones located in  
3 each State bears to the total area of all ava-  
4 lanche zones in all States.

5 (B) PRIORITY.—In providing grants under  
6 this subsection, the Secretary shall give priority  
7 to projects and activities carried out in ava-  
8 lanche zones—

9 (i) with a high frequency or severity  
10 of avalanches; or

11 (ii) in which deaths or serious injuries  
12 to individuals, or loss or damage to public  
13 facilities and communities, have occurred  
14 or are likely to occur.

15 (f) SURPLUS ORDINANCE.—Section 549(e)(3) of title  
16 40, United States Code, is amended—

17 (1) in subparagraph (A), by striking “or” after  
18 the semicolon at the end;

19 (2) in subparagraph (B), by striking the period  
20 at the end and inserting “; or”; and

21 (3) by adding at the end the following:

22 “(C) in the case of surplus artillery ordi-  
23 nance that is suitable for avalanche control pur-  
24 poses, to a user of such ordinance.”.

1 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

2       There are authorized to be appropriated such sums  
3 as are necessary to carry out this Act.

○

# Southeast Alaska Avalanche Center

PO Box 20578, Juneau, Alaska 99802 (907) 586-5699 ph & fax e-mail: [seavalanche@gci.net](mailto:seavalanche@gci.net)

An educational nonprofit corporation <http://www.avalanche.org>; click on Southeast Alaska link

---

March 25, 2004

Rep. Beth Kerttula  
Alaska House of Representatives  
State Capitol, Room 430  
Juneau, Ak 99801-1182

## Letter of Support for HJR 41

Alaska loses more people to avalanches than any other state, regardless of population, yet we are the one state with no federally funded statewide program to reduce that death toll.

Senator Stevens' S.931 sets up the programs and funding that will make a concrete difference, and Representative Kerttula's HJR 41 helps support and move that bill toward passage.

S.931 directs the Secretaries of Interior and Agriculture to coordinate with the US Forest Service National Avalanche Center to develop a program of grants to governments, communities, transportation systems, and private businesses affected by avalanches to set up the safeguards they need to maintain public safety and the flow of commerce, and apportions funding by each state's area of avalanche zones, which ensures that Alaska will get the large share of the funding that it needs and deserves to address our problem.

As a nonprofit dedicated to avalanche education, we strongly support both bills.

thank you

Bill Glude  
SAAC Director & lead avalanche specialist

AMENDMENT

OFFERED IN THE HOUSE

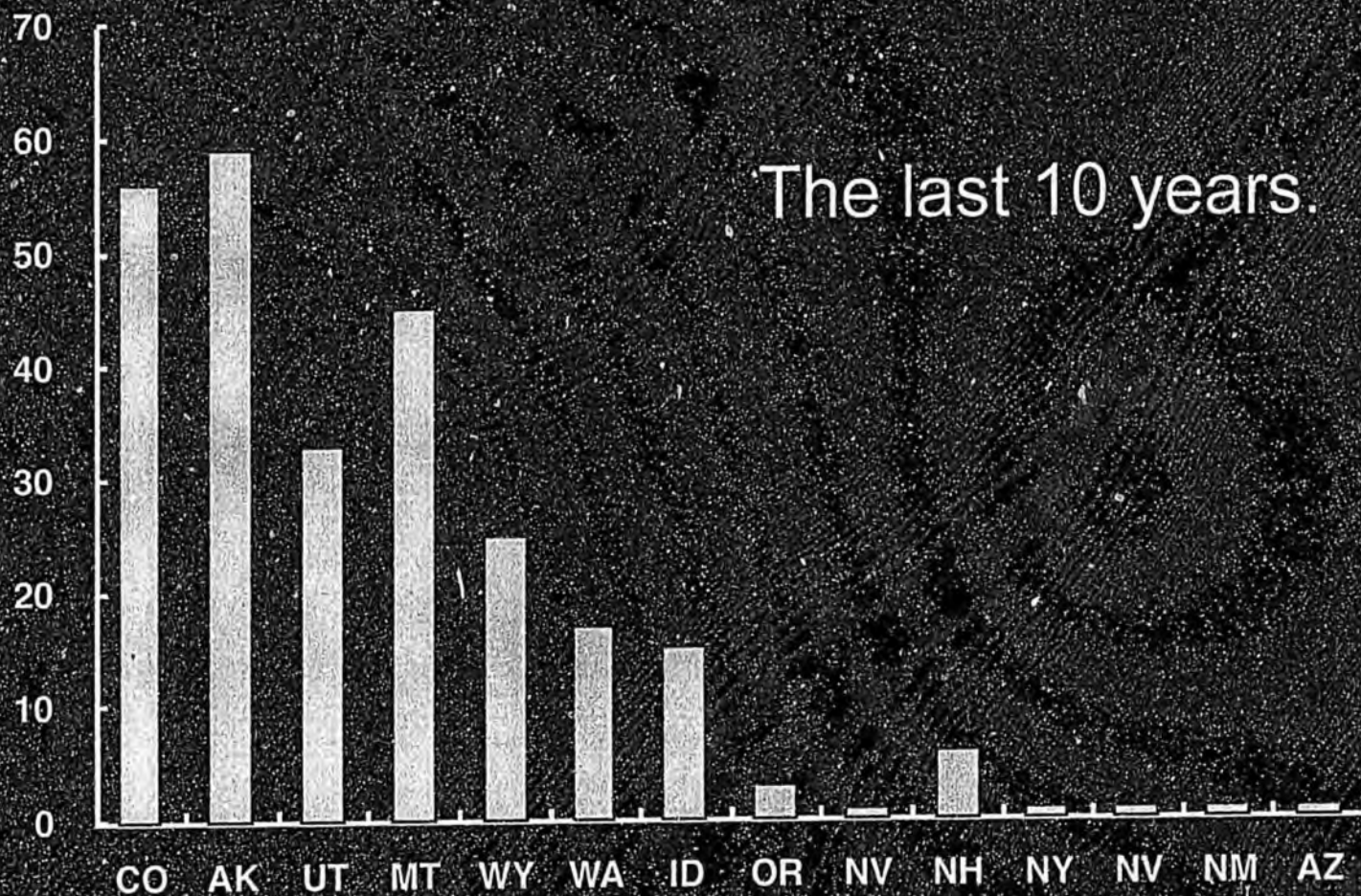
BY REPRESENTATIVE

TO: HJR 41

*Kerttue*

- 1 Page 2, line12, following "; "
- 2 Insert "Senator Pete V. Domenici, Chairman, and Senator Jeff Bingaman,
- 3 Ranking Member, US Senate Committee on Energy and Natural Resources; "

# US Avalanche Fatalities By State



*Colorado Avalanche Information Center*

*1993/94 to 2002/03*