

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES,

1993-1994

1215

287

Online

Check Degnan
Unalakleet

SB 308

Kodak

04/08/94
08:35:38

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM
PARTICIPANT LIST (ALL PARTICIPANTS)
TCN: 40625 SCHEDULED FOR: 04/08/94 08:30 TO 11:00
PUBLIC HEARING SENATE FINANCE

LTN1150
BY:KOD
FOR:KOD

LOCATION: KODIAK
SB 308

X MR.

WAYNE

C EMAN

RCAC

TESTIFY

SENATE FINANCE COMMITTEE

April 8, 1994

8:30 A.M.

- *SB 203 - MUNICIPAL POLICE SERVICES
- SB 308 - ADMIN ACTION RE LAND/RESOURCES/PROPERTY
- *SB 368 - HUMAN SERVICES COMMUNITY MATCHING GRANTS

(BILLS PREVIOUSLY HEARD)

S I G N - I N

NAME: Michael Walleni Subj/Bill No: SB 308

Co./Dept/Title: Tanana Chiefs Conference, Inc. - General Counsel Phone: 452-8251

Address: 127 First Ave, Suite 600, Fairbanks, Ala. Zip: 99707

Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____

Co./Dept/Title: _____ Phone: _____

Address: _____ Zip: _____

04/08/94 15:19:03 N LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 TCN 40625 CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
 T/C DATE: 04/08/94 TIME: 08:30 to 11:00 STATUS: 6 ADJOURNED
 SITE: LIO SOL VTS KEN/SOL

| | | | | |
|---|----------------------------|-------------|--------------|---------------|
| 1 | PO BOX 528 | BETTY GLICK | KEN PEN BORO | T 01 SB 308 |
| 2 | MR. THEO BOX 389 | MATTHEWS | AK 99611 | (907)283-7644 |
| 3 | MR. LOREN 34824 K-BEACH RD | FLAGG | UCIDA | T 01 SB 308 |
| 4 | MARY 144 N. BINKLEY | PEARSALL | AK 99611 | (907)283-3600 |
| | | SOLDOTNA | KPFA | T 01 SB 308 |
| | | SOLDOTNA | AK 99669 | (907)262-2492 |
| | | | AK 99669 | 0 01 SB 308 |
| | | | AK 99669 | (907)000-0000 |

MSG: 1410 NO FURTHER INFORMATION
 ENTER Pg# 10 PF2 NEXTC# YNNNN PF3 EXIT

PF7 Bwd PF8 Fwd PF12 QUIT
 ==31 LINE 5 COL 12

4B

PF7 Bwd PF8 Fwd PF12 QUIT
 ==31 LINE 5 COL 12

MSG: 1410 NO FURTHER INFORMATION
 ENTER Pg# 10 PF2 NEXTC# YNNNN PF3 EXIT

4B

04/08/94 15:17:12 N LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 TCN 40625 CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
 T/C DATE: 04/08/94 TIME: 08:30 to 11:00 STATUS: 6 ADJOURNED
 SITE: LIO HOM VTS HOMER LTC LORD NANCY PO BOX 558
 1 MS. NANCY HOMER LTC LORD NANCY PO BOX 558
 AK 99603 (907)235-8252

04/08/94

LEGISLATIVE TELECONFERENCE NETWORK

LTN1405

15:16:27 N

CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 40625

T/C DATE: 04/08/94 TIME: 08:30 TO 11:00

STATUS: 6 ADJOURNED

SITE: LIO DLG VTS DILLINGHAM

1 MS. ALICE

RUBY

BRISTOL BAY CRSA T 01 SB 308

BOX 121

DILLINGHAM

AK 99576 (907)842-5218

2 MRS. SUSAN

FLENSBURG

BRISTOL BAY CRSA T 01 SB 308

BOX 849

DILLINGHAM

AK 99576 (907)842-2666

3 MR. TERRY L.

JOHNSON

UOFA, MARINE ADV 0 01 SB 308

BOX 1067

DILLINGHAM

AK 99576 (907)842-2102

MSG: 1410 NO FURTHER INFORMATION

ENTER PG# 10 PF2 NEXTC# YNNNN PF3 EXIT

48

PF7 BWD PF8 FWD PF12 QUIT

==31 LINE 5 COL 12

04/08/94 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 15:15:32 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
 TCN 40625 T/C DATE: 04/08/94 TIME: 08:30 to 11:00 STATUS: 6 ADJOURNED
 SITE: LIO COR VTS CORDOVA
 1 MS. DORN HAWXHURST CDFU T 01 SB 308
 PO BOX 939 CORDOVA AK 99574 (907)424-3447
 2 DR. RIKI OTT UFA O 01 SB 308
 PO BOX 1430 CORDOVA AK 99574 (907)424-3915

MSG: 1410 NO FURTHER INFORMATION
 ENTER Pg# 10 PF2 NEXTC# YNNNN PF3 EXIT
 4B

PF7 BWD PF8 FWD PF12 QUIT
 ==31 LINE 5 COL 12

04/08/94
15:08:55 N
TCN 40825
SITE: L10 ANC VTS

LEGISLATIVE TELECONFERENCE NETWORK
CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
T/C DATE: 04/08/94 TIME: 08:30 to 11:00 STATUS: 6 ADJOURNED
ANCHORAGE

LTN1405

| | | | | |
|---|---------------------|----------------|-----------------|---------------|
| 1 | PETER | VAN TUYN | TRUSTEES FOR AK | T 01 SB 308 |
| | 725 CHRISTENSEN DR, | NO 4 ANCHORAGE | AK 99501 | (907)276-4244 |
| 2 | BRAD | PENN | MARATHON OIL | T 01 SB 308 |
| | PO BOX 196168 | ANCHORAGE | AK 99501 | (907)276-4244 |
| 3 | JON | ISAACS | COAST DIST | T 01 SB 308 |
| | 309 G ST, NO 313 | ANCHORAGE | AK 99517 | (907)274-9719 |
| 4 | FRAN | BENNIS | AK MARINE CONS | T 01 SB 308 |
| | BOX 101145 | ANCHORAGE | AK 99510 | (907)277-5357 |
| 5 | MIKE | MACY | | 0 01 SB 308 |
| | 308 G ST, NO 222 | ANCHORAGE | AK 99501 | (907)272-5534 |
| 6 | NANCY | WAINWRIGHT | | U 01 SB 308 |
| | 13030 BACK RD | ANCHORAGE | AK 99515 | (907)345-5995 |
| 7 | WALT | FURNACE | THE ALLIANCE | T 01 SB 308 |
| | 4220 B ST | ANCHORAGE | AK 99503 | (907)563-2226 |
| 8 | STEVEN | PORTER | ARCO | T 01 SB 308 |
| | PO BOX 100360 | ANCHORAGE | AK 99510 | (907)265-6269 |

MSG:
ENTER PG# 10 PF2 NEXTC# YNNNN PF3 EXIT
4B

PF7 BWD PF8 Fwd PF12 QUIT
==31 LINE 5 COL 12

04/08/94
15:07:49 N
TCN 40625

LEGISLATIVE TELECONFERENCE NETWORK
CONFERENCE DISPLAY PAGE 04 - VOLUNTEER & OFF-NET SITES
T/C DATE: 04/08/94 TIME: 08:30 TO 11:00 STATUS: 6 ADJOURNED

LTN1404

| * LIO VTS | NAME | ADDRESS | CONTACT | TELEPHONE |
|-----------|----------|------------|------------------|--------------|
| SIT YAK | YAKUTAT | YAKUTAT | ZZZ MONA SWANSON | 907 784 3323 |
| ZZZ OF1 | OFFNET 1 | UNALAKLEET | C. DEGNAN | 907 624 3062 |

MSG: 1410 NO FURTHER INFORMATION
ENTER Pg# 05 PF2 NEXTC# YNNNN PF3 EXIT PF4 MENU
4B

PF7 BWD PF8 FWD
==31 LINE 24 COL 12

04/08/94 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
 15:19:54 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
 TCN 40625 T/C DATE: 04/08/94 TIME: 08:30 to 11:00 STATUS: 6 ADJOURNED
 SITE: LIO VAL VTS VALDEZ
 1 MS. NANCY LETHCOE AWRTA T 01 SB 308
 PO BOX 1353 VALDEZ AK 99686 (907)835-4300
 2 MR. GREG WILLIAMS KCHU O 02 SB 203
 PO BOX 467 VALDEZ AK 99686 (907)835-4665

MSG: 1410 NO FURTHER INFORMATION
 ENTER Pg# 10 PF2 NEXTC# YNNNN PF3 EXIT
 4B

PF7 Bwd PF8 Fwd PF12 QUIT
 ==-31 LINE 5 COL 12

04/08/94
15:09:38 N
TCN 40625

LEGISLATIVE TELECONFERENCE NETWORK
CONFERENCE DISPLAY PAGE 10 - FINAL STATS
T/C DATE: 04/08/94 TIME: 08:30 To 11:00

LTN1410

STATUS: 6 ADJOURNED

| LIO | VTS | NAME | STATUS | STARTED | ENDED | PARTICIPANTS |
|-----|---------|------------|---------------|---------|-------|--------------|
| ✓ | ANC | ANCHORAGE | 3 STATS IN | 08:30 | 10:00 | 21 |
| ✓ | COR | CORDOVA | 3 STATS IN | 08:30 | 10:00 | 2 |
| ✓ | DLG | DILLINGHAM | 3 STATS IN | 08:30 | 10:00 | 3 |
| ✓ | HOM | HOMER LTC | 3 STATS IN | 08:50 | 09:58 | 1 |
| | JNU | JUNEAU | 3 STATS IN | 08:30 | 11:00 | 46 |
| ✓ | KOD | KODIAK | 3 STATS IN | 08:30 | 09:25 | 1 |
| ✓ | SIT YAK | YAKUTAT | 2 NO INTEREST | | | 0 |
| ✓ | SOL | KEN/SOL | 3 STATS IN | 08:40 | 10:00 | 4 |
| ✓ | VAL | VALDEZ | 3 STATS IN | 08:35 | 10:45 | 2 |
| | ZZZ OF1 | OFFNET 1 | 1 OUTSTANDING | | | 1 |

MSG: 1410 NO FURTHER INFORMATION
ENTER Pg# 01 PF2 NextC# YNNNN PF3 EXIT PF4 MENU
48 ■ NUM

PF7 Bwd PF8 Fwd
==31 LINE 24 COL 12

CHUCK DEGNAN - UNALKLEET

YAKUTAT - OBSERVERS

03/02/94
01:26:09

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM
PARTICIPANT LIST (ALL PARTICIPANTS)
TCN: 40414 SCHEDULED FOR: 03/02/94 08:00 TO 09:00
PUBLIC HEARING SENATE FINANCE

LTN1150
BY:ANC
FOR:ANC

LOCATION: ANCHORAGE

| | | | | |
|--------|-------|-----------|-------------------------------|---------|
| SB 308 | JAMES | EASON ✓ | DNR/OIL & GAS | TESTIFY |
| SB 308 | KEN | HUDSON ✓ | MAT SU Borough → MAT-SU BORO | TESTIFY |
| SB 308 | NORMA | CALVERT ✓ | MARATHON OIL | TESTIFY |
| SB 308 | JON | ISAACS ✓ | PLANNING CONSULTANT | TESTIFY |
| SB 308 | WALT | FURNACE ✓ | OIL Support Industry Alliance | TESTIFY |

03/02/94
08:09:42

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM
PARTICIPANT LIST (ALL PARTICIPANTS)
TCN: 40414 SCHEDULED FOR 03/02/94 08:00 TO 09:00
PUBLIC HEARING SENATE FINANCE

LTN1150
BY:FBX
FOR:FBX

LOCATION: FAIRBANKS
SB 308

LISA

JAEGAR

TCC

TESTIFY

OPPOSES

SENATE FINANCE COMMITTEE

WEDNESDAY, MARCH 2, 1994

SB 251 COMM-L FISH LOANS FOR CERTAIN OBLIGATIONS

SB 308 ADMIN ACTION RE LAND/RESOURCES/PROPERTY

SB 331 APPROP: BUDGET RESERVE FUND TO GEN.FUND

S I G N - I N

NAME: Theo Matthews Subj/Bill No: SB 308
Co./Dept./Title: UCIDA Phone: 283 9540
Address: Box 384 Kenai Zip: 99611
Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond to Questions

NAME: Donna Parker Subj/Bill No: 251

Co./Dept./Title: Fisheries Specialist DCED Phone: X5464

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond to Questions

NAME: _____ Subj/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond to Questions

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

Imp

DATE: 2/14/94

FURTHER: Finance

Date of 5-Day Notice: 2.10.94
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2.23.94

Resources Committee considered SB 308

"An Act modifying administrative procedures and decisions by state agencies that relate to uses and dispositions of state land, property and resources, and to the interests within them, and that relate to land, property, and resources, and to the interests within them, that are subject to the coastal management program; and providing for an effective date."
and recommends:

replace with and recommends it be replaced with SB 308 (Res)

attaches amendment(s) major

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

4/1/94

FISCAL NOTE INFORMATION

| Department | Date | Zero | Fiscal |
|------------|------|------|--------|
| DNR | | ✓ | |
| ADF & G | | ✓ | |
| OMB/DGC | | ✓ | |
| DEC | | ✓ | |
| | | | |
| | | | |

| Department | Date | Zero | Fiscal |
|------------|------|------|--------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

OTHER RECOMMENDATIONS:

[Handwritten signatures and notes under DO PASS and OTHER RECOMMENDATIONS]

Mike Miller Do Pass

Chair: Signature and Recommendation

2/23/94

SB 308...IN MEMBERS' FILES

- . Resources CS.
- . Original Bill.
- . DNR fiscal note = zero.
- . Fish and Game fiscal note = zero.
- . OMB fiscal note = zero.
- . DEC fiscal note = zero.
- . Resources Sign-out sheet = 3 DP; 1 NR; 1 DNP.
- . Attorney General's letter.
- . OMB letter.
- . Jim Eason letter to Walt Furnace of The Alliance.
- . Jim Eason information to Sen. Pearce.
- . Am #1 by Sen. Donley, failed in Senate Resources.
- . Am #2 by Sen. Donley, failed in Senate Resources.
- . Packet of Miscellaneous testimony, correspondence and position papers.
- . DNR: Overview Packet on Lease Sale 78.

*Kelly -
Members should
have all this stuff. If
not, let me know + I'll
provide.
\$*

*Regarding AK
Supreme Ct. decision
on State Commission
injunction
leave sale 78*

2/27/94

NEW SINCE LAST MEETING IN MEMBERS' FILES...

- . Correspondence from
 - ✓ City of Pelican,
the Alaska Wilderness Recreation and Tourism
Association,
 - ✓ the Kenai Peninsula Fisherman's Association,
 - ✓ United Cook Inlet Drift Association,
Bering Straits Coastal Resource Service Area,
 - ✓ Department of Law (2/10/94 Attorney General to
Trustees for Alaska,)
 - ✓ Department of Natural Resources (2/24 Eason to
SFC,)
 - ✓ Division of Legal Services (a sectional from Jack
Chenoweth.)

DRUE: WE'LL BE ON STATEWIDE TELECONFERENCE ON SB 308 AND SB 322.

NOTE

TO: Deborah Looney
c/o Dept. of Law, Anchorage

FROM: Kathy Holmquist
Senate Finance Committee
Juneau

DATE: March 24, 1994

RE: SB 308 - ADMIN. ACTION RE: LAND/RESOURCES

Enclosed per your telephone request of yesterday, are tapes for Senate Finance Committee hearings on SB 308. Minutes of the February 24 and February 28 meetings are in very rough draft, but I have sent them along for whatever value they might be as a guide to location of taped testimony. Also enclosed are cover pages for minutes of March 2 and 22. Unfortunately, I cannot estimate when these minutes might be drafted. The cover sheets are enclosed in the hope that they too might serve as a guide to the tapes.

Please give me a call at 465-2618 if our office can be of further assistance.

SB

310

HFIN

FILE

(11)

Date Referred: April 27, 1994

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

Date of Committee Action: 5/8/94

The FINANCE Committee considered:

CSSB 310(RES)

CS FOR SENATE BILL NO. 310(RES)

STATE/PRIVATE/MUNI TIMBER OPERATION/SALE

"An Act relating to the management and sale of state timber and relating to the administration of forest land."

RECOMMENDATIONS:

be replaced with HCSS CSSB 310 (Fin) [] the same title
[] a new title

[] have attached amendments(s)

[] do pass

[] do not pass

no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact F+G

[] fiscal note(s) _____

[] zero fiscal note _____

zero fiscal note(s) DNR, 3/30/94

| SIGNING DO PASS | DP | OTHER RECOMMENDATIONS | DNP | NR | AM |
|-----------------------|-------------------------------------|-------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <i>Constitutional</i> | <input checked="" type="checkbox"/> | <i>Ronald J. Hanson</i> | | <input checked="" type="checkbox"/> | |
| <i>Therriault</i> | | <i>Mark Hanes</i> | | <input checked="" type="checkbox"/> | |
| | | <i>Sean K. Gault</i> | | <input checked="" type="checkbox"/> | |
| | | <i>Terry Martin</i> | | <input checked="" type="checkbox"/> | |
| | | <i>Mike Navarre</i> | | | <input checked="" type="checkbox"/> |
| | | <i>Kay Brown</i> | <input checked="" type="checkbox"/> | | |
| | | <i>Tom Huff</i> | <input checked="" type="checkbox"/> | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Ronald J. Hanson
CHAIRMAN'S SIGNATURE

FISCAL NOTE

Version: SB 310
 (S) Publish Date: 3-30-94

STATE OF ALASKA
 1994 LEGISLATIVE SESSION

Revision Date: Original Dept Affected: Natural Resources
 Title: An Act relating to the management and sale of BRU: Resource Development
state timber; relating to the classification of state land... Component: Forest Management and Development
 Sponsor: Senator Frank
 Requestor: Senator Frank Component Serial No. 435

| Expenditures/Revenues | (Thousands of Dollars) | | | | | |
|-------------------------------|------------------------|------|------|------|------|------|
| | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
| OPERATING EXPENDITURES | | | | | | |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CAPITAL EXPENDITURES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CHANGE IN REVENUES () | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| FUND SOURCE | (Thousands of Dollars) | | | | | |
|--------------------------|------------------------|------|------|------|------|------|
| | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY94) cost: \$ None

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

There is no incremental cost expected to the Department of Natural Resources.

Changes in CSB310 (Rev)
 have no fiscal impact. This
 fiscal note is appropriate.

3-29-94 date [Signature] Comptroller (initial)

Prepared by: Tomas H. Boutin, Director Phone: 485-3379
 Division: Forestry Date: 2-Mar-94
 Approved by Commissioner: [Signature] Date: 2-Mar-94
 Agency: Natural Resources

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. HCS CSSB 310(FIN)

Revision Date: 5/5/94
 Title: An Act relating to the management and sale of state timber
 Sponsor: Senator Frank
 Requestor: House Finance

Dept. Affected: Department of Fish and Game
 BRU: Habitat and Restoration Division
 Component: Habitat
 COMPONENT SERIAL NO. 486

Expenditures/Revenues (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 95 | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 |
|------------------------|----------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | 0 | 0 | * | * | * | * |
| TRAVEL | 0 | 0 | * | * | * | * |
| CONTRACTUAL | 0 | 0 | * | * | * | * |
| SUPPLIES | 0 | 0 | * | * | * | * |
| EQUIPMENT | 0 | 0 | * | * | * | * |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0 | 0 | * | * | * | * |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

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

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|----------|----------|----------|----------|----------|----------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 0 | 0 | * | * | * | * |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 0 | 0 | * | * | * | * |

Estimate of any current year (FY 94) cost: \$ _____

POSITIONS

| | | | | | | |
|-----------|--|--|---|---|---|---|
| FULL-TIME | | | * | * | * | * |
| PART-TIME | | | * | * | * | * |
| TEMPORARY | | | * | * | * | * |

ANALYSIS: (Attach a separate page if necessary)

*See attached page for assumptions.

Prepared By: Frank Rue
 Division: Habitat and Restoration Division
 Approved by Commissioner: Paul R. Reavis
 Agency: Alaska Department of Fish and Game

Phone: 465-4105
 Date: 5/8/94
 Date: 5/8/94

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ANALYSIS:

To estimate work load and potential costs of implementing FMA's in Alaska, department staff researched the use of existing FMA's on the North American continent. Staff did not find any FMA's in use in the other forty nine states. We evaluated FMA's in Canada, the experience under the two long term sale contracts in Southeast Alaska, and the proposed Mat-Su borough FMA which the timber company (Menasha) recently withdrew from. We also evaluated the unsuccessful Fiberform proposal to enter into a long term negotiated timber sale and build a plant in Fairbanks. The Department of Natural Resources has discussed the possible estimate of the scope of FMA's in Alaska under SB 310, but has not produced this estimate in written form.

SB 310 could substantially impact the way state forests and sales of state timber are managed. The purpose of the bill appears to be to make available, large long-term sources of state timber to encourage the construction of timber processing facilities (i.e., plywood plants, oriented strand board, chip board plants, etc.) in interior and southcentral Alaska. These plants require a long-term continuous supply of timber.

A typical Canadian FMA ranges from 2,000 (760 square miles) and 20,000 (7,600 square miles) square kilometers. Because of the relatively low per-acre timber volumes in the boreal forest, very large acreages can be required to meet annual mill consumption needs. Annual cuts of 20,000 acres per year are consistent with what has occurred on FMA mill concessions within interior Canadian forests as well as the large-scale long-term timber contracts for mills in southeastern Alaska. The need for large volumes of timber is normally met through large cutting areas with mechanized equipment designed to handle small diameter logs similar to ongoing large-scale mechanized logging operations on private timber land on the Kenai Peninsula.

If SB 310 is adopted, it appears there is the potential for at least three FMAs to be negotiated; in the next five years, one in the Tanana Valley State Forest, one in the Susitna Valley, and one in the Copper River Basin, Kenai Peninsula, or Kuskokwim drainages. As mentioned above, a 36,000 acre FMA had been negotiated on Mat-Su Borough lands in the Susitna Valley, but recently fell through because the timber company withdrew.

Because the purpose of FMAs is to commit large quantities of state timber to promote economic development, FMAs will greatly increase the annual cut in the areas of the state where they occur. This means more fish and wildlife habitat will be affected and more Title 16 reviews and forest practices inspections will be required if impacts to fish and wildlife habitat and production are to be minimized. Because pre-sale planning and pre-contract reviews will be greatly curtailed or eliminated under SB 310, many impacts which would have formerly been addressed in the pre-sale planning process, will have to be address in annual plans and in the field. This will necessitate increased reliance on annual plan reviews and field monitoring and enforcement to protect anadromous fish habitat and wildlife habitat.

Trying to resolve resource conflicts with the FMA concessionaire is expected to be much more difficult because of the costs to the concessionaire. This would require a substantial increase in ADF&G field staff to meet ADF&G statutory responsibilities under Title 16 and Title 41. Because of the large size of FMAs and likely accelerated harvest, a biologist, a fisheries or wildlife tech, and some clerical support would be required as each new FMA is developed and comes on line. The technician would be important for surveying streams ahead of the cutters (i.e., 20,000 acres per year), marking stream buffers, and monitoring harvest.

Other assumptions we used in developing our fiscal note are:

1. The promise of long-term timber supplies will attract large companies and plants which will need large quantities of timber.
2. Because of the large scale and rapidity at which timber will be cut, and the fact that the FMA structure will make it more difficult to get meaningful fish and wildlife protection built into the sale agreements, more biologists will be required to review operating plans, negotiate ground rules, and to monitor operations in the field. Based on the Canadian experience, at least one staff biologist should be assigned full-time to monitor each FMA exceeding 500,000 acres (780 square miles).
3. The number of U.S. Forest Service (USFS) biologists working on a long-term, large-scale contract, such as the L&P Tongass contract, would probably be a good indicator of the amount of biological work required for a similar state FMA. As many as 23 USFS biologists may work on layout and monitoring operations on long-term timber contracts in the Sitka Ranger District alone.
4. Experience with Canadian FMAs indicates that one of the major problems is that government does not monitor FMA operations closely enough and is so slow in detecting violations that they often become large problems. Once problems have been identified, they have been slow in enforcing the terms of the agreement or environmental regulations. The State of Alaska needs to avoid this problem by having staff biologists monitoring operations in the field.
5. Based on information that at least two and possibly more major timber companies have been interested in the feasibility of constructing large mills in southcentral and interior Alaska to utilize low cost timber, it is assumed that they would move to submit FMA proposals. Given the current interest in using state timber to stimulate local businesses and support by the Alaska Division of Forestry, it is estimated that there could be as many as three agreements in place by 1998.
6. A single oriented-strand-board (OSB) manufacturing plant requires up to 20 million board feet (bf) of timber per year to operate. Fibreform Wood Products, Inc. 1992 corporate proposal requested up to 115 million bf annually of mixed species (equal to the total estimated volume from the

Tanana Valley State Forest). [Source: Dave Wallingford (DOF) memo to Bob Dick dated July 7, 1992.]

7. Merchantable quantities of mixed species timber volumes in interior Alaska's boreal forest range between 1,200 cubic feet (4,800 bf) to 2,500 cubic feet (10,000 bf) per acre. Timber volumes in the Dawson Creek, B.C. area average 1,200 cubic feet (4,800 bf) per acre. Maximum volumes in southcentral Alaska are 3,000 cubic feet (12,000 bf); average volumes range between 2,000 cubic feet (8,000 bf) to 2,500 cubic feet (10,000 bf) per acre. [Source: Cal Kerr (American North) letter to Dave Wallingford dated July 27, 1992].
8. To support a single oriented-strand-board manufacturing plant, up to 4,167 acres (or 6.5 square miles) of interior Alaska's boreal forest must be harvested annually. Using only the highest yield forests, up to 2,000 acres (3.1 square miles) must be harvested annually.
9. To support the Fibreform proposal, up to 23,958 acres (or 37.4 square miles) of interior Alaska's boreal forest must be harvested annually. Using only the highest yield forests, up to 11,500 acres (18 square miles) must be harvested annually.
10. Once south-slope hillsides have been harvested, most remaining merchantable timber within interior Alaska's boreal forest is located within riparian corridors less than 500 feet from streams and rivers.
11. To implement our AS 16 responsibilities, maintain an appropriate field presence, and fully coordinate with DNR in the development of forest management plans, forest management agreements, and annual harvest plans, at a minimum, the annual costs detailed on the next page would be required in the region(s) in which FMAs were conducted.

Expected Annual Expenditures per Forest Management Agreement

| | |
|------------------------------|------------|
| <u>Personnel</u> | 93.9 |
| PFT Biologist III (\$5.2/mo) | 62.4 |
| PPT Fish Tech III (3.3/mo) | 20.1 |
| PPT Clerk Typist III | 11.4 |
| <u>Travel</u> | 3.0 |
| <u>Contractual</u> | 4.0 |
| <u>Supplies</u> | <u>2.0</u> |
| | 102.9 |

There is no specific authorization in the Alaska Constitution for the State to delegate its power to manage state-owned land to a private individual, and such a proposal raises substantial questions.

In CWC Fisheries v Bunker, 755 P.2d 1115 (Alaska 1988), the Alaska Supreme Court adopted the public trust doctrine articulated in Illinois Central Railroad Co. v Illinois, 146 U.S. 387, 13 S.Ct. 110, 36 L.Ed. 1018 (1892). In that case, the United States Supreme Court held that title to tidelands and submerged lands received by a State from the federal government were received "in trust for the people of the State that they may enjoy the navigation of the waters, carry on commerce over them, and have liberty of fishing therein freed from the obstruction or interference of private parties. *id.*, at 452. The 1988 Alaska Supreme Court opinion generally held that the State was free convey these lands, however, such conveyance was subject to continuing public trust, which precluded exclusive use.

In the same year, the Alaska Supreme Court decided Owsichuk v State Guide Licensing, 763 P.2d 488 (Alaska 1988), which was a constitutional challenge to the assignment of exclusive guide areas. In that case, the Court commented upon the public trust doctrine and the common use provisions in Art. VIII of the Alaska Constitution by stating that

In light of this historical review we conclude that the common use clause was intended to engraft in our constitution certain trust principles guaranteeing access to the fish, wildlife and water resources of the state. The proceedings of the Constitutional Convention, together with the common law tradition on which the delegates built, convince us that a minimum requirement of this duty is a prohibition against any monopolistic grants or special privileges. Accordingly, we are compelled to strike down any statutes or regulations that violate this principle. 763 P.2d., at 496.

Finally, the following year, the Alaska Supreme Court decided McDowell v State, 785 P.2d 1 (Alaska 1989), which similarly struck down a rural subsistence priority based upon the common use clauses of Art VIII. While the case focused upon fish and game resources, the Court included in its analysis, Sec. 17, which requires equal treatment of all persons in the application of laws and regulations which dispose of any natural resources. Of particular

note, the Court cited Alaska Constitutional Convention Papers, which clearly articulated the principle that

This section is intended to exclude any especially privileged status for any person in the use of natural resources subject to the disposition of the state.

cited at 785 P.2d, at 6. The clear implication is that while the state may dispose of property and interests in such property through sale and lease provisions authorized in the State constitution, the State may not issue special grants and privileges to private individuals in lands whose ownership remains in the State. Clearly, the SB 310 attempts to authorize FMA's, which may indeed be such an impermissible grant or privilege.

Given these concerns, we believe that it would be most prudent to solicit an Attorney General's opinion respecting the Constitutionality of the bill.

| AMENDMENT | SPONSOR | STATUS |
|-----------|-------------|-------------------|
| 1 | Therriault | Adopted |
| 2 | Therriault | Adopted |
| 3 | Therriault | Adopted |
| 4 | Therriault | Adopted |
| 5 | Therriault | Held Open |
| 6 | Therriault | Adopted |
| → 7 | Therriault | Held Open |
| 8 | Therriault | Adopted |
| 9 | Therriault | Adopted |
| 10 | Therriault | Adopted |
| 11 | Therriault | Amended & Adopted |
| 12 | Therriault | Adopted |
| 13 | Therriault | Withdrawn |
| 14 | MacLean | Amended & Adopted |
| → 15 | MacLean | Withdrawn |
| 16 | MacLean | Failed |
| 17 | MacLean | Adopted |
| 18 | MacLean | Amended & Adopted |
| 19 | MacLean | Withdrawn |
| 20 | Navarre | Adopted |
| 21 | Navarre | Failed |
| 22 | Grussendorf | Amended & Adopted |
| 23 | Grussendorf | Failed |
| 24 | Brown | Failed |
| 25-44 | Brown | Held Open |

AMENDMENT

#7
No
OBJ

OFFERED IN THE HOUSE

TO: HCS CSSB 310() "M" version, dated 5/7/94

Page 6, line 18, following "agreement":

Insert "for at least 90 days after the provision of notice under this section"

A M E N D M E N T

#23 NOBJ

OFFERED IN THE HOUSE

TO: HCS CSSB 310(), "M" version, dated 5/7/94

Page 4, line 9:

Delete "public comment"

Insert "comments from the public and from state agencies, including the commissioner of fish and game,"

Page 4, line 11:

Delete "public"

Page 6, line 17, following "agencies":

Insert ", including the commissioner of fish and game,"

Page 8, following line 4:

Insert a new subsection to read:

"(h) The commissioner shall solicit a final review of the proposed final agreement from state agencies, including the commissioner of fish and game. State agency review under this subsection to be considered by the commissioner must be submitted within 10 days of receipt of the solicitation."

Reletter the following subsections accordingly.

Page 8, line 9, following "subsection":

Insert "and consideration of the final state agency review under (h) of this section"

AMENDMENT

OFFERED IN THE HOUSE
TO: HCS CSSB 310(RES)

BY REPRESENTATIVE MACLEAN

Page 3, line 16, following "commissioner,":

Insert "subject to the approval of the legislature under (h) of this section and"

Page 7, following line 15:

Insert a new subsection to read:

"(h) Within 10 days of the convening of a regular legislative session, the governor shall transmit to the president of the senate and the speaker of the house of representatives ~~for approval any proposed final forest management agreements, that have been developed from the designation by the commissioner of a tentatively successful proposed agreement.~~ If exigent circumstances seriously affecting state interests require, the governor may submit the proposed final forest management agreement to the legislature at some other time. A finding of exigent circumstances shall be carefully documented in the letter of transmittal. The commissioner is authorized to conclude a proposed final forest management agreement in the manner provided under (i) of this section upon approval by law by the legislature of the proposed final forest management agreement. A decision by the legislature to disapprove a proposed final forest management agreement shall be accompanied by a recommendation to the governor with respect to future actions that the commissioner should take concerning the proposal."

Reletter the following subsections accordingly.

If the Legislature, by Joint Resolutions, fail to disapprove the Final Forest Management Agreement within 45 days, it is considered Approved.



passed
10-5

8-LS1558ND.3
Luckhaupt
5/3/94



AMENDMENT # 16

OFFERED IN THE HOUSE

BY REPRESENTATIVE MACLEAN

TO: HCS CSSB 310(RES)

Page 3, line 16. following "commissioner,":

Insert "subject to the approval of the legislature under (h) of this section and"

Page 7. following line 15:

Insert a new subsection to read:

"(h) Within 10 days of the convening of a regular legislative session, the governor shall transmit to the president of the senate and the speaker of the house of representatives for approval any proposed final forest management agreements that have been developed from the designation by the commissioner of a tentatively successful proposed agreement. If exigent circumstances seriously affecting state interests require, the governor may submit the proposed final forest management agreement to the legislature at some other time. A finding of exigent circumstances shall be carefully documented in the letter of transmittal. The commissioner is authorized to conclude a proposed final forest management agreement in the manner provided under (i) of this section upon approval by law by the legislature of the proposed final forest management agreement. A decision by the legislature to disapprove a proposed final forest management agreement shall be accompanied by a recommendation to the governor with respect to future actions that the commissioner should take concerning the proposal."

Reletter the following subsections accordingly.

Failed 4-6

AMENDMENT 24

TO HOUSE CS CSSB 310 (~~RES~~)

BY REPRESENTATIVE BROWN

Page 1. line ¹³ 12 after "agencies" insert:

"describing the immediate and long-term effects of individual and collective forest activities on the timber base and on other resources and uses."

AMENDMENT Withdrawn

OFFERED IN THE HOUSE

BY REPRESENTATIVE [Name]

TO: HCS CSSB 310(~~RES~~)

Page 3, lines ⁶ ~~2~~ through ⁹ ~~5~~, after "finding."
Delete all material.

Deletes "Saent Scientific"
done by "describe data"

withdrawn

AMENDMENT

TO HOUSE CS CSSB 310 (~~RES~~)

BY REPRESENTATIVE BROWN

Page 3. Line 21

Delete: "shall"

Insert: "may"

New CS
~~House~~ Commissioner
make "Written
Finding"

AMENDMENT

adopted
N/O

OFFERED IN THE HOUSE

BY REPRESENTATIVE JROGAN

TO: HCS CSSB 310(RES)

Page 4, line ~~22~~³¹:

Insert a new subsection:

"(i) subsistence, personal, recreational and commercial uses of fish
and wildlife;"

Renumber following subsections accordingly.

Page 4, line ~~22~~^{5 3}:

Delete all material.

NSO/OBJ

AMENDMENT

TO HOUSE CS CSSB 310(~~RES~~)

BY REPRESENTATIVE BROWN

Page 5, Lines ^{19, 20}~~10-11~~ and Page 5, Lines ^{23, 24}~~1-15~~

Delete all material and insert new subsections (10) and (12) to read:

~~"(10) economic benefits and liabilities from the proposed agreement to the region in which the land that is to be covered by the agreement is located:"~~

MacLean adopted

adopted

"(12) economic benefits and liabilities to the State and to the state forest land under the proposed agreement:"



adopted
NO/BJ
AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310(~~RS~~)

Page 5, line ³¹ after "solicited":

Insert "and evaluated"

NO / OBJ

AMENDMENT 31

TO HOUSE CS CSSB 310 ~~RES~~

BY REPRESENTATIVE BROWN

6 12
Page 5. Line 30

Delete: "or"

Insert: "and"

#32

3-LS1558D.12
Ludkaupf/Chenoweth
5/4/94

NO/OB)

AMENDMENT 32

OFFERED IN THE HOUSE

BY REPRESENTATIVE

TO: HCS CSSB 310(~~210~~)

Page 6, line ¹⁸~~2~~, after "agreement":

Insert The ^{de let}notice of the tentatively successful proposed agreement for which the commissioner solicits comments from the public under this subsection must contain the proposed terms, conditions, limitations, and information that are required to be contained in the proposed final agreement and the final agreement set out in (g)(1) and (2) of this section."



#37

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSS 310(122)

A.
adopted

Page 7, line ³¹ 12

Delete "five"

Insert "two"

update of the

B,
failed
5-5

Page 7, line 12. after "years":

an update

Insert ", including provisions to adjust harvest plans under the agreement due to information received from the inventory"

#35

3-21-1994 ✓
Lockhart
3/2/94

AMENDMENT #38

Failed 4-6

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310(~~RES~~)

Page ⁸~~7~~, following line ⁴~~12~~.

significantly

NO OBJ

Insert a new subsection to read:

"(h) If the final agreement differs from the tentatively successful proposed agreement, the commissioner must make a written finding that the finding made under (e)(1) and (2) of this section is not affected by the difference in the final agreement or must issue a new written finding that the final agreement meets the requirements of (e)(1) and (2) of this section."

Reletter the following subsections accordingly.

2)

AMENDMENT

withdrawn

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSS 310(~~RE~~)

8 9

Page 7, line 20, after "subsection,"

Insert "and after notice by the commissioner under AS 38.05.945(b) and (c)."

38.05.945

AMENDMENT 140 NOBJ

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSS8 310(RES)

Page ⁸ ~~7~~, line ¹⁶ ~~5~~ through line ²⁰ ~~37~~ after "AS 09.25.120."

Delete all material

"when Commission designs" → line 20

sure

withdrawn

#41

AMENDMENT #41

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310(~~RES~~)

Page ⁹ ⁴ 8, line 16, after "shall":

Insert: "solicit public comment, hold public hearings, and"

[Handwritten scribble]

#42

AMENDMENT #42

amended

withdrawn

OFFERED IN THE HOUSE

BY REPRESENTATIVE SACWIN

TO: HCS CSSB 310 (UES)

Page ⁹ after line ¹¹ 20, insert a new subsection to read:

"(m) If the operator under a forest management agreement seeks concessions from the state or other relief ^{AFFECTING THE CONSIDERATION PAID UNDER THE} from a provision of agreement, the commissioner shall determine whether concessions are necessary to protect the public interest. [Proposed changes to a forest management agreement are subject to the public notice and comment requirements under AS 38.05.122(b) - (i)."]

DELETE
NO.
OBJ

Re-number following Subsection accordingly.

243

Failed 4-7

AMENDMENT #43

TO HOUSE CS CSSB 310 (~~RES~~)

BY REPRESENTATIVE BROWN

Page ~~9~~¹⁰ Line ~~29~~²⁰ - Page 10. Line ~~3~~²⁶

Delete all material

f

v

Amendment #1 44

Failed
3-8

#44

New Section

P. 9, after line 19 - S/7 work draft?

The commissioner shall provide for reasonable review and comment by the public and other state agencies of all ground rules and subsequent management and operational plans developed between the department and persons participating in a forest management agreement under AS 38.05.122. The review and comment period must be consistent with procedures in AS 38.04.065(a) and AS 41.17. Public review and comment received by the department for existing land use and forest management plans under AS 38.04.065(a) and AS 41.17.230 shall not be considered a substitute for public and agency review required under this section.



ed

AMENDMENT

#45

NO/OBJ

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310 ~~(RES)~~

⁷ ¹¹
Page ~~6~~, after line ~~26~~, insert a new subsection to read:

"(G) provisions for the location and construction standards of necessary
harvest access roads within the area covered by the agreement ~~to be built,~~ ^{Delete}
~~[~~ ^{delete} maintained and paid for by the proposer ~~]~~ during the period of the agreement;"

Renumber following subsections accordingly.

AMENDMENT

#46

Failed

amend

5-6

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 11, line 2 - 3:

[for safety] adopted
8-3

Delete all material.

[of the public] Failed
~~AD~~.

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

P. O. BOX 107005
ANCHORAGE, AK 99510-7005
PHONE: (907) 762-2501

DIVISION OF FORESTRY

April 29, 1994

9-1172.1

The Honorable Representative Bill Williams
Chairman, House Resources Committee
Room 128, State Capitol
Juneau, AK 99801-1182

Dear Representative Williams:

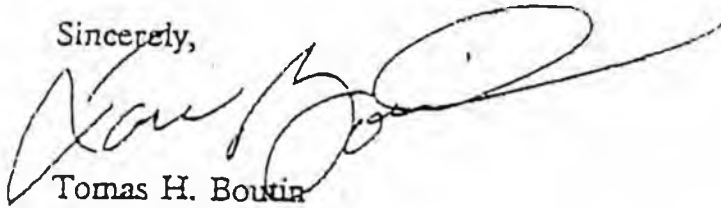
The Board of Forestry respectfully submits its annual report to the legislature. AS 41.17.047 requires us to report to you each year describing the effectiveness of the Forest Resources and Practices Act (FRPA) and its regulations, needed changes, and needed research and monitoring.

The Forest Practices Act is designed to ensure that a strong, productive timber industry exists compatibly with healthy habitat and clean water resources. At our most recent meeting on March 16, 1994, the board adopted the following statement to summarize our assessment of the Act's effectiveness:

"It is the finding of the Board of Forestry, based on reports from state agencies and limited personal experience, that the Forest Resources and Practices Act is accomplishing its intended purpose of perpetuating and protecting Alaska's forest resources and specifically protecting water quality and salmon habitat from the impact of timber harvesting. The Board of Forestry therefore is not recommending any changes concerning the Forest Resources and Practices Act to the Legislature. It is the strong recommendation of the Board of Forestry that adequate funding be maintained for the Division of Habitat, Division of Forestry, and Department of Environmental Conservation to enforce the Forest Practices Act. The Forest Resources and Practices Act effectiveness is directly related to a strong field presence and actual monitoring of the effectiveness of Best Management Practices contained in the Forest Practices Act regulations."

April 29, 1994

Sincerely,



Tomas H. Boutin
Presiding Officer
Board of Forestry

Board Members:

Rupert Andrews
Ernesta Ballard
Lawrence Hartig
Daryl McRoberts
Andy Miscovich
Stephen Planchon
John Sturgeon
Bill Thomas

- c: Office of the Governor
Senator Rick Halford, Senate President
Representative Ramona Barnes, House Speaker
Senator Mike Miller, Chairman, Senate Resources Committee
Commissioner Harry A. Noah, DNR
Commissioner Carl L. Rosier, DFG
Commissioner John A. Sandor, DEC

8-LS1558M
Luckhaupt
5/7/94

Delete Sec 8

HOUSE CS FOR CS FOR SENATE BILL NO. 310()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS FRANK, Taylor, Pearce, Sharp, Miller, Kelly, Halford
REPRESENTATIVE Olberg

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the management and sale of state timber and relating to the
2 administration of forest land."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 38.05.112 is amended to read:

5 Sec. 38.05.112. FOREST LAND USE PLANS. (a) The department may not
6 sell or harvest timber, except for timber that must be removed for the purpose of
7 a permit, right-of-way, or easement issued under AS 38.05.850 or isolated sales of
8 less than 50,000 board feet [PERSONAL USE TIMBER HARVEST], until a
9 site-specific forest land use plan has been adopted. A forest land use plan is required
10 whether or not a regional or area land use plan under AS 38.04.065(a) or a forest
11 management plan under AS 41.17.230 has been adopted.

12 (b) The commissioner shall base a forest land use plan on the best available
13 data, including information provided by other agencies [DESCRIBING THE
14 IMMEDIATE AND LONG-TERM EFFECTS OF INDIVIDUAL AND COLLECTIVE

1 FOREST ACTIVITIES ON THE TIMBER BASE AND ON OTHER RESOURCES
2 AND USES].

3 (c) A forest land use plan shall consider [IN ADDITION TO] the
4 requirements of AS 38.04.065(b) only for areas where a land use plan under
5 AS 38.04.065(a) or a forest management plan under AS 41.17.230 has not been
6 adopted. Regardless of whether there is a land use plan or a forest management
7 plan. each [, A] forest land use plan shall consider

8 (1) commercial timber harvesting, including related activities;

9 (2) harvesting of forest products for personal use;

10 (3) fish and wildlife habitat, including

11 (A) identification and protection of important wildlife habitat;

12 (B) retention of riparian, wetland, and ocean-shoreline
13 vegetation critical for fish and wildlife habitat; [AND]

14 (C) classification of water bodies according to physical
15 characteristics; and

16 (D) the use of silvicultural practices, commercial timber
17 harvest, and related activities to maintain and enhance the quantity and
18 quality of fish and wildlife habitat:

19 (4) uses of forest land for nontimber purposes, including

20 (A) recreation, tourism, and related activities;

21 (B) mining, mining claims, mineral leaseholds, and material
22 extraction;

23 (C) uses of fish and wildlife;

24 (D) agriculture, including grazing; and

25 (E) other resources and uses appropriate to the area, including
26 compatible traditional uses;

27 (5) soil characteristics and productivity;

28 (6) water quality; and

29 (7) watershed management.

30 (d) A management plan prepared by the commissioner under AS 41.17.230
31 or AS 38.04.065 must consider and permit the uses described in (c) of this section.

1 If the commissioner finds that a permitted use is incompatible with one or more other
2 uses in a portion of a state forest, the commissioner shall consistent with
3 AS 41.17.200. affirmatively state in the management plan that finding of
4 incompatibility for the specific area where the incompatibility is anticipated to exist
5 and the time period when the incompatibility is anticipated to exist together with the
6 reasons for each finding. If the commissioner finds that the use described in (c)(1)
7 of this section is incompatible, or otherwise restricts that use, the commissioner
8 shall also describe the data used to justify the incompatibility and the benefits of
9 the restriction.

10 * Sec. 2. AS 38.05.113(c) is amended to read:

11 (c) Sales under 500,000 board feet [THE DEPARTMENT MAY ADOPT
12 REGULATIONS EXEMPTING SMALL] and emergency sales are exempt from the
13 requirements of this section if public notice of the proposed sale is provided in the
14 manner specified in AS 38.05.945(b). Exempt sales, other than emergency sales,
15 under this subsection may not exceed 1,000,000 board feet in a calendar year in
16 each region.

17 * Sec. 3. AS 38.05 is amended by adding a new section to article 4 to read:

18 Sec. 38.05.122. FOREST MANAGEMENT AGREEMENTS. (a)
19 Notwithstanding the requirements of AS 38.05.110 - 38.05.120 or another provision
20 of this chapter, the commissioner, under the procedures set out in this section and if
21 not inconsistent with a land use plan then in effect, may enter into a forest
22 management agreement with a person to authorize the person to enter on the state
23 forest land covered by the agreement for the purposes of selecting, harvesting, and
24 regenerating timber in a manner consistent with sustained yield.

25 (b) At least once each calendar year, the commissioner shall, unless the
26 commissioner provides a written finding to the governor that market or other
27 conditions make it unlikely that such a solicitation will be accepted, solicit proposals
28 for forest management agreements on state forest land. The commissioner shall identify
29 the forest land included in the solicitation of proposals. The land identified may
30 include land covered by a cooperative resource management or development agreement
31 under AS 38.05.027 subject to the approval of the owner of any land other than state

1 land. The commissioner shall provide notice of the solicitation to all persons who
2 have requested notification and may provide for any additional notice that the
3 commissioner determines is appropriate. Regardless of whether the commissioner has
4 solicited proposals under this subsection, a person may submit a proposal for a forest
5 management agreement to the commissioner at any time for consideration. The
6 commissioner may not consider unsolicited proposals for a parcel of land covered by
7 a solicited proposal until the commissioner has completed the review and determination
8 required under this section concerning the solicited proposals.

9 (c) The commissioner shall solicit public comment for a proposed agreement
10 unless the evaluation under (d) of this section indicates it is unlikely that the proposed
11 agreement will be selected as a tentatively successful proposed agreement. The public
12 comment period under this subsection may not be less than 30 days nor more than 60
13 days.

14 (d) The commissioner shall evaluate proposed agreements submitted under (b)
15 of this section. In evaluating a proposed agreement, the commissioner shall consider
16 the

17 (1) effect of the agreement on the following:

18 (A) commercial timber harvesting, including related activities;

19 (B) harvesting of forest products for personal use;

20 (C) fish and wildlife habitat, including

21 (i) identification and protection of important wildlife
22 habitat;

23 (ii) retention of riparian, wetland, and ocean shoreline
24 vegetation critical for fish and wildlife habitat;

25 (iii) classification of water bodies according to physical
26 characteristics; and

27 (iv) the use of silvicultural practices, commercial timber
28 harvest, and related activities to maintain and enhance the quantity and
29 quality of fish and wildlife habitat;

30 (D) uses of forest land for nontimber purposes, including

31 (i) recreation, tourism, and related activities;

- 1 (ii) mining, mining claims, mineral leaseholds, and
2 material extraction;
- 3 (iii) uses of fish and wildlife;
- 4 (iv) agriculture, including grazing; and
- 5 (v) other resources and uses appropriate to the area,
6 including compatible traditional uses;
- 7 (E) soil characteristics and productivity;
- 8 (F) water quality; and
- 9 (G) watershed management;
- 10 (2) value of the area for the long-term production of timber;
- 11 (3) commitments of the proposer to hire Alaskans;
- 12 (4) intent of the proposer to process a value added product within the
13 state;
- 14 (5) experience of the proposer in the forest products industry;
- 15 (6) necessary public access for uses described in (1) of this subsection;
- 16 (7) financial feasibility of the proposal;
- 17 (8) technical and financial qualifications of the proposer;
- 18 (9) stumpage payments offered to be paid;
- 19 (10) economic benefits and liabilities from the proposed agreement to
20 the region in which the land that is to be covered by the agreement is located;
- 21 (11) extent to which the proposed agreement provides for processing
22 in the state of the timber harvested, to the extent permitted by law;
- 23 (12) economic benefits and liabilities to state forest land under the
24 proposed agreement;
- 25 (13) timber inventory; and
- 26 (14) other factors that the commissioner determines are relevant and
27 appropriate.
- 28 (e) After evaluating proposed agreements under (d) of this section, the
29 commissioner may designate a tentatively successful proposed agreement. A proposed
30 agreement may not be designated under this subsection until public comment has been
31 solicited under (c) of this section. A tentatively successful proposed agreement may

1 not be designated unless the commissioner includes, and makes a written finding that
2 sets out facts and applicable law to support the commissioner's conclusion, that

3 (1) land or timber covered by the tentatively successful proposed
4 agreement is not reasonably necessary to provide sustained harvest for a sawmill or
5 wood processing facility using that land or timber at the time the proposed agreement
6 was evaluated, or that a final agreement can adequately address those needs;

7 (2) the revenue to be received from the tentatively successful proposed
8 agreement will exceed the direct costs of the proposed agreement to the state and that
9 the sale of timber under the proposed agreement is not for less than fair market value;
10 and

11 (3) the tentatively successful proposed agreement will best serve the
12 interests of the state and is consistent with applicable land use or management plans
13 then in effect.

14 (f) The commissioner shall provide notice under AS 38.05.945(b) and (c) of
15 a finding under (e) of this section and designation of a tentatively successful proposed
16 agreement at least 90 days prior to entering into a final agreement. The commissioner
17 shall solicit comments from the public and from state and local government agencies
18 on a tentatively successful proposed agreement.

19 (g) If a tentatively successful proposed agreement is designated under (e) of
20 this section, the commissioner, after considering comments and recommendations
21 received under (f) of this section, may proceed to develop a proposed final agreement
22 between the proposer and the state. A tentatively successful proposed agreement, a
23 proposed final agreement, and the final agreement

24 (1) shall provide for terms, conditions, and limitations determined by
25 the commissioner to be in the public interest;

26 (2) must contain

27 (A) the initial term of the agreement, which may not exceed 20
28 years;

29 (B) provisions requiring sale of the timber for at least fair
30 market value as evidenced by an appraisal and provisions requiring periodic
31 reappraisal of the value of the timber;

- 1 (C) provisions requiring the proposer to pay the full cost of the
2 state scaling services necessary to account for timber sold under the agreement;
- 3 (D) provisions requiring the proposer to pay for state services
4 necessary for permitting, planning, monitoring, administering, and
5 implementing the agreement;
- 6 (E) provisions requiring the proposer, at the discretion of the
7 state, to pay for the construction and maintenance of access roads necessary to
8 manage the land that is to be covered by the agreement;
- 9 (F) provisions requiring that, at the discretion of the state, the
10 surface of the access roads shall be removed and the access roads shall be
11 reforested, with the costs paid by the proposer;
- 12 (G) provisions requiring the processing of the timber in the state
13 if that is the highest and best use of the timber as determined by the
14 commissioner and if permitted by law;
- 15 (H) provisions requiring the proposer, at the discretion of the
16 state, to pay for the purchase of material obtained from state land for the
17 construction of access roads on the land that is to be covered by the agreement;
- 18 (I) provisions requiring the proposer to perform reforestation
19 and silvicultural practices on state land that is to be covered by the agreement;
- 20 (J) a statement that activities under the agreement are governed
21 by the provisions of AS 41.17 and regulations adopted under AS 41.17
22 applicable to operations on state land;
- 23 (K) provisions requiring the submission and approval of biennial
24 operational plans for activities authorized or required by the agreement;
- 25 (L) requirements for reports and submission of information to
26 the department regarding performance under the agreement;
- 27 (M) procedures for enforcement and termination of the
28 agreement;
- 29 (N) provisions for existing public access;
- 30 (O) provisions requiring an operational level forest inventory
31 every five years; and

1 (P) provisions requiring the proposer to reforest, stabilize,
2 monitor, and meet other obligations; these provisions shall include bonding,
3 letter of credit or standby letter of credit, or other security that the
4 commissioner determines to be adequate to protect the public interest.

5 (h) The form of the proposed final agreement developed under (g) of this
6 section must be approved by the attorney general before the agreement is signed by
7 the commissioner. If the forest management agreement covers nonstate land under an
8 agreement authorized under AS 38.05.027, the owner of the land must approve the
9 agreement. After approval by the attorney general under this subsection, the
10 commissioner and the proposer may sign the proposed final agreement.

11 (i) When the commissioner solicits public comment under (c) of this section,
12 and at all times thereafter, the proposed agreements are public records and are open
13 to public inspection and disclosure under AS 09.25.120. Prior to solicitation of public
14 comment under (c) of this section, proposed agreements submitted under this section
15 are confidential and are not open to public inspection or disclosure under
16 AS 09.25.120. When the commissioner designates a tentatively successful proposed
17 agreement under (e) of this section, all documents regarding that proposed agreement
18 and all other competing proposed agreements, as well as a subsequent final agreement
19 and all documents leading up to that agreement, are public records and are open for
20 inspection under AS 09.25.120.

21 (j) All right, title, and interest in or to timber or material in or on land covered
22 by a final forest management agreement remains with the state until the timber or
23 material has been cut or severed, determined as to volume, removed from the site, and
24 paid for in compliance with the agreement. Timber or material that is not removed
25 from land covered by a final forest management agreement within the period specified
26 by the agreement or by an extension of the agreement remains the property of the
27 state.

28 (k) An interest in a final forest management agreement may not be assigned
29 without the prior written consent of the commissioner. An assignment without the
30 prior written consent of the commissioner is void. The commissioner may not consent
31 under this subsection unless the assignment is of the entire interest in the final forest

1 management agreement. The commissioner shall consider all of the factors of this
2 section when making a determination concerning an assignment.

3 (l) The commissioner shall strictly enforce the provisions of the final
4 agreement. The commissioner shall perform a review of the operator's performance
5 under the agreement as part of the biennial operating plan approval process. Upon the
6 completion of three-quarters of the total term of the agreement, the commissioner shall
7 review the operation and performance of the agreement and determine whether it is in
8 the best interest of the state to renew the agreement. If the commissioner determines
9 that it is in the best interest of the state, the commissioner shall solicit and evaluate
10 proposals, as provided in this section, for renewal of the agreement, including a
11 proposal from the current operator.

12 (m) The activities conducted under a final forest management agreement are
13 governed by AS 41.17 and regulations adopted under AS 41.17 applicable to
14 operations on state land.

15 (n) In this section,

16 (1) "agreement" means a forest management agreement;

17 (2) "proposer" means the person who submitted a proposed forest
18 management agreement under (b) of this section;

19 (3) "sustained yield" has the meaning given in AS 38.04.910.

20 * Sec. 4. AS 41.17.060(c) is amended to read:

21 (c) With respect to state and municipal forest land only, the following
22 standards also apply:

23 (1) forest land shall be administered for the multiple use of the
24 renewable and nonrenewable resources and for the sustained yield of the renewable
25 resources of the land in the manner that best provides for the present needs and
26 preserves the future options of the people of the state;

27 (2) a system of allocating predominant uses or values to particular units
28 within a contiguous area of land shall reflect in reasonable proportion the various
29 resources and values present in that area;

30 (3) to the extent its capacity permits, forest land shall be administered
31 so as to provide for the continuation and expansion of businesses, activities, and

1 lifestyles that are dependent upon or derived from forest resources;

2 (4) timber harvesting is limited to areas where data and information
3 demonstrate that natural or artificial reforestation techniques will result in the
4 production of a sustained yield of merchantable timber from that area;

5 (5) there may not be significant impairment of the productivity of the
6 land and water with respect to renewable resources;

7 (6) allowance shall be made for scenic quality in or adjacent to areas
8 of substantial importance to the tourism and recreation industry; [AND]

9 (7) allowance shall be made for important fish and wildlife habitat; and

10 (8) to the fullest extent practicable, harvested forest land shall be
11 reforested, naturally or artificially, so as to result in a sustained yield of
12 merchantable timber from that land: if artificial planting is required,
13 silviculturally acceptable seedlings must first be available for planting at an
14 economically fair price.

15 * Sec. 5. AS 41.17.060 is amended by adding a new subsection to read:

16 (d) With respect to private forest land only, to the fullest extent practicable,
17 harvested forest land shall be reforested, naturally or artificially. If artificial planting
18 is required, silviculturally acceptable seedlings must first be available for planting at
19 an economically fair price.

20 * Sec. 6. AS 41.17.200 is amended to read:

21 Sec. 41.17.200. STATE FOREST PURPOSES. The purpose of AS 41.17.200
22 - 41.17.230 is to permit the establishment of designated state-owned or acquired land
23 and water areas as state forests. The primary purpose in the establishment of state
24 forests is the perpetuation of personal, commercial, including encouraging the
25 development of commercial forest land under the principles of sustained and
26 multiple use, and other beneficial uses of resources through multiple-use management.

27 * Sec. 7. AS 41.17.200 is amended by adding a new subsection to read:

28 (b) In managing a state forest the commissioner shall

29 (1) allow for the fullest possible access to, and use of, the natural
30 resources, including timber, fish, game, and minerals; the allowance under this
31 paragraph shall take into account the interests of private landowners;

- 1 (2) maintain forest growth at a high level of productivity; and
- 2 (3) restrict the public use of the land and its resources only when
- 3 necessary to carry out the purposes of this chapter.

4 * ~~Sec. 8. SEVERABILITY. Under AS 01.10.030, if AS 38.05.122(d)(11) or (g)(2)(G), or~~
5 ~~the application of those provisions to any person or circumstance, is held invalid, the~~
6 ~~remainder of this Act and its application to other persons or circumstances shall not be~~
7 ~~affected.~~

8 * Sec. 9. AS 41.17.060(b)(4) is repealed.

AMENDMENT

47

Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 10, line 29, after "to, and":

Insert "the multiple"

AMENDMENT

Adopted

48 Amended

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310(RES)

1)

Page ⁷~~6~~, after line ⁸~~25~~, insert new subsection to read:

"(F) provisions guaranteeing necessary public access for uses described in
(d)(1) of this section"

2) pg 7, ^{line} 29 delete (n)

failed
AMENDMENT

49

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 7, line 3, after "for":

Insert "all"

Page 7, line 6 and 7, after "proposer":

Delete ", at the discretion of the state,"

Page 7, line 9, after "that":

Delete ", at the discretion of the state,"

Page 7, line 15, after "proposer":

Delete ", at the discretion of the state,"

AMENDMENT 50 found

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310(RES)

Page 3, line ¹⁹15 after "AS 38.05.110 - 38.05.120":

Delete "or another provision of this chapter,"

pg 3, 20 delete "Section"
insert "Chapter"

AMENDMENT

51

failed

Offered in the House
HCS CSSB 310 (~~310~~)

By REPRESENTATIVE MAHAIRE

Page ~~10~~¹¹, line ~~11~~¹:

Delete : "and"

Page ~~10~~¹¹, line ~~13~~³, after "chapter" :

Delete : "."

Insert : "; and"

Page 10, after line ~~13~~³ :

Insert :

"(4) determine the allowable harvest of the forest unit to be managed under an agreement authorized by AS 38.05.122 which shall not exceed 70 percent."



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

To: HCS CS SB 310

Amendment 52

failed

Pg. 10, LD 24

After: ~~development~~
"encouraging"

delete: "the"

insert: "economically viable"



Official Business

Alaska State Legislature

State Capitol
Juneau, AK 99801-1182

53

Pg. 11, Ln 9

Add a new section to read:

~~"The provisions of section 3 of this act are repealed June 30, 1999."~~

"Section 3 of this act is repealed June 30, 1999."

AMENDMENT 54 failed

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 1, line 4, through page 3, line 16:

Delete all material.

Page 3, line 17:

Delete **"*Sec. 3."**

Insert **"*Section 1."**

Page 9, line 20, through page 11, line 3:

Delete all material.

Renumber following bill sections accordingly.

Page 11, line 8:

Delete all material.

AMENDMENT

55 faced

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 2, line 30 through page 3, line 9:

Delete all material.

AMENDMENT

56

fact

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 9, line 30, after "permits":

Insert "and to the extent consistent with the public interest as determined by a planning effort that evaluates immediate and long-term effects of individual and collective forest activities on forest ecosystems, local communities, and the state"

AMENDMENT 57 failed

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 10, line 11, after "as to":

Delete "result in sustained yield of merchantable timber from that land;"

Insert "eventually regain the structure, composition and function of forest ecosystems existing at the time of harvest, unless conversion to other uses is intended consistent with AS 41.17.110."

Page 10, line 13, after "seedlings":

Insert "of a variety native to Alaska"

AMENDMENT

ST
w/d
w/d

OFFERED IN THE HOUSE

BY REPRESENTATIVE BROWN

TO: HCS CSSB 310() work draft \M 5/7/94

Page 10, line 10, after "minerals"

Insert ", consistent with sustained yield principles and the requirements of AS 41.17.060"

Page 11, line 1, after "forest":

Delete "growth at a high level of productivity"

Insert "potential to provide reasonable levels of timber, fish and game for human use, consistent with the requirements of AS 41.17.060"

failed

59

AMENDMENT

TO HOUSE CS CSSB 10 ~~(RES)~~

By Representative Davies

Page 1, Line 6

Delete: "[SELL OR]"

Insert: "sell or"

Page 1, Line ~~6~~⁷ and 8:

Delete: "sales of less than 50,000 board feet"

Page 1, Line ~~7~~⁸

Delete: "[PERSONAL USE TIMBER HARVEST]"

Insert: "personal use timber harvest"

60

Adopted
Language

This proposed change to existing law is a violation of the key elements of the Forest Practices Act consensus agreement. The consensus agreement identified the specific items which must be considered prior to making a best interest finding for the sale of state timber. The amendment advanced by the House resources Committee completely eliminates this, and would leave the items to be considered up to the discretion of the commissioner. This means the listed items would be considered only after the sale had already occurred.

AMENDMENT

[Handwritten signature]

60 Adopt

TO HOUSE CS CSSB 310 (~~RES~~)

By Representative Davies

Page 6, Line ¹⁸~~5~~, following "agreement"

Insert: If a tentatively successful proposed agreement includes land within a municipality, the commissioner shall submit the tentatively successful proposed agreement to the municipality to determine if the agreement is consistent with municipal land use plans. The municipality shall make a consistency determination within 60 days of receipt of the tentatively successful proposed agreement and, if the agreement is not consistent with municipal land use plans, specifically set forth the provisions of the agreement that are not consistent."

Page 6, following line ²⁵~~12~~:

Insert a new paragraph to read:

"(2) must be consistent to the maximum extent practicable with municipal land use plans if the agreement includes land within a municipality;"

Renumber the following paragraph accordingly.

AMENDMENT

61 found

TO HOUSE CS CSSB 310-~~(RES)~~

By Representative DAVIES

Page ⁹~~8~~, after line ¹⁴~~23~~:

Insert a new subsection to read:

"(n) Notwithstanding any other provision of this section, the operator under an agreement that includes timber harvesting on land within the Tanana Valley drainage may not harvest timber on that land under the agreement if the harvest would result, during a calendar year, in timber harvest operations

(1) on more than 6,000 acres of land, public and private, within the Tanana Valley drainage; or

(2) that harvested more than 1,000 acres of white spruce in the Tanana Valley Drainage."

Reletter the following sections accordingly.

This amendment limits the amount of timber that will be harvested in the Tanana Valley Drainage Area in one year. (As suggested by Lane Thompson during public testimony yesterday).

He also said that this would create approximately 100 jobs/year.

Adopted

open

LS1553D.9
Luckhaupt
5/3/94

AMENDMENT

OFFERED IN THE HOUSE
TO: HCS CSSB 310(RES)

Therriault
#5
Included

Page 5, line 28:

Delete "and"

Page 6 line 3 or new (1)

~~Page 5, following line 28.~~

or line 14
new (4)

Insert a new paragraph to read:

"(2) the tentatively successful proposed agreement covers no more land or timber than is necessary to make the proposed agreement economically sustainable over the life of the proposed agreement; and"

Renumber the following paragraph accordingly.

Terry
Please conform as
appropriate

4-7
lines

11

pg

Sec 8

Delete

Adopted