

**SB**

**127**

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 2/27/09

FURTHER: Resources

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 3/19/09

Community and Regional Affairs Committee considered SENATE BILL NO. 127

### SB 127 SOUTHEAST STATE FOREST

"An Act establishing the Southeast State Forest and relating to the Southeast State Forest; and providing for an effective date."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

**SENATE BILL:**  
 Same Title  
 New Title

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**HOUSE BILL:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_


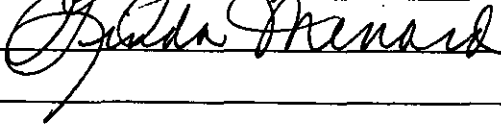
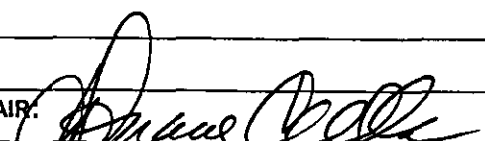
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet	Zero	FN#
DNR	2/9/09			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	THOMAS	✓			
	MENARD	✓			
CHAIR: 				✓	

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF THE COMMISSIONER

SARAH PALIN, GOVERNOR

- P.O. BOX 111000  
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February 27, 2009

Senator Donny Olson, Chairman  
Senate Community and Regional Affairs Committee  
State Capitol, Room 514  
Juneau, Alaska 99801

Re: Senate Bill 127 - Establishing the Southeast State Forest and relating to the Southeast State Forest.

Dear Senator Olson,

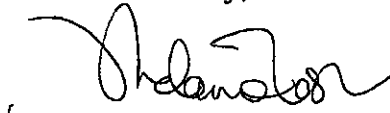
Please accept this request for your consideration to schedule SB 127 before the Senate Community and Regional Affairs Committee at your earliest convenience.

This bill would establish a new Southeast State Forest (SESF) in Southeast Alaska. The SESF would be managed as part of the State Forest System under AS 41.17.200-.230. Designated lands include 20 parcels totaling approximately 25,291 acres on Prince of Wales, Tuxekan, Kosciusko, Heceta, Revilla, and Gravina islands, and on the mainland at Crittenden Creek. Lands in the State Forest would continue to be open for multiple uses, including wildlife habitat and harvest and recreational activities. Legislatively designating a State Forest would ensure that some land will remain available for long-term forest management, and enable thinning to increase timber volumes.

The bill is supported by the Alaska State Forest Association, hunting and recreation groups as well as all surrounding land owners. Attached are a Sectional Analysis, DNR's zero fiscal note and background materials and maps.

If you have any questions regarding the bill, or to make arrangements for department to respond to questions please feel free to contact Melanie Lesh, Special Assistant, Department of Natural Resources, and Legislative Liaison at 465-4730, or Marty Freeman, the Forest Resources Program Manager at 269-8473.

Sincerely,

  
for Thomas E. Irwin  
Commissioner

*"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."*

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February 27, 2009

## Senate Bill 127

### Establishing the Southeast State Forest and relating to the Southeast State Forest; and providing for an effective date

This bill would establish a new Southeast State Forest (SESF). The SESF would be managed as part of the State Forest System under AS 41.17.200-.230. Lands in the State Forest would continue to be open for multiple uses, including wildlife habitat and harvest and recreational activities. The State Forest designation would not affect the Wrangell Borough municipal entitlement, nor would it affect calculation of entitlement acreage for future municipalities in southeast Alaska.

#### Section 1 – Southeast State Forest.

Legal descriptions. Section 1, subsections (a) and (d) provide legal descriptions for the lands to be designated as the Southeast State Forest (SESF). Designated lands include 20 parcels totaling approximately 25,291 acres (see chart) on Prince of Wales, Tuxekan, Kosciusko, Heceta, Revilla, and Gravina islands, and on the mainland at Crittenden Creek. These parcels are an important part of the state timber base, but are classified as General Use land, which may be sold in the future. Legislatively designating a State Forest would ensure that some land will remain available for long-term forest management, and enable thinning to increase timber volumes. Designated lands exclude areas identified as important sites for future state land disposals.

Management plan and transportation corridor. Subsection (b) directs DNR to prepare a management plan for the Southeast State Forest. Under AS 41.17.230 a management plan is required within three years after a State Forest is established. State Forest management plans must consider and permit multiple uses, include recreation and tourism, mining, use of fish and wildlife, and other traditional uses, unless the Commissioner issues a site-specific written finding that a use is incompatible with one or more other uses. Public, interagency, and Board of Forestry review is required prior to adoption of a State Forest management plan. As in other state forests, Subsection (c) states that the DNR Commissioner may also establish transportation corridors within the State Forest.

Municipal entitlements. Subsection (e) clarifies the relationship of the Southeast State Forest to current and potential municipal entitlements. State Forests can

*“Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans.”*

affect the amount of land a municipality is entitled to select, and the land available for selection. The amount of land a municipality may select is based on the maximum total acreage of vacant, unappropriated, unreserved (VUU) land in the borough boundaries within two years after the date of incorporation (AS 29.65.030). Municipal selections are limited to VUU land. Land classified as General Use land is VUU land, but State Forests are not.

The SESF is designed to have no impact on Wrangell Borough land selections. The amount of land that Wrangell Borough may select is already fixed by its date of incorporation, and this bill specifies that the Wrangell Borough may select State Forest land within the borough boundary. Three parcels in the SESF are within the Wrangell Borough boundary.

If new municipalities are incorporated before June 30, 2019, the SESF will not affect the amount of land that they can select. The bill specifies that State Forest lands that were VUU land before establishment of the State Forest will be included in the calculation of the entitlement acreage. However, parcels in the SESF may not be selected. If municipalities form after 2019, the amount and location of their entitlement would be based on the VUU land at that time.

**Section 2. Regulations.** This section authorizes DNR to immediately adopt regulations to implement the bill.

**Section 3. Effective date for regulations.** Under Section 3 the authority to adopt regulations (Section 2) takes effect immediately.

**Section 4. Effective date for State Forest.** Section 4 provides for an effective date of July 1, 2008.

## Briefing: SB 127

### Southeast State Forest

DEPARTMENT OF NATURAL RESOURCES



Alaska Department of  
**NATURAL  
RESOURCES**

February 27, 2009

DIVISION OF FORESTRY

**Background.** The state Department of Natural Resources manages over 156,000 acres of forest land in Southern Southeast (SSE) Alaska. Of this land, timber management is allowed on approximately 49,000 acres. The state actively manages this timber base to supply wood to local processors. Remaining land is designated primarily for other uses including land sales, recreation, water resources, and fish and wildlife habitat, including over 25,000 acres of legislatively designated state parks, refuges, and public use areas.

In SSE, demand for state timber exceeds supply. The majority of timber in SSE is on federal land, but federal timber sales have declined drastically. Local mills now depend heavily on state timber for survival. The state is committed to finding long-term solutions by:

- maximizing the sustainable supply of timber from the small state timber base.
- working with the US Forest Service to increase economically feasible federal timber sales, and
- accelerating the transition from old-growth harvesting to harvesting second-growth.

There is broad support for shifting timber harvesting in SE Alaska from old growth to second-growth stands. Actively-managed second-growth stands provide more timber volume per acre on shorter rotations, and have less impact on wildlife. Much of the state timber land was inherited from the USFS with young second-growth stands. We can accelerate the shift to second-growth harvesting and increase timber volume on state land by thinning these stands. However, thinning is a long-term investment, and is only justified if the land will continue to be available for forest management. Legislatively designating a State Forest would ensure that some land will remain available for long-term forest management.

**Purpose.** This bill would establish a new Southeast State Forest from state lands presently used for timber harvest. The Division of Forestry will be able to manage the State Forest for a long-term supply of timber to local processors, and retain the land in state ownership for multiple uses.

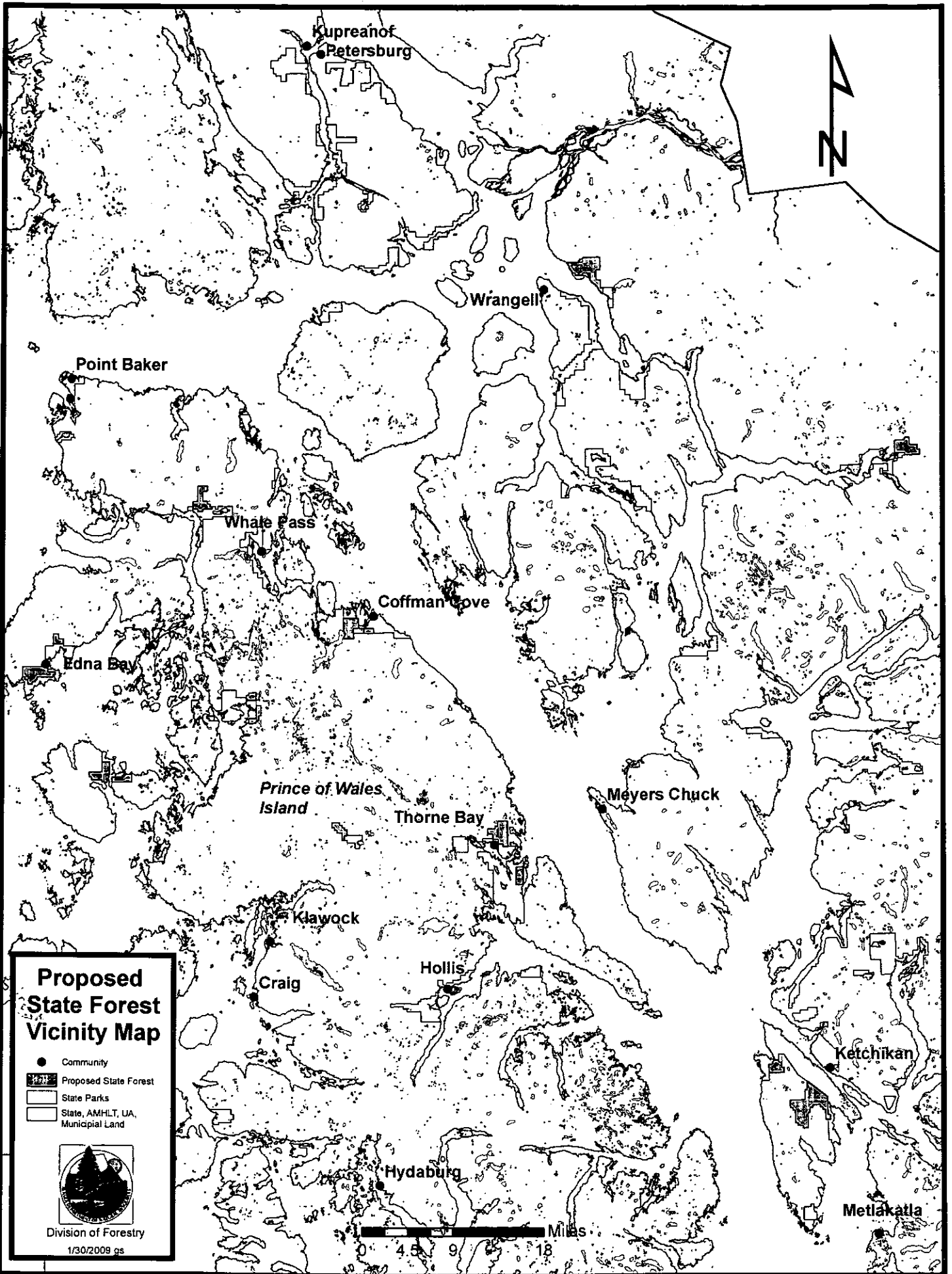
**Proposed State Forest land.** The proposed Southeast State Forest includes 20 parcels totaling approximately 25,291 acres (see chart). Parcels are General Use lands on Prince of Wales, Tuxekan, Kosciusko, Heceta, Revilla, and Gravina islands, and on the mainland at Crittenden Creek. The Division of Forestry worked with the Division of Mining, Land, and Water Management to identify and exclude lands that are priorities for the state land disposal program.

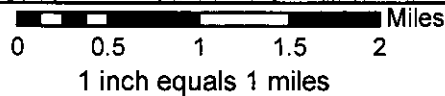
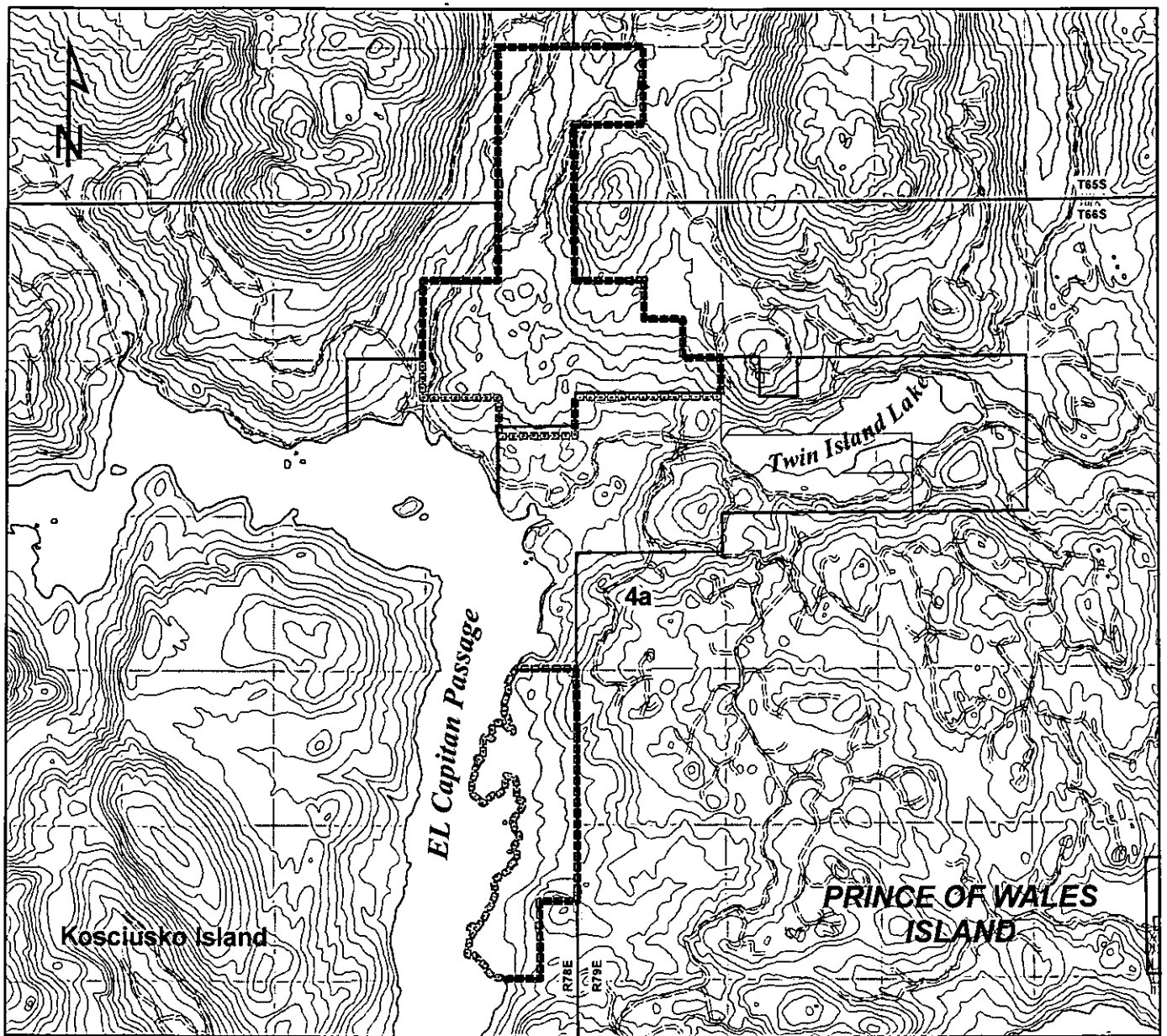
**State Forest Management.** The Southeast State Forest would be managed as part of the State Forest System under AS 41.17.200-.230. Lands in the State Forest would continue to be open for multiple uses, including wildlife habitat and harvest and recreational activities. State Forest lands would be managed consistent with the management intent under the current Prince of Wales Island and Central Southeast area plans. Changes to management intent would require public and interagency review through adoption of a State Forest Management Plan under AS 41.17.230.

**Municipal Entitlements.** The City and Borough of Wrangell boundary encompasses three parcels in the proposed state forest (Crittenden Creek and Bradfield Canal East and West). A State Forest designation will not affect the amount or location of land the Wrangell Borough can select. That determination is based on the maximum total acreage of vacant, unappropriated, unreserved land in the borough boundaries within two years after the date of incorporation (AS 29.65.030). However, a borough would not normally be able to select land within a State Forest. To avoid conflicts with the Wrangell entitlement, the Southeast State Forest bill specifies that the Wrangell Borough may select State Forest land within the borough boundary.

If new municipalities are incorporated before June 30, 2019, lands that were vacant, unappropriated, unreserved land before establishment of the State Forest will be included in the calculation of the municipal entitlement acreage, but may not be selected.








<b>PROPOSED SOUTHEAST STATE FOREST</b>			
<b>Planning Unit</b>	<b>Acreage</b>	<b>General Location</b>	<b>Island</b>
<b>Prince of Wales Island Area Plan</b>			
4a	1,528.21	El Capitan – North	Prince of Wales
4a	600.44	El Capitan – South	Prince of Wales
6a	1,558.11	Coffman Cove – West	Prince of Wales
6a	320	Coffman Cove – East	Prince of Wales
7b	200	Tuxekan – East	Tuxekan
7c	436.89	Naukati – North	Prince of Wales
7c	640	Naukati – South	Prince of Wales
8b	480	Kosciusko/Edna Bay – North	Kosciusko
8b	2,199.84	Kosciusko/Edna Bay – South	Kosciusko
10a	1,257.92	Heceta Island – West	Heceta
10a	752.8	Heceta Island – East	Heceta
11a	744.32	Control Lake	Prince of Wales
11c	2,040	Thorne Bay – North	Prince of Wales
11c	840	Thorne Bay – South	Prince of Wales
<b>Central Southeast Area Plan</b>			
K-04	324.20	Traitors Cove	Revillagigedo
K-33	901.03	Gravina/Vallenar	Gravina
K-41	4,977.38	Gravina/Bostwick	Gravina
W-01	3,087.72	Crittenden Creek	Mainland
W-19	624.15	Bradfield Canal – West	Mainland
W-20	1,778.56	Bradfield Canal – East	Mainland
<b>TOTAL</b>	<b>25,291.14</b>	<b>20 parcels</b>	





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**Legend**

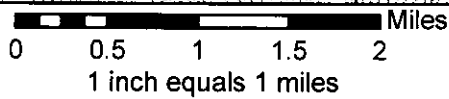
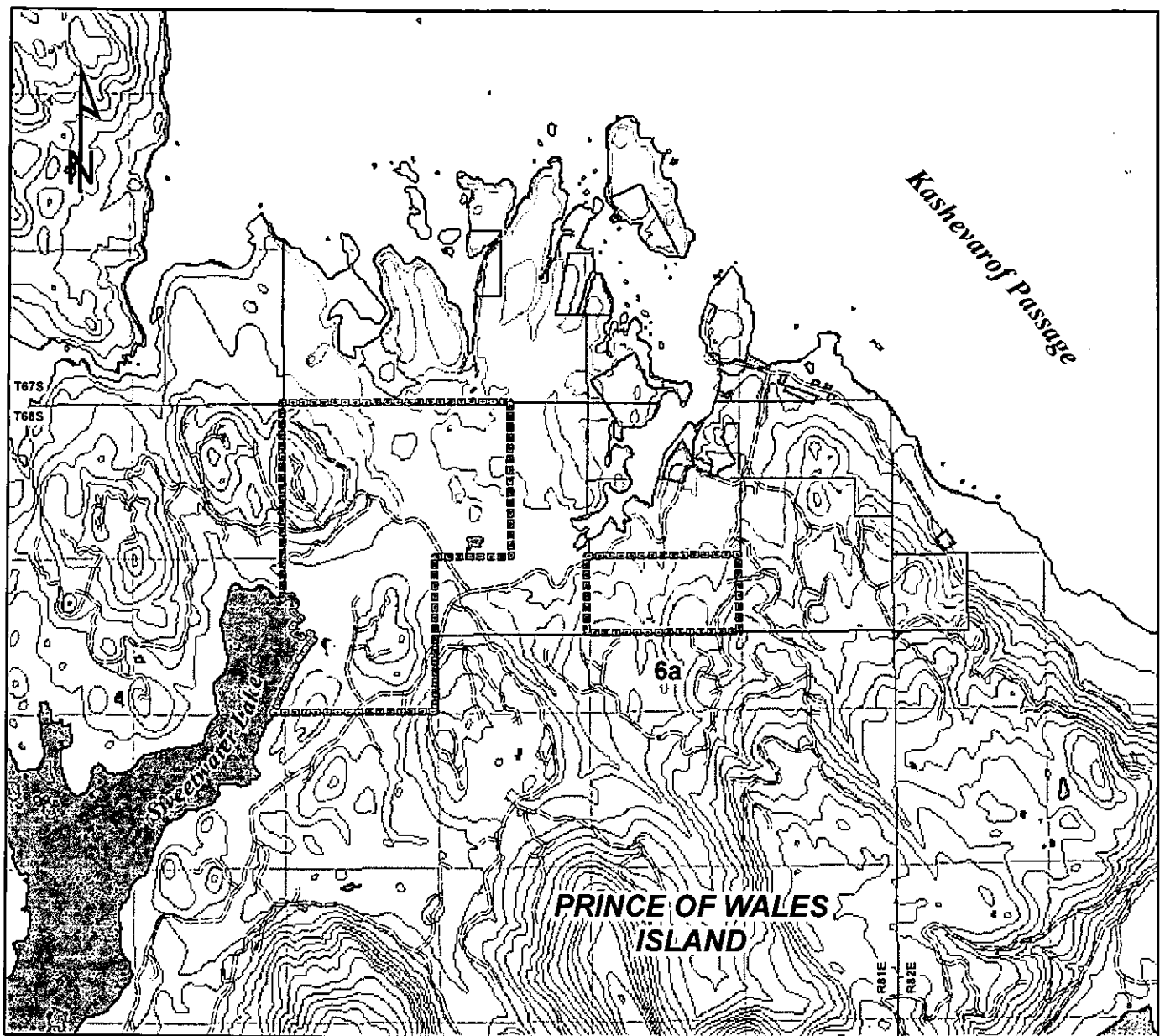
-  Property Line
-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat
-  Roads

**Proposed  
Southeast Alaska  
State Forest  
El Capitan**









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1/30/09 gs



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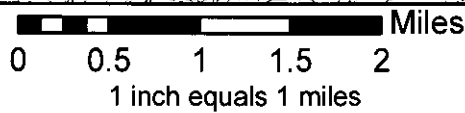
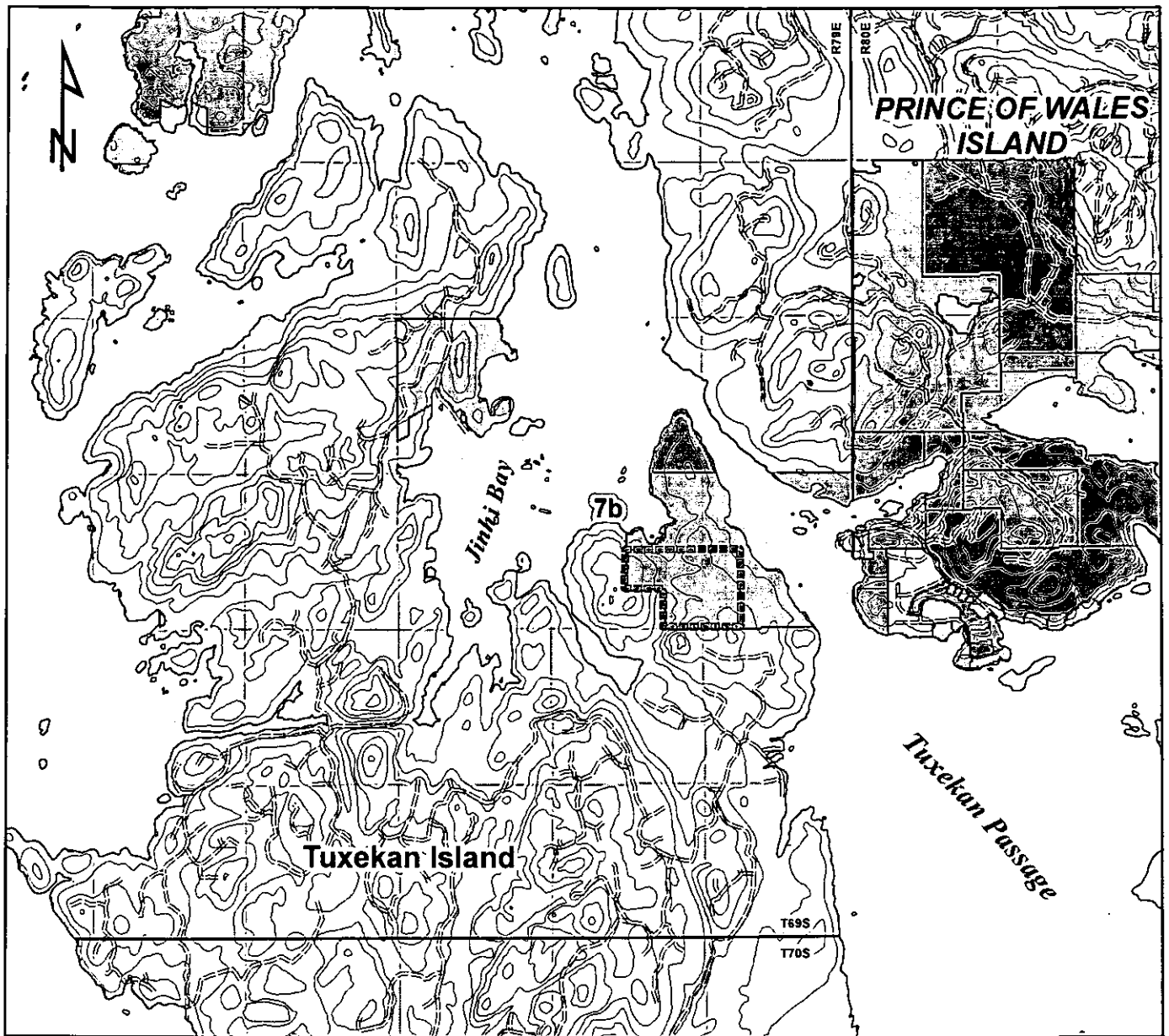
-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat
-  Roads

**Proposed  
Southeast Alaska  
State Forest  
Coffman Cove**









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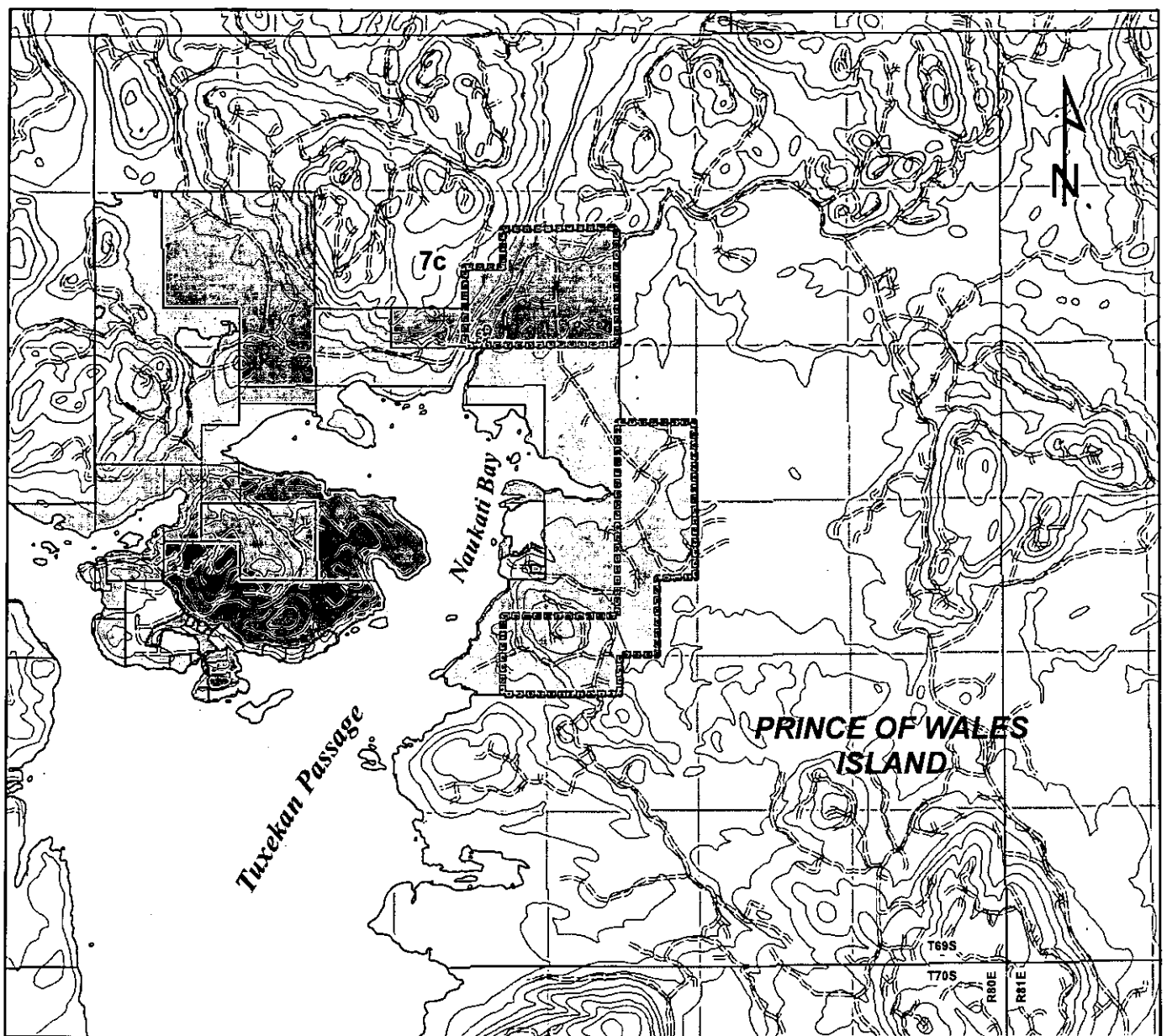
-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat
-  Roads

**Proposed  
Southeast Alaska  
State Forest  
Tuxekan**



**DIVISION OF FORESTRY**






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1 inch equals 1 miles

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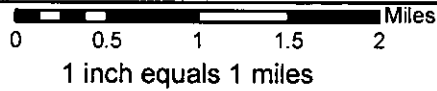
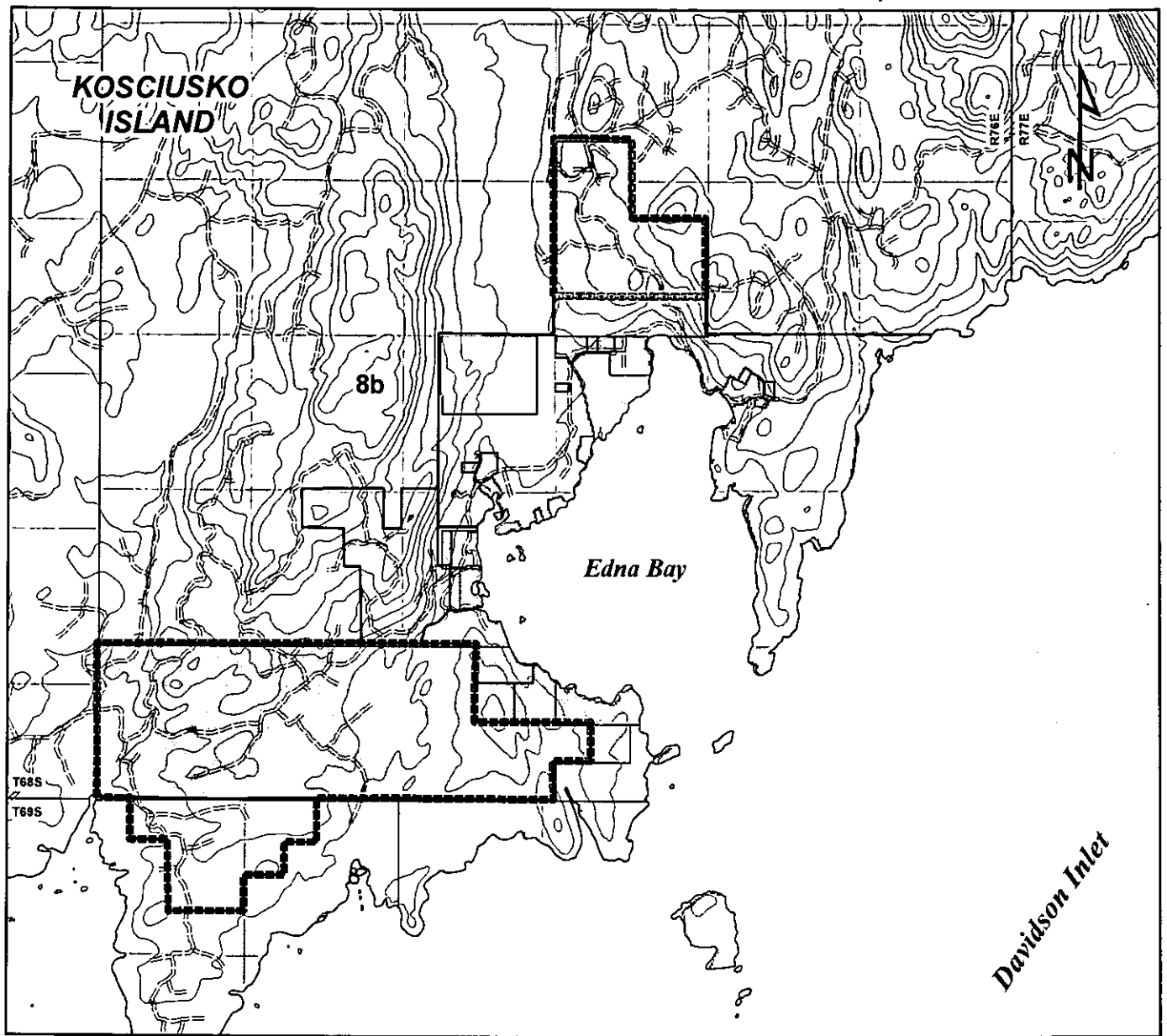
-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat

**Proposed  
Southeast Alaska  
State Forest  
Naukati**



**DIVISION OF FORESTRY**








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*Davidson Inlet*

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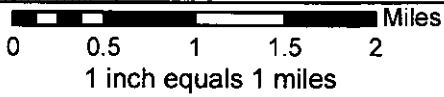
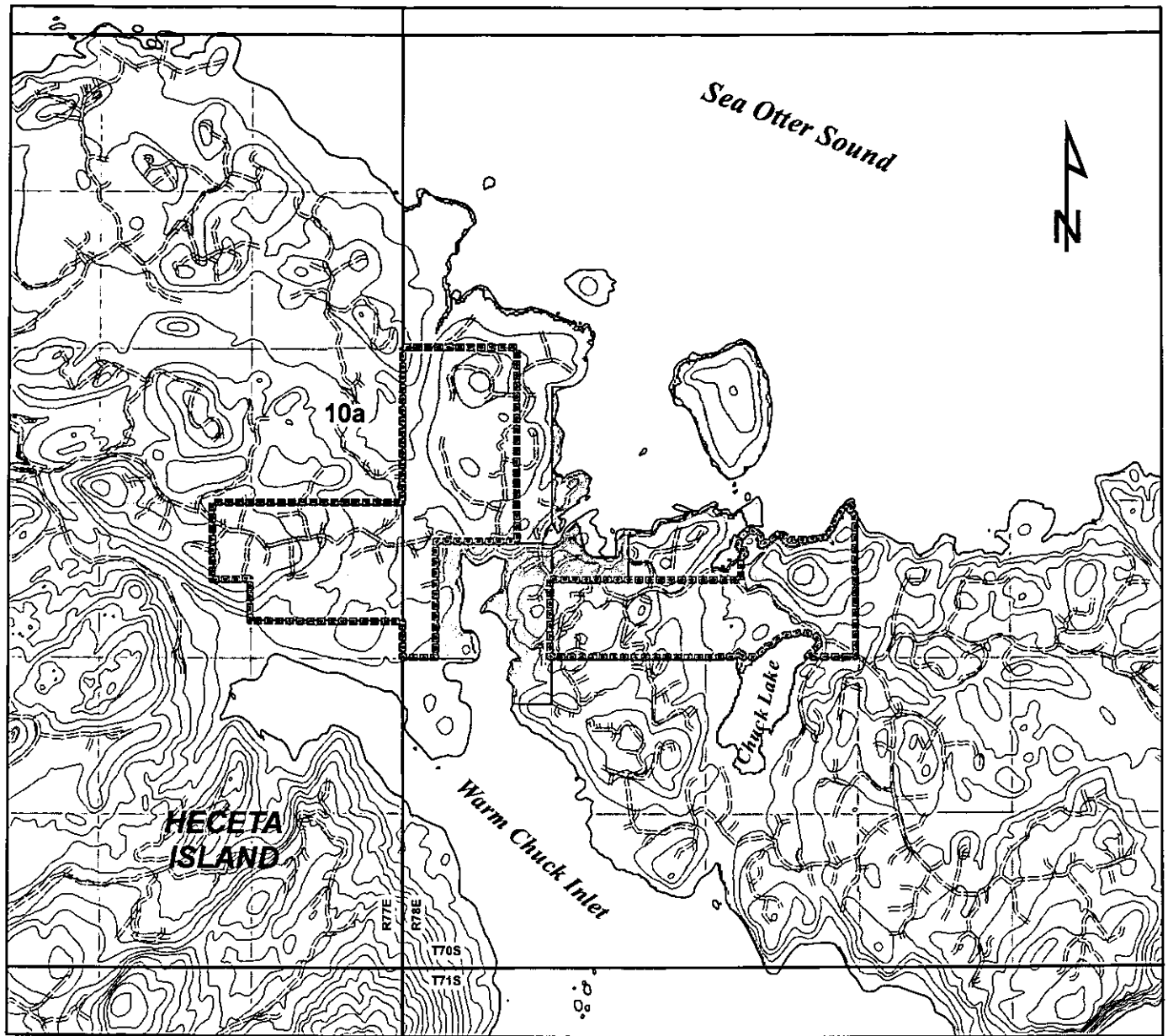
-  Property Line
-  Proposed State Forest
-  Roads
-  GU
-  Disposable
-  Recreation
-  Habitat

**Proposed  
Southeast Alaska  
State Forest  
Kosciusko (Edna Bay)**









**DIVISION OF FORESTRY**

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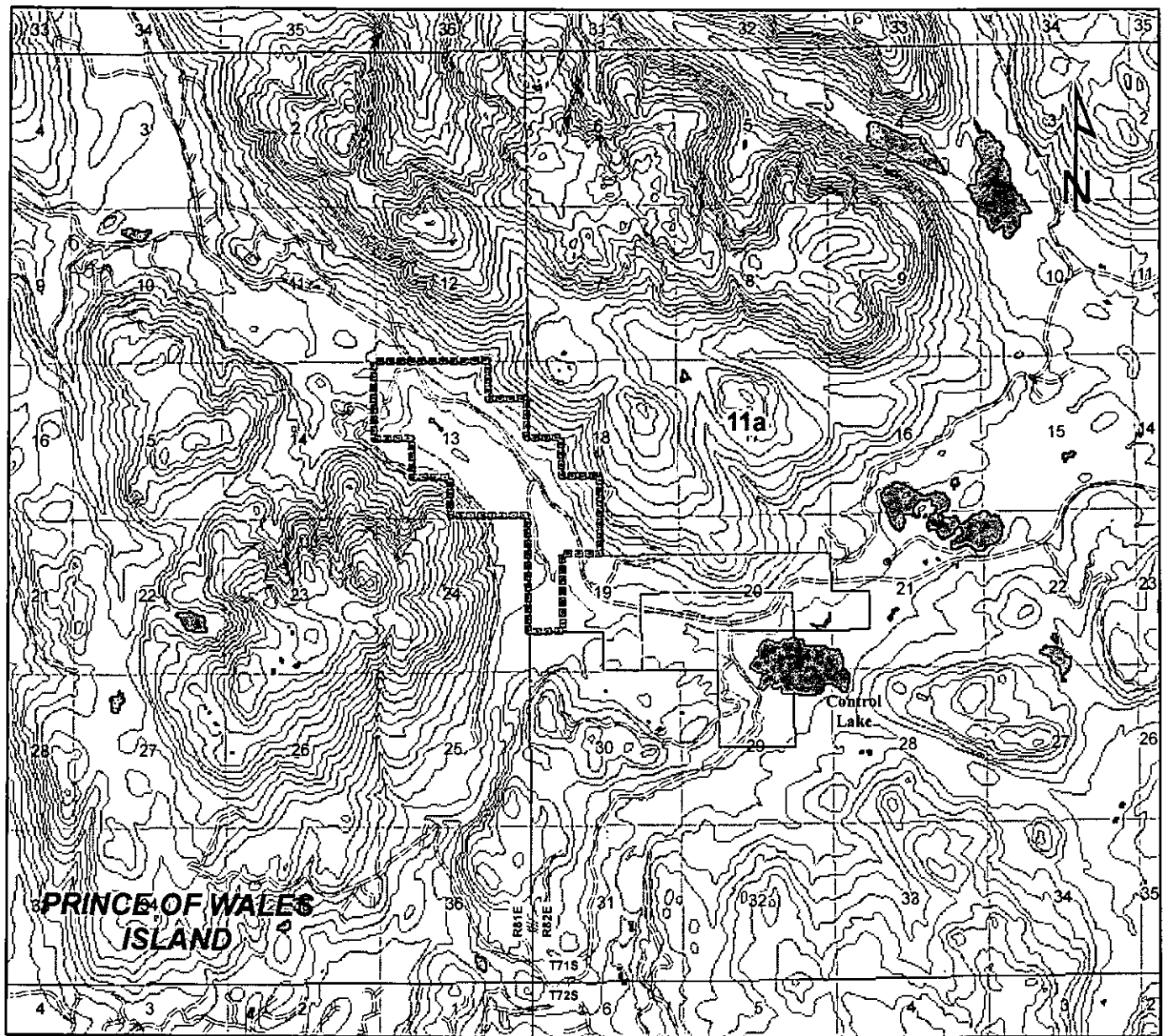
-  Proposed State Forest
-  Roads
-  GU
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-  Habitat

## Proposed Southeast Alaska State Forest Heceta Island



DIVISION OF FORESTRY







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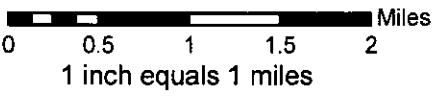
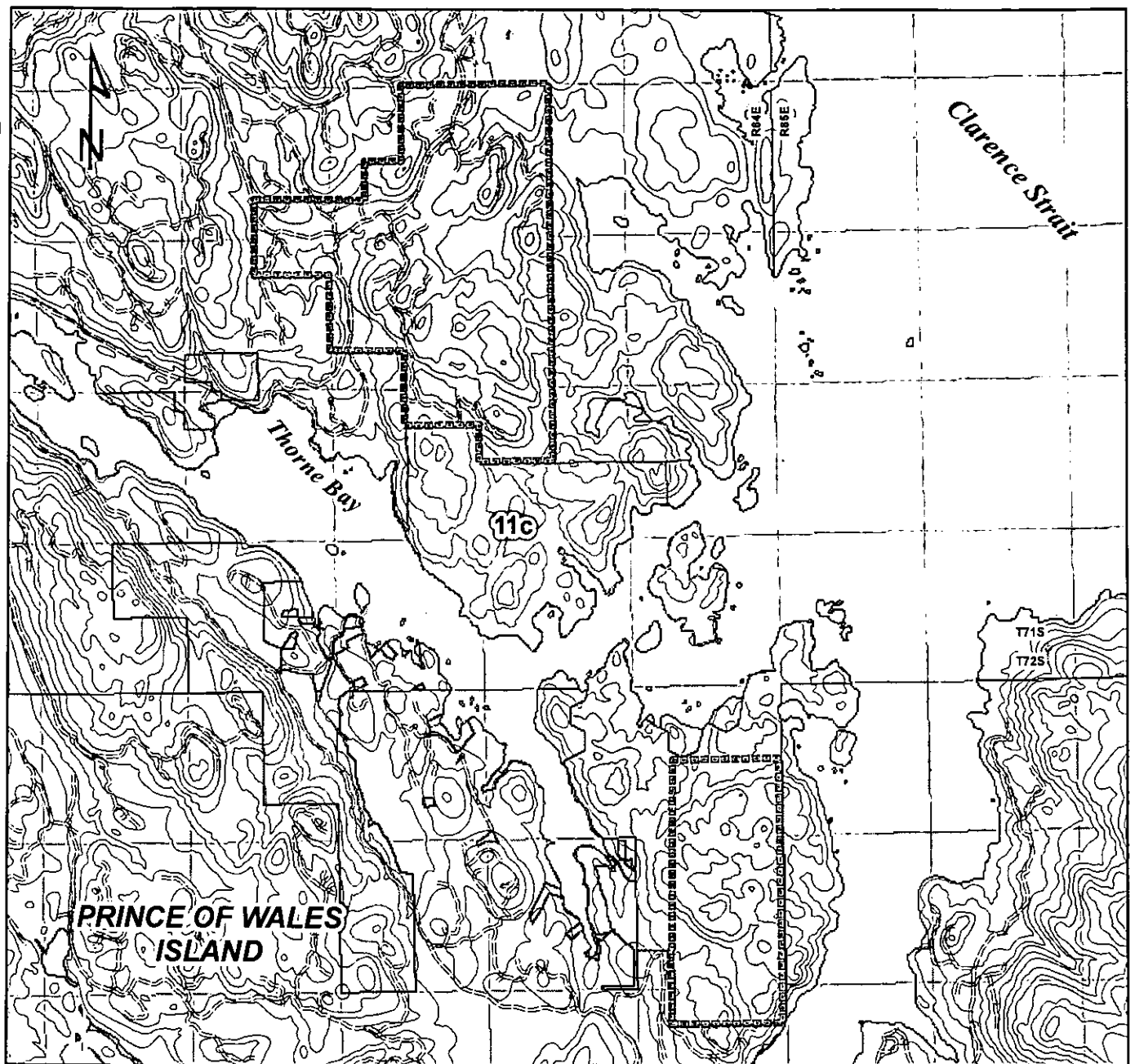
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-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat
-  Roads

**Proposed  
Southeast Alaska  
State Forest  
Control Lake**









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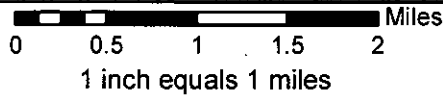
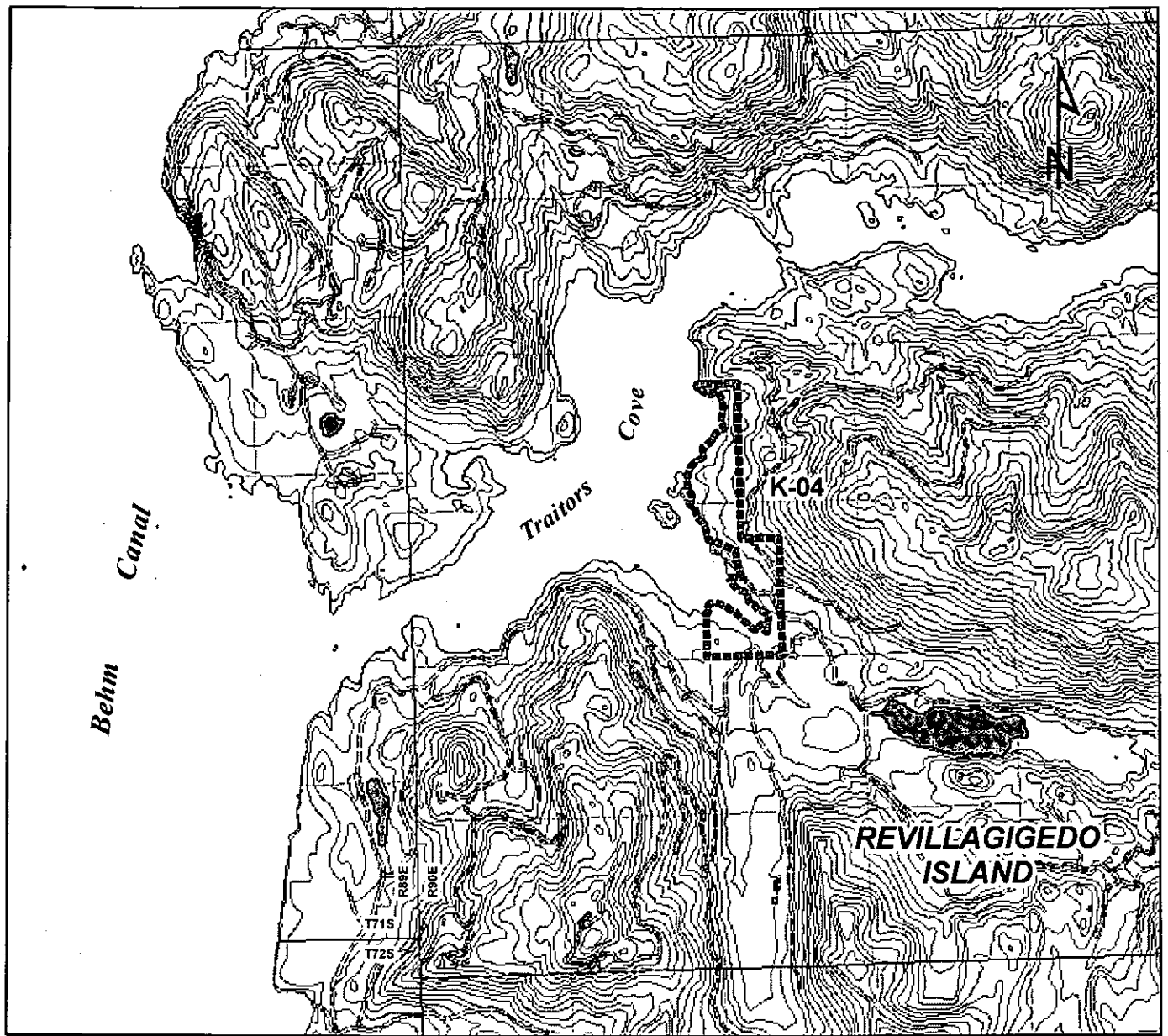
**Legend**

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**Proposed  
Southeast Alaska  
State Forest  
Thorne Bay**



**DIVISION OF FORESTRY**  
1/19/2009



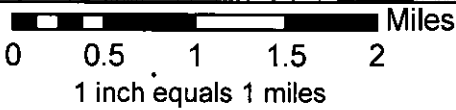
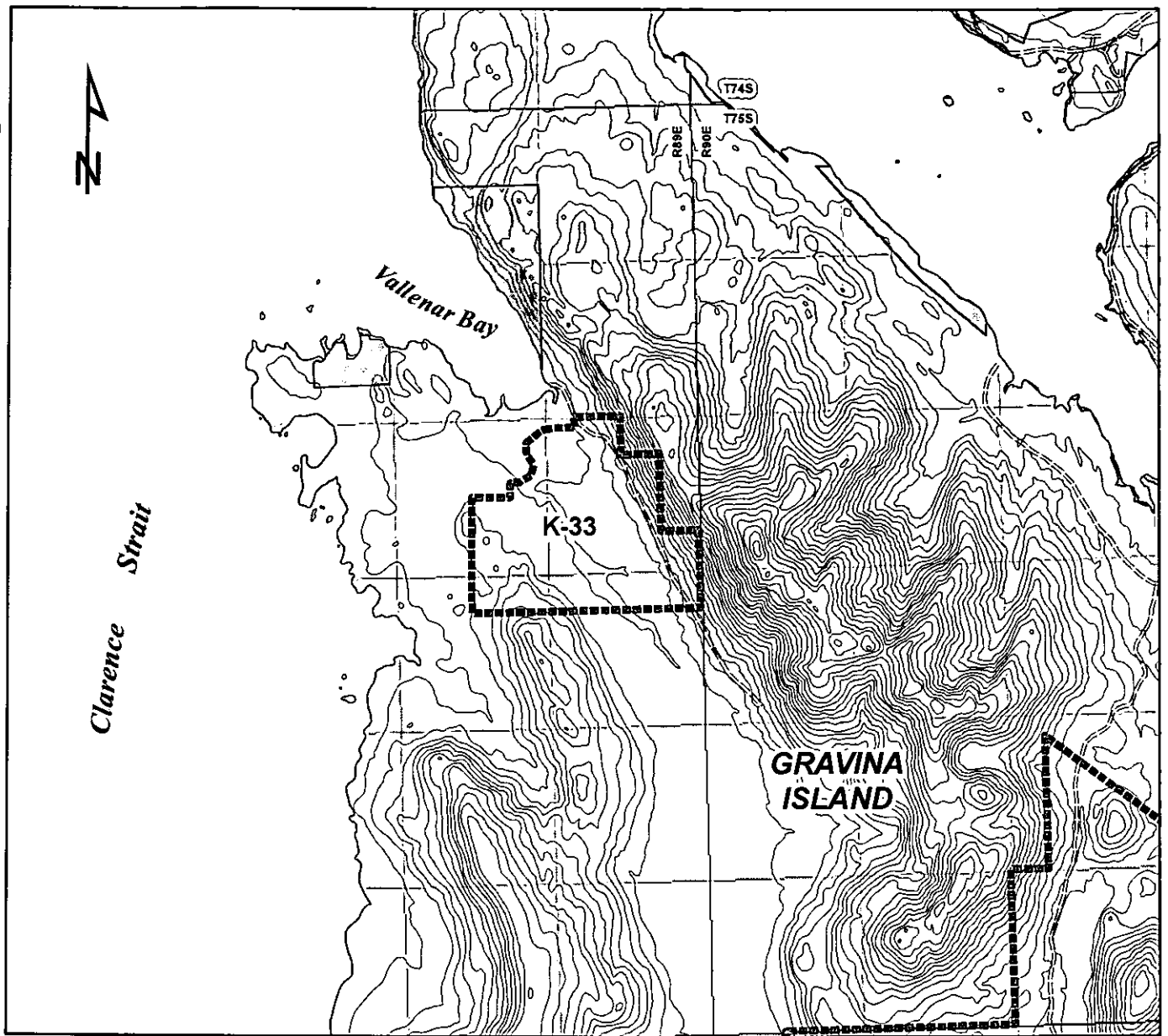
Contour Interval 100'



**Proposed  
Southeast Alaska  
State Forest  
Traitors Cove**









**DIVISION OF FORESTRY**  
2/09/2009 gs



Contour Interval 100'

**Legend**

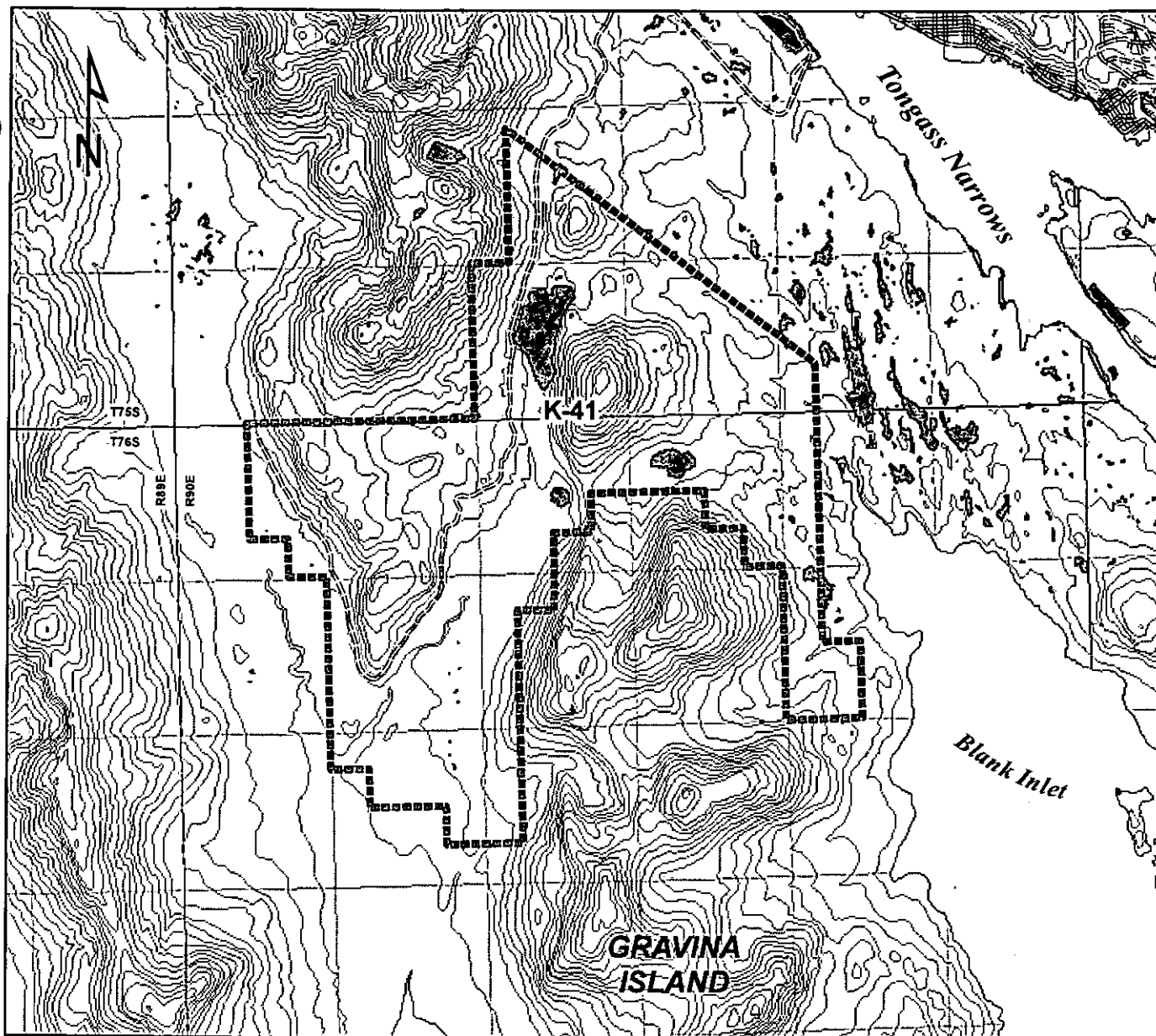
-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat
-  Roads

**Proposed  
Southeast Alaska  
State Forest  
Gravina (Vallenar)**








**DIVISION OF FORESTRY**

2/05/2008 gs



0 0.5 1 1.5 2 Miles  
 1 inch equals 1 miles  
 Contour Interval 100'

**Legend**

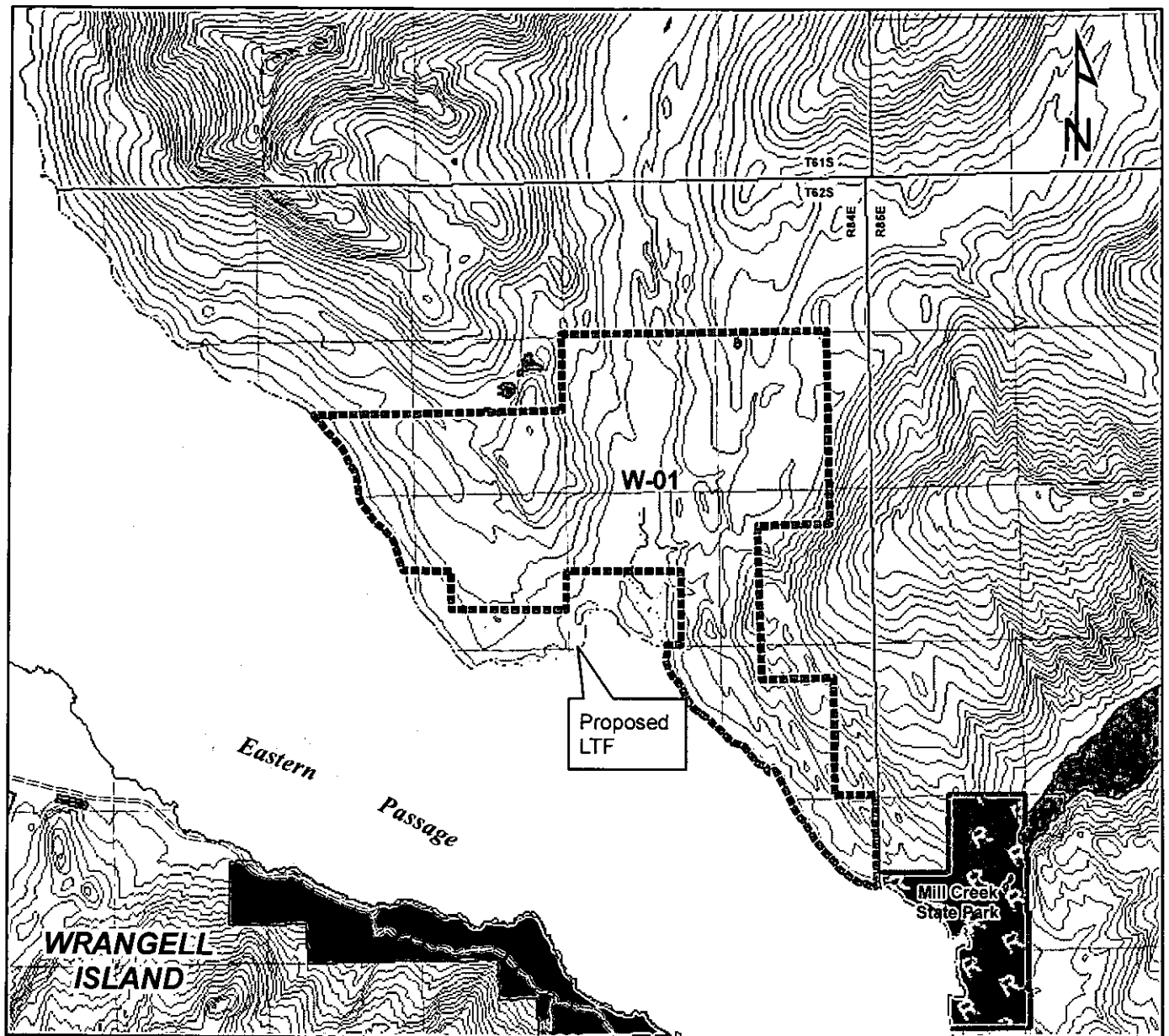
-  Proposed State Forest
-  CU
-  Disposable
-  Recreation
-  Habitat
-  Roads

**Proposed  
 Southeast Alaska  
 State Forest  
 Gravina (Bostwick)**



**DIVISION OF FORESTRY**

12/03/2008 gs

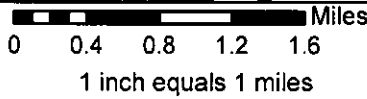


Proposed LTF

Mill Creek State Park






WRANGELL ISLAND

Eastern Passage



Contour Interval 100'

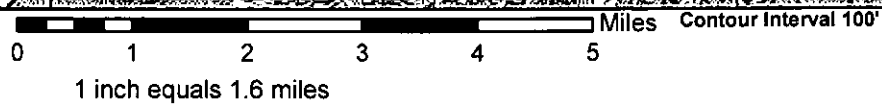
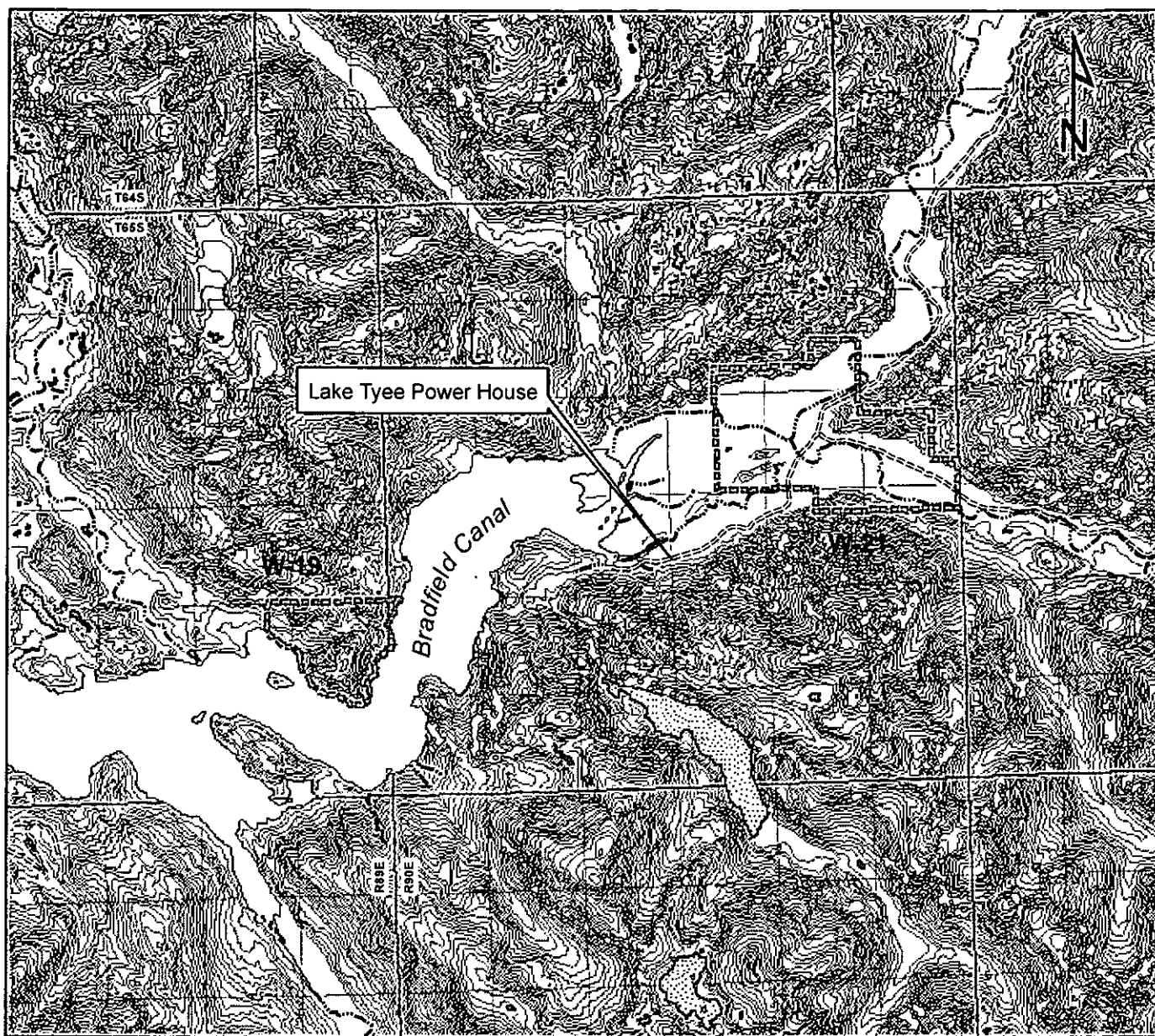
**Legend**

-  Proposed State Forest
-  State Park
-  CU
-  Disposable
-  Recreation
-  Habitat
-  lakes
-  Roads









**Proposed  
Southeast Alaska  
State Forest  
Crittenden Creek**



**DIVISION OF FORESTRY**  
1/19/09 gs



**Legend**

-  Proposed State Forest
-  GU
-  Disposable
-  Recreation
-  Habitat
-  Lakes
-  Cataloged Streams
-  Roads

**Proposed  
Southeast Alaska  
State Forest  
Bradfield Area**



**DIVISION OF FORESTRY**  
1/21/09 gs

**From:** Mylius, Richard H (DNR) [mailto:dick.mylius@alaska.gov]  
**Sent:** Friday, March 13, 2009 5:23 PM  
**To:** Sen. Donny Olson  
**Cc:** Lesh, Melanie G (DNR); Brown, Dean N (DNR); Maisch, John C (DNR)  
**Subject:** Prince of Wales Island mining

Senator Olson – at yesterday's Senate Community and Regional Affairs hearing on Senate Bill 127, the Southeast State Forest, you asked two questions regarding mining.

The first was if I knew what the Alaska Miner's Association's position was on the bill. I talked with Steve Borell, Executive Director of the Alaska Miners Association, and he said he would call you to let you know that AMA supports the bill. *did call & confirmed*

The second was a question about what mining activity occurs on Prince of Wales Island. Currently, there are no active mines on Prince of Wales Island or the adjacent islands. There are active exploration efforts at the following sites, none of which are within the state forest proposal:

Niblack – is primarily a gold prospect, but also has silver, copper and zinc. The area has seen extensive exploration recently, the current operator is CBR Gold Corp, their web site:

[http://www.cbrgoldcorp.com/project\\_areas/united\\_states/](http://www.cbrgoldcorp.com/project_areas/united_states/)

Bokan Mountain – a former uranium mine that is being reassessed by Ucore – for more information, here is their web site address:

[http://www.cbrgoldcorp.com/project\\_areas/united\\_states/](http://www.cbrgoldcorp.com/project_areas/united_states/)

There are other known mineral deposits including a Iron deposit near Kasaan.

Dick Mylius, Director  
Alaska Department of Natural Resources  
Division of Mining, Land & Water  
907-269-8600 Fax 907-269-8904

**City of Coffman Cove  
Resolution 09-18**

**A RESOLUTION SUPPORTING A STATE FOREST IN  
SOUTHEAST ALASKA**

**WHEREAS,** the State of Alaska has Timber harvest plan regulated by the State Forestry Guidelines, and

**WHEREAS,** the economy of Southeast Alaska has suffered with the decline in the logging industry, and

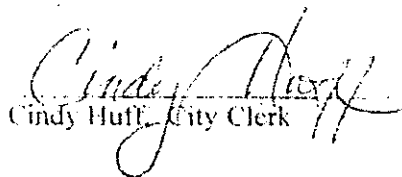
**WHEREAS,** a stable timber supply with good management practices benefits all Alaskans, and

**WHEREAS,** THE CONCEPT OF THE State Forest provides stability, jobs and resource management,

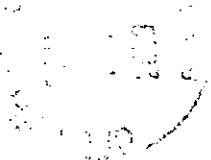
**NOW THEREFORE BE IT RESOLVED** the Coffman Cove City Council supports the Alaska Department of Natural Resources State Forest proposal as presented.

  
\_\_\_\_\_  
Mayor/Vice Mayor

ATTEST:

  
\_\_\_\_\_  
Cindy Huff, City Clerk

City of Coffman Cove  
PO Box 18135  
102 Denali  
Coffman Cove, AK, 99918



AK. Department of Natural Resources  
Clarence Clark / Forestry  
Sea Level Drive  
Ketchikan, AK 99901

2003  
RECEIVED

NEW  
just arrived



# RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

March 12, 2009

Senator Olson, Chair  
Senate Community and Regional Affairs Committee  
Alaska State Legislature, State Capitol  
Juneau, AK 99801

RE: SB127-An Act to Establish the Southeast Alaska State Forest

Dear Senator Olson:

The Resource Development Council (RDC) is writing to support SB 127, the establishment of the Southeast Alaska State Forest.

RDC is a statewide, non-profit, membership-funded organization founded in 1975. The RDC membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

The bill would establish a new state forest in Southeast Alaska from state lands presently used for timber harvest. The Division of Forestry would be able to manage the state forest for a long-term supply of timber to local processors, and retain the land in state ownership for multiple use. The forest would be managed as part of the State Forest System and under the current Prince of Wales Island and Central Southeast area plans.

In Southeast Alaska, demand for state timber exceeds supply and local mills are dependent on a consistent supply to stay in business. The majority of the timber in Southeast Alaska is on federal land, but federal timber sales have declined sharply, oftentimes due to incessant litigation from anti-logging groups as well as the federal government consistently putting forward uneconomic timber sales. Subsequently, the demand for state timber has increased significantly.

Much of the proposed forest was inherited from the U.S. Forest Service with young second-growth stands. Establishment of the Southeast Alaska State Forest will help provide a sustainable timber supply to local mills and accelerate the harvest of second-growth timber. Actively managed second-growth stands will provide more timber volume per acre on shorter rotations, and have less impact on wildlife. The shift to second-growth harvesting can be accelerated and timber volume increased on state land by thinning these stands. However, thinning is a long-term investment and is only justified if the land will continue to be available for forest management. A legislatively designated State Forest would ensure that land would remain available for long-term forest management. Thank you for the opportunity to provide comment on SB 127.

Sincerely,

Carl Portman, Deputy Director

Founded 1975  
Executive Director  
Jason W. Brune  
2008-2009 Executive Committee  
Rick Rogers, President  
Wendy Lindskoog, Sr. Vice President  
Phil Cochrane, Vice President  
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Keith Sanders  
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Kenneth Sheffield  
Keith N. Silver  
Tiel Smith  
Robert Stiles  
Jeanine St. John  
John L. Sturgeon  
Jim Taro  
John Williams  
John Zager

Ex-Officio Members  
Senator Mark Begich  
Senator Lisa Murkowski  
Congressman Don Young  
Governor Sarah Palin

# Southeast Conference

P.O. Box 21989  
612 W. Willoughby Avenue, Suite A  
Juneau, AK 99802  
(907) 523-2310  
(907) 463-5670 fax  
[www.seconference.org](http://www.seconference.org)

February 16, 2009

The Honorable Governor Sarah Palin  
PO Box 110001  
Juneau, AK 99811-0001

Governor Palin;

The Southeast Conference (SEC) is a broad based association of communities in Southeast Alaska with a mission of undertaking and supporting activities that promote strong economies, healthy communities and a quality environment throughout the region. In furthering that mission, SEC would like to lend its support for the concept of creating a new State Forest in southern southeast.

In southern southeast the demand for state supplied timber far exceeds the supply. The majority of the timber in the area is on federal land; however federal timber sales have declined dramatically. For their survival, the few remaining, local mills now depend heavily on state supplied timber from the 49,000 state acres where timber management is allowed.

Many of the states' managed acres support either second-growth stands on lands previously harvested by the U.S. Forest Service prior to state selection or new-growth on lands that have recently been harvested through state sales. Thus, for a future timber supply from state lands in southeast, the emphasis must be on active management of second-growth stands with higher volumes per acre, less impact on wildlife, and shorter harvest rotations.

In order for the state to expend funds to enter into intensive second-growth management on its timber lands, there must be assurance that the acres will be managed for timber over the long term. That assurance can best come through the designation of the lands as a State Forest with a management plan calling for extended, intensive timber management. With that designation, the Division of Forestry would be able to manage the lands for a reliable, long-term supply of timber to local processors and retain the land in state ownership for multiple uses.

Approximately 3,800 acres of state lands potentially included in a new State Forest are within the new Wrangell Borough. SEC understands that the establishment of State Forest lands within the new borough would not adversely affect the amount of land Wrangell may select. AS 29.65.030 states that borough selections are based on the maximum total acres



ARDOR  
Alaska Resource Development Organization  
Partners in Economic, Environmental and Community Development

of vacant, un-appropriated, unreserved land within the borough boundaries within two years following the date of incorporation. SEC would hope that any legislation designating a new Southern Southeast State Forest would provide for this situation.

In conclusion, SEC would like to lend its support for the establishment of a Southern Southeast State Forest and would like to encourage your administration to advocate its establishment. Further, in order to increase the supply of timber available to the dependent industry in the region, we urge you to take advantage of any opportunities to increase the acreage of timberland managed by the Division of Forestry.

Sincerely,



Shelly Wright  
Executive Director

cc Chris Maisch



**ARDOR**  
Forest Regional Development Program  
Partners in Quality, Safety and Wholesome Forest Management