

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 867269

669 SCOMM22: ALASKA LANDS FILE 1977-78

TITLE XI - COORDINATION

| Page | Line | Changes                                                                                                                                                                  |
|------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 141  | 11   | strikes "Alaska field directors of the " and inserts in lieu thereof "head of the Alaska offices of each of the following Federal agencies"                              |
| 142  | 3    | strikes "Alaska field directors" and inserts "heads of the Alaska offices of the Federal agencies"                                                                       |
| 144  | 1    | after "each" inserts "calender" and after year strike "after the establishment of the Council" and inserts "following the calender in which the Council is established," |
|      | 18   | after "management" inserts "preservation of cultural and historical resources"                                                                                           |
| 145  | 5    | strikes "other such" and strikes "members and" - substitutes "agencies"; after "State" inserts "and local agencies,"                                                     |
| 146  | 6    | after "and" inserts "with"; strikes "members appointed under such subsection" and inserts "Corporations"                                                                 |

TITLE XII - ADMINISTRATIVE PROVISIONS

| Page | Line | Changes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 148  | 10   | after line 10 inserts the following:<br><br><div style="margin-left: 40px;">                     "(e) The Secretary shall give prompt and careful consideration to any offer made by the owners of any property within a conservation system unit to sell such property, if such owner notifies the Secretary that the continued ownership is causing, or would result in, undue hardship."                 </div> <div style="margin-left: 40px;">                     [This is standard language from recent Acts but was inadvertently omitted in the Subcommittee draft]                 </div> |
| 148  | 11   | strikes "(e)" and inserts "(f)"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|      | 21   | strikes "340" and inserts "342"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 149  | 3    | strikes "(f)" and inserts "(g)"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|      | 8-12 | strikes "In" through "out" and inserts "The Secretary shall take such actions within or outside the boundaries of conservation system units as may be necessary, including acquiring or providing easements or other interests in lands in accordance with the provisions of Section (1201), to carry out any or more of "<br><div style="margin-left: 40px;">                     [clarifies original intent of the section, and avoids duplication with section (803)]                 </div>                                                                                                     |
| 150  | 6-9  | strikes all of subsection "(b)" [subsection unnecessary, as the section does not provide for reserving easements]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|      | 10   | strikes "(e)" and inserts "(b)"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|      | 15   | strikes "by Alaska residents"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 151  | 11   | strikes "the" and inserts "and containing"; after "resources" strikes "of"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 152  | 14   | strikes "and"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|      | 15   | after "representatives" inserts ", and other persons"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 153  | 5    | strikes "and"; after representatives inserts ", and other persons"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 154  | 15   | after "donation" inserts "exchange"; strikes "other"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|      | 16   | before "condemnation" strikes "than" and inserts "except"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 155  | 4    | after "entered" inserts "with the Secretary"; strikes "with"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|      | 5    | strikes "the Secretary"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|      | 12   | after "in" inserts "adequately"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

| Page | Line  | Changes                                                                                                                                                                                                                                                                                |
|------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 155  | 14-15 | strikes "by or under the provisions of this Act"                                                                                                                                                                                                                                       |
|      | 16    | after "area" strikes period and inserts "if such service or services are consistent with the purposes for which such unit is established or expanded" [clarifies intent that services such as hunting guides would be allowed to continue where hunting itself is allowed to continue] |
|      | 19    | strikes "entering into agreement concerning" and inserts "in contracting for"                                                                                                                                                                                                          |
| 157  | 17    | strikes "whichever time is earlier"                                                                                                                                                                                                                                                    |
|      | 18    | strikes "appropriate committees" and inserts Committee on Interior and Insular Affairs"                                                                                                                                                                                                |
|      | 19    | after "and" inserts "the Committee on Energy and Natural Resources of the"                                                                                                                                                                                                             |
| 158  | 16-18 | paranetical material to line 20 after "activities"                                                                                                                                                                                                                                     |
| 160  | 3     | after "and" inserts "also"                                                                                                                                                                                                                                                             |
| 161  | 20    | strikes "appropriate"                                                                                                                                                                                                                                                                  |
|      | 21    | after "Senate" inserts "referred to in subsection (a),"                                                                                                                                                                                                                                |
| 162  | 14    | after "of" inserts "fish and "                                                                                                                                                                                                                                                         |
|      | 15    | after "authorized" inserts "under Title VII of "                                                                                                                                                                                                                                       |
|      | 1     | after "by" inserts "or under"                                                                                                                                                                                                                                                          |
| 163  | 15,18 | before the word "Offices" inserts "appropriate"                                                                                                                                                                                                                                        |

TITLE XIII - MISCELLANEOUS

| Page | Line | Changes                                           |
|------|------|---------------------------------------------------|
| 167  | 10   | after "units," inserts "reasonable"               |
|      | 18   | after "Act," inserts "reasonable"                 |
| 169  | 19   | after "which is" inserts "the centerline of "     |
| 171  | 13   | strikes "two" and inserts in lieu thereof "three" |

SCOMM  
#22:2

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED  
AS A UNIT IN THE ORIGINAL DOCUMENT.

# AGENDA

February 28, 1978 meeting

COURTROOM "A"

Juneau, Alaska

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| ITEM                                                                                      | PURPOSE     | PAPERS/PRESENTATION         |
|-------------------------------------------------------------------------------------------|-------------|-----------------------------|
| 1:30 Convene/Minutes of Last Meeting                                                      | ACTION      | Minutes of January 11, 1978 |
| 1:40 Alaska Survey Results                                                                | Information | Mike Rowan                  |
| 2:00 Senator Jackson Staff Workshops                                                      | Information | Chuck Hawley                |
| 2:15 L.U.P.C. Wilderness Workshops                                                        | Information | Dave Cline                  |
| 2:30 AskAlaska Proposal                                                                   | Information | Steve Cowper                |
| 2:40 Briefing on Current HR39 Committee Print<br>and Meeds Substitute                     | Information | Walt Parker                 |
| 3:10 Aquaculture Amendment<br>Co-Operative Management Amendment<br>Recreational Amendment | ACTION      | Mike Spaan                  |
| 4:00 49-Legislatures<br>Coalition of Western States                                       | Information | Mike Colletta               |
| 4:15 WETA Coalition (Spokane Meeting)                                                     | Information | Joe Orsini                  |
| 4:25 <i>Proposed</i> Alaska Survey Brochure                                               | ACTION      | Sharon Long                 |
| 4:30 Retention of Repr. Cowper on Council                                                 | ACTION      |                             |
| 4:45 ADJOURN                                                                              |             |                             |

## STEERING COUNCIL FOR ALASKA LANDS

### JOURNAL MINUTES

January 10-11, 1978  
Supreme Court Room A  
Juneau, Alaska

#### TUESDAY, January 10

The 8th meeting of the Steering Council for Alaska Lands was called to order at 3:40 p.m. by the Councils' Chairman Steve Cowper.

Present: Representative Joe Hayes, Representative Alvin Osterback, Senator Chancy Croft, Senator Mike Colletta, Senator Joe Orsini, State Co-Chairman Walt Parker, Commissioner Robert LeResche, Chuck Hawley, Dave Cline, and Executive Director Sharon Long. James Hoffman of Bethel was absent.

The purpose of the meeting was to discuss Freedom of Information activities, take action on the Askalaska Proposal, discuss and take possible action on Access/Minerals Amendments, discuss contract with Moss, Frink, & Franklin law firm, review of the January/February dissemination in Washington D. C., and to action on the 1978 budget.

#### MINUTES

Council moved to adopt the minutes of the November 22, 1977, meeting, but due to malfunction of the recording equipment used to record the meeting, minutes were not transcribed.

#### ANNOUNCEMENTS

Cowper expressed that the Council has accomplished a great deal. Reviewing that the Council just got organized in July, 1977, and had our first business session in August. Council members, staff, and the attorneys for the Council have watched very closely the House Committee Hearings, in Alaska and in Washington D. C. and established a very cordial relationship with many of the Congressmen and Senators who will be playing a key part in the passage of this legislation, also with the Executive Office of the President through OMB and hopefully with the Department of the Interior. The Council held public meetings in Southeastern Alaska, and Sand Point. Although earlier this year the Council made a ruling that we would not become a traveling circus. That most of the information was on record through the Seiberling Sub-Committee, and other Congressional meetings that met here in Alaska. We have daily contact with the Administration and the Congress in Washington D. C.

The specific recommendations this Council has made have been given careful consideration by the Sub-Committee and Representative Meads, who allegedly but in a compromising bill. In response to the mineral statement that the Council sent to the Sub-Committee, the Committee print was in fact amended to assure some measure of access across some public lands to valid inholdings. We called early in the game for recognizing and honoring State and Native selections. As most of you know, HR 39 originally revoked pre-existing State selections where they conflicted with the d-2 proposals. We have conducted a survey of the House and Senate and of some of the members of the Administration of how they feel about this legislation. There is also a survey underway of the Alaska public to make sure that we are still in the same ball park that we are suppose to be representing. That survey will be ready toward the end of the month. We did complete a 12 and 1/2 minute film which takes a balance view of the interests involved in the question of the classification of Alaska lands. There are some editorial articles that will be used in some of the major national newspapers and also some radio spots that will be used in Washington.

The Senate d2 hearings will be held in Washington on January 19 and 20. Secretary Andrus is scheduled to speak on January 19th before Senator Jacksons Committee. January 20 Alaska officials will be asked to address that Committee. Senator Moss will testify on January 20th after the Governor.

ON February 10th the National Association of Counties has a d2 panel and Walt Parker was invited. The Council has approved Mr. Parkers travel. Guy Martin is the scheduled guest speaker.

There are Senate Staff workshops scheduled on d2 for Alaska on February 13-17 in Anchorage. This is only tentative.

#### AGENDA ITEM # L

#### FREEDOM OF INFORMATION ACT

The Freedom of Informaiton Act Request was filed in November. There was a Press Release issued on December 24, 1977. The Interior Department issued a response.

Attorney Mike Spaan was asked to speak regarding the Council's position. Spann discussed circumstances surrounding the F.O.I. act request. Specifically, on Bureau of Mines withholding mineral information.

Council has obtained a binder from Bureau of Mines and is on file documenting all events and memoranda.

## AGENDA ITEM #2

### ASKALASKA PROPOSAL

Appearing before the Council on behalf of the University of Alaska was Steve Brown, Director of Public Service. Mr. Brown gave a 10 minute presentation of the Askalaska proposal. Briefly, he touched on three underlying concepts and the purpose of the forum. Mr. Brown continued by asking our council if we had ways and means to fund their project.

Discussion among Council members.

A motion made by the Chairman was made to endorse the principle of the project, and defer consideration of adding this item to the Council's budget and have the proposal sent through the Alaska Public Forum, and/or funding would go through normal legislative channels. Senator Colletta seconded the motion.

Discussion ensued on funding, Senator Orsini ask to divide the question: Endorsement of the principle and of funding. Motion carried 7-2 (not roll call - Hand vote) to endorse the principle.

Dave Cline suggested an appropriation for Alaska Humanities to fund the project for \$52,500.00. Discussion among Council Members.

Dave Cline moved that the supplemental appropriation of \$52,500.00 to fully support the Askalaska project be endorsed by Council. Roll call Vote (6-No, 4-Yes) motion does not carry.

Chairman Cowper amends previous motion by adding the following language and taht the sponsors of the Askalaska proposal seek full funding through the normal appropriation process. No objection - Motion carries.

Main motion by Cowper to defer funds was made, carried, no objection.

## AGENDA ITEM #3

### ACCESS/MINERALS AMENDMENTS

Senator Colletta reported on Seiberling's telegram language regarding access to inholdings.

Attorney Mike Spaan commented on legalities.

Sharon Long answered Senator Croft's question regarding specifically what language the Council suggests striking - lines 14, 15, & 16, page 146 of the Committee Print #2.

Another question arised regarding if the language pre-empts the government's right to condemnation. It was understood that it would not.

Discussion among Council members whether or not the Council should endorse and approve the language by Mr. Seiberling and ask our Congressional delegation to support Mr. Seiberling. Cowper made a motion to send word back to Congressman Seiberling, that the Council does approve the language, but it's not to be taken as a final statement as to access, because of the complexity of the issue. No objection to the motion - motion carries.

Attorney Mike Spaan spoke on two recommended amendments. (1) Access (2) Mineral Position Mainly in concept form so the Council could take a position.

Lengthy discussion among the Council members regarding recommended amendments on access.

Motion was made to draft legislative language regarding access. No objection - motion carries.

Additionally, Attorney Mike Spaan went on with the mineral recommendations. Lengthy discussion among Council Members regarding recommended mineral amendment.

Senator Orsini moved to adopt the mineral position as drafted and the concept as outlined.

Senator Croft moved to amend the previous motion to adopt the mineral position except that relating to wildlife refugees. Hand vote 5-Yes 3-No. Motion carries. No objection to the main motion, continued discussion among Council members regarding wildlife refugees.

#### AGENDA ITEM #4

##### ALASKA SURVEY

Mike Rowan presented information on an Alaskan Public Survey regarding the access question. Reporting that the survey was 90% complete. There would be also a 13 minute 8 millimeter film presentation for the Council's use to reflect the Council's position during the 5 day period in Washington D.C. January 30 - February 3. He was also working on scheduled meetings with Washington Star, Washington Post, Radio and TV while the Council is in Washington.

The meeting recessed for the day and was agreed upon to reconvene the next day, January 11, 1978, 8:30 a.m. in the House Finance Committee Meeting Room, Fourth floor, of the Capitol Building.

January 11, 1978  
Continuation of Council Meeting  
8:30 a.m.  
Capitol Building

Discussion continues on proposed wildlife refuges, mineral language, and aquaculture language.

Dave Cline makes a motion regarding wildlife reguges and to adopt proposed language on minerals. No objection, motion carries.

AGENDA ITEM #5

MOSS, FRINK & FRANKLIN

Moss, Frink & Franklin has been retained by the Council to continue our efforts to make favorable contact with members of the House and Senate in considering the bill.

Sharon Long informed the Council of the malfunctioning recording equipment which made it impossible to transcribe the 11/22/77 council minutes.

Joe Josephson expressed interest in making himself available for the Council during the Congressional hearings scheduled in D. C. later on this month.

AGENDA ITEM #6

BUDGET

Amount requested: \$904,422.00

Amount approved: \$831,222.00

ADJOURNMENT

The Council tentatively scheduled their next meeting for February 16, 1978. Following a motion to authorize John Shively to replace James Hoffman when Hoffman could not make our meetings, no objection, the meeting adjourned at 12:00 p.m.

AGENDA  
January 10, 1978 Meeting  
COURTROOM "A"  
Juneau, Alaska

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| ITEM                                                                  | PURPOSE                        | PAPERS/PRESENTATION                                                                            |
|-----------------------------------------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------|
| 1:30 Convene/Announcements                                            |                                |                                                                                                |
| 1:40 F.O.I. Activities                                                | Information                    | Mike Spaan                                                                                     |
| 2:00 AskAlaska Proposal                                               | Action                         | Final Proposal: Dave Cline<br>Steve Brown, Director of Public<br>Service, University of Alaska |
| 2:20 Access/Minerals Amendments                                       | Information<br>Possible Action | Seiberling telegram<br>language/Colletta<br>Council language/Mike Spaan                        |
| 2:45 Moss, Frink, Franklin                                            | Information                    | Steve Cowper                                                                                   |
| 3:00 Alaska Survey                                                    | Information                    | Mike Rowan                                                                                     |
| 3:15 January/February information<br>dissemination in Washington D.C. | Review                         | Sharon Long                                                                                    |
| 3:30 Budget                                                           | Action                         | Steve Cowper                                                                                   |
| 4:30 Adjourn                                                          |                                |                                                                                                |
| 5:50 Flight departs for Anchorage                                     |                                |                                                                                                |

TENATIVE AGENDA

January 30, 1978  
SENATE MINORITY WHIP OFFICE  
U. S. Capitol Building

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| <u>TIME</u> | <u>ITEM</u>                                                                  | <u>PURPOSE</u>                                                           | <u>PRESENTATION</u>         |
|-------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------|
| 10:30 a.m.  | Co-Operative Management<br>Amendment<br><br>Recreational Access<br>Amendment | <i>During<br/>Council<br/>Amendments<br/>&amp; Policy file</i><br>Action | Mike Spaan                  |
| 11:00 a.m.  | Congressmen travel<br>to Alaska                                              | Review/Possible<br>Action                                                | Discussion among<br>Members |

REP. STEVE COWPER  
CHAIRMAN  
REP. ALVIN OSTERBACK  
REP. JOE L. HAYES  
SEN. CHANCY CROFT  
SEN. MIKE COLLETTA  
SEN. JOE ORSINI  
WALTER PARKER  
COMM. ROBERT LERESCHE  
JAMES HOFFMAN  
C. C. HAWLEY  
DAVE CLINE



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[POUCH V. JUNEAU, ALASKA 99811]

MEMORANDUM

TO: ALL COUNCIL MEMBERS  
FROM: SHARON LONG  
DATE: JANUARY 18, 1978

In your packet are:

- (1) Jack Anderson article on our minerals information;
- (2) Final budget figure's as approved by Council at our January 10th meeting;
- (3) Memo from Ron Birch;

Subcommittee meetings began January 17, 1978, rather than January 16, 1978, due to the deaths of Senators Metcalf, and Humphry. Meeds used the afternoon to explain his substitute (d)(2) bill which breaks down in millions of acreages as follows:

40.2 Parks  
34.8 Refuges  
1.0 Wild & Scenic Rivers  
2.9 National Forests  
18.5 National Wildlands  
97.4 Total

National Wildlands are basically wilderness with some exploration and extraction of resources provided for. Mark-up on HR 39 begins today (1/18/78). This mornings vote to substitute Meeds bill for HR 39 in mark-up lost 10 to 7.

- (4) A Congressional Quarterly article which may be of interest from a general background point of view especially for those of you going to D. C. this month; and
- (5) A list of members of House Interior and Insular Affairs Committee, and Senate Energy Committee.

MEMO

January 18, 1978

Page Two

Further, to our nascent position: The Co-operative Management language will be ready for your consideration before the D.C. trip the last week in January. A quorum will likely be present on Monday, January, 30, 1978, in Washington D.C. I think it would be well to consider and act on that Amendment at that time, since our next regular Council meeting will not be until the week of February 12, 1978. The language will be available to you during the week preceeding the D.C. trip.

On the morning of January 30, 1978, we will gather in the Senate Minority Whip's Office at 8:30 a.m. for a briefing on the current Washington scene; the use of cassette machines; your Congressional assignments; and a meeting with Alaska's Congressional Delegation.

Since the death of Senator Metcalf (Chairman of Senate Energy and Natural Resources Subcommittee on Public Lands and Resources) Senator Dale Bumpers of Arkansas has emerged as the one to be primary in handling the (d)(2) debate on the Senate side along with full committee Chairman Jackson.

I will escort the film to Juneau the week of January 22, 1978, for its premier showing in Alaska before both the House and Senate. Please have your tuxedos and limousines rented and ready.

## Scenery, Minerals - a Classic War:

# The Alaska Lands Issue: Our Last Frontier

Interior Secretary Cecil D. Andrus told a congressional committee early this spring, "You have before you the most important land conservation program in the history of this country."

At a House hearing April 25, Andrus added, "In Alaska, this nation should exercise the opportunity lost forever in most of the areas in the contiguous 48 states to protect whole ecosystems, intact hydrographic systems in pristine settings. The future of millions of acres of federal land that belong to the citizens of all 50 states will be decided by this 96th Congress."

Andrus spoke of the approaching decision on what are called the d-2 lands in Alaska—up to 80 million acres of "national interest" lands to be selected by the end of 1978 for permanent protection. The 1971 Alaska Native Claims Settlement Act (PL 92-203) gave Congress the responsibility to determine which public lands should receive special protection as national parks, wildlife refuges, scenic rivers and national forests.

Carter administration officials, members of Congress, Alaskans, conservationists and developers, lobbyists for many interests—all emphasize the importance of the issue. The current Congress must decide how much protection to give to how much of Alaska, literally the last frontier of this frontier nation.

Three congressional committees are considering bills to deal with selection and management of the d-2 lands. More legislation is being drafted. Proposals would give federal protection to as little as 25 million acres or as much as 115 million acres. The most important plan, the Carter administration's recommendations being prepared by the Interior Department, will not be ready until autumn, perhaps mid-September.

The stakes are very high. The nation is only now evaluating Alaska's wealth, fabled since "Seward's Folly" was purchased from Russia in 1867. The 49th state contains 365 million acres of land plus 10 million acres of inland waterways. It has 38 per cent of the nation's shoreline and 65 per cent of the total U.S. continental shelf.

Oil has just begun to be pumped from Alaska's North Slope. The state is rich in minerals of all sorts, forests, rivers, fisheries, birds and wildlife, including many threatened species. Scenery is spectacular.

The amount of land the federal government can choose for preservation is shrinking. Under existing law, the state and the Alaska natives are busy selecting nearly 150 million acres of public lands for their own use.

Moreover, mineral extraction, logging, coastal development, construction and destruction of all sorts are accelerating and bringing pressures to keep the total permanently protected area small. The state's population is only 400,000 but growing rapidly—up by 100,000 since the 1970 census. Alaska's developers are aided by technology and power unimagined by the miners, loggers, hunters, farmers and businessmen who exploited the frontier of the "lower 48" states.

An Alaska specialist for the Interior Department said part of the controversy over the d-2 lands can be stated simply: "Very high scenic value, very high mineral value—classic war."



Tongass National Forest Typifies Alaska's Beauty

## Background

The United States purchased Alaska for \$7.2-million by treaty with Russia in 1867, only four years before gold was discovered at Sitka. In the early years the federal government provided for mining and settlement, set aside national forests and wildlife reserves, surveyed the land, built the Alaska Railroad, made some agreements with the natives, and established Alaska's three national parks by 1924.

When Alaska became a state at the beginning of 1960, more than 99 per cent of the total area was owned by the federal government. However, the Alaskan Statehood Act of 1958 (PL 85-508) provided for the transfer of 103 million acres of federal unreserved lands to the state government over a 25-year period. At the time, 95 million acres were within various federal withdrawals or reservations. The state also was given 45 million acres offshore.

Other grants brought the state's land total to 104.5 million acres, about 28 per cent of Alaska. In both area and percentage, it was by far the largest federal grant to any public lands state.

About 23 million acres had been transferred by December 1966, when Interior Secretary Stewart L. Udall (1961-69) imposed a freeze because of conflicting claims between the state and Alaska natives—Eskimos, Aleuts and Indians. Udall asked Congress to settle the claims. The land freeze was modified in 1969 to make way for the pipeline from Prudhoe Bay, where oil was discovered the year before.

The Alaska Native Claims Settlement Act (PL 92-203), signed Dec. 18, 1971, gave to 60,000 natives \$462.5-million in federal grants, \$500-million in state and federal mineral

revenues and 40 million acres of land. The act specified that native villages would choose 22 million acres, 12 regional corporations would choose 16 million acres, and the Interior Secretary would confer 2 million acres on villages and corporations. Villages hold only surface rights, but regional corporations hold mineral rights to all 40 million acres. Together with lands they already had, the act brought the natives' share of Alaska to 44 million acres.

The act permitted the state to continue its selection of lands, and made important provisions for other federal lands.

Section 17 (d)(1) set a category of federal "public interest" lands that were open to some development unless specifically closed. It gave the Interior Secretary the option to withdraw those lands for further study and possible reclassification for their use. That option was given to prevent any land rush that might follow passage of the claims act and the lifting of the land freeze. The basic d-1 classification includes 60 million acres, but in practice almost all federal lands not withdrawn for some specific purpose are d-1. Nearly all Alaska lands under the Bureau of Land Management (BLM) are d-1 lands.

Section 17 (d)(2) authorized the Secretary to withdraw up to 80 million acres of "national interest" lands to be closed to development; they would be studied for protection under the "four systems" of federal management—national parks and monuments, national wildlife refuges, wild and scenic rivers, and national forests. Within five years of the Secretary's recommendations, Congress was directed to establish the areas officially and set their boundaries. These are the so-called d-2 lands.

In December 1973, after two years of specific evaluation, Secretary Rogers C. B. Morton (1971-76) recommended establishing 83 million acres in 28 areas as additions to the four systems. It included 17 million acres of land also classified as d-1.

## Complications

Morton's withdrawals are scheduled to expire Dec. 18, 1978, giving Congress ample time to act. But the final selection and designation of d-2 lands is more complicated than that. Questions remain over the total size of the lands, their many locations, and the degree of their protection. In many instances the state, the natives and the federal government want the same land for different purposes.

The state of Alaska filed for 77 million acres of its allotment immediately after enactment of PL 92-203, including many d-2 lands subsequently withdrawn by Morton. The state then sued Morton, who chose an out-of-court settlement in September 1972 that gave the state half the acreage it had selected and provided that many other lands would

not be available for inclusion in the d-2 classification. Some conservationists, who worked hard to get the d-2 provision into the 1971 act, still regard the state's action as an illegal raid on national interest lands.

State selections have continued. By spring of 1977 the state had filed for 71 million acres, of which requests for 49 million acres were pending.

The natives, in the meantime, have over-selected. Village and regional corporations have made tentative choices of nearly 100 million acres. They are working with the Interior Department to reduce the selections to the 40 million acres that they were given under PL 92-203.

In all the land selections there is considerable duplication. Any map of one selection or classification overlaps with another. Existing ownership patterns are scattered. When the final decisions are made by the state, the natives, the Interior Department and Congress, even the boundaries of long-established federal holdings may be changed.

## Plans for d-2 Lands

Legislation to locate and provide permanent protection for d-2 lands has been introduced in Congress for the past few years but did not receive extended consideration. But with the 1978 deadline approaching, several plans are now being actively considered by Congress; more are in preparation. The major proposals are described below.

**Alaska Coalition.** The d-2 plan that would provide the most protection for the most land is supported by the Alaska Coalition, a loosely-knit organization of 17 Alaskan and national conservation groups. The coalition's basic bill (HR 39) was drafted in cooperation with the staff of Morris K. Udall (D Ariz.), chairman of the House Interior and Insular Affairs Committee.

"I think there's a real feeling that this is a most important high-priority issue for all the conservation groups," said Cathy Smith, the coalition's Washington coordinator.

It is an ambitious plan, encompassing 115 million acres. It would establish 13 new or expanded units for the National Park System and 14 units for the National Wildlife Refuge System, designate 20 National Wild Rivers and three National Scenic Rivers, enlarge the two national forests and protect their wilderness areas, and place the North Slope's 23 million acre National Petroleum Reserve under management of the U.S. Fish and Wildlife Service. To provide immediate maximum protection, it would designate all units under the legislation as wilderness and make them components of the National Wilderness Preservation System.

Although the 1971 act called for a maximum of 80 million acres of d-2 lands, the coalition bill would raise the total through the Interior Secretary's standing authority to increase protective management of any public lands. The Alaska Coalition insists the extra lands and extra protection are necessary.

"The state began selecting land in 1958, the natives got second choice, and the national interest is coming last," said Smith.

Udall has 80 cosponsors for HR 39. In the Senate the coalition bill was introduced first as S 500 by Henry M. Jackson (D Wash.), chairman of the Energy and Natural Resources Committee. But it was modified and reintroduced as S 1500 by Lee Metcalf (D Mont.). S 1500 includes about 1 million additional acres that are in immediate danger of being logged.



*The Alaska lands issue constitutes "the most important land conservation program in the history of this country."*

—Interior Secretary  
Cecil D. Andrus

## LAND ALLOCATIONS IN ALASKA (Total Land Area - 365 Million Acres)

**NATIONAL PARKS AND MONUMENTS**  
7 mil. acres

**NATIONAL WILDLIFE REFUGES**  
22.2 mil. acres

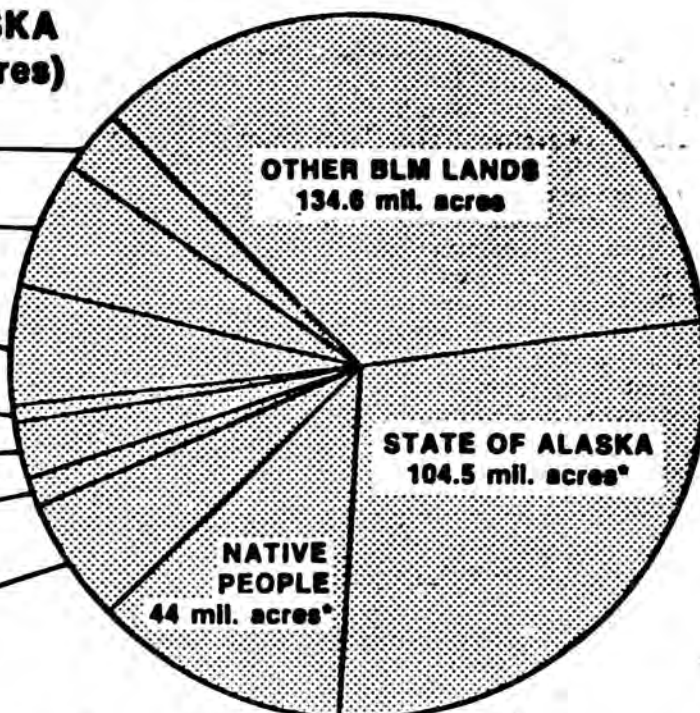
**NATIONAL FORESTS (USDA)**  
20.7 mil. acres

**PRIVATE HOLDINGS**  
1 mil. acres

**PIPELINE CORRIDOR (BLM)**  
5.5 mil. acres

**DEPARTMENT OF DEFENSE**  
2.5 mil. acres

**NATIONAL PETROLEUM RESERVE †**  
23 mil. acres



\* When final selections are made.

† Managed by U.S. Geological Survey and Bureau of Land Management.

SOURCE: Department of the Interior

ATKINSON

**State Plan.** The d-2 interests of the state of Alaska are represented in S 1787, introduced June 30 by the state's Republican Sen. Ted Stevens. It is a refinement of earlier state plans and, like them, was drafted by Stevens, Rep. Don Young (R) and Gov. Jay Hammond (R). It is at the opposite end of the d-2 scale from the Alaska Coalition plan.

S 1787 would add a bit more than 10 million acres for national parks and monuments, 8 million acres for wildlife refuges, 5.7 million acres for national forests, and three wild rivers that total 1 million acres. In addition, it would place 57 million acres into a new category called Federal Cooperative Lands to be managed by existing federal agencies but in conjunction with lands managed by the state and private landowners. The bill would establish a federal-state commission to classify the cooperative lands.

Conservationists are wary of the cooperative lands idea, and of any plan to establish a new management system that would give developers a stronger voice. Stevens said that at first he was opposed to the idea, which was promoted by Gov. Hammond. But Stevens then saw it as a way to postpone decisions on what to do with some d-2 lands.

"I know of no other state where we have had such a wholesale attack on its lands," Stevens said at a June 30 press conference. "We would have been better off," he said, with separate bills for each major parcel of land. Stevens has suggested delaying the d-2 decision beyond 1978, but did not include that in S 1787.

"I'm sure we're very much in conflict with some members of Congress and some environmental groups," Stevens said.

**Planning Commission.** PL 92-203 established a 10-member Federal-State Land Use Planning Commission to

study the d-2 lands and offer recommendations. The commission's plan, which is tentative and is not in the form of legislation, fits between the proposals of the Alaska Coalition and the state's Republican leaders.

The commission recommends allocating 43.3 million acres to the four federal systems—19.7 million acres to the national parks in eight new or additional units, 18.8 million acres to wildlife refuges in 18 units, 4.8 million acres to national forests in seven additions, and partial protection for more than 50 rivers.

An additional 46.7 million acres would be given a new classification as Alaska National Lands. They would be managed by four federal agencies, including 22 million acres under the Fish and Wildlife Service and 6 million acres under the BLM. Unlike the cooperative lands in Stevens' bill, the Alaska National Lands would be closed to development unless specifically opened.

The commission's plan includes a permanent federal-state commission to classify the Alaska National Lands subject to congressional guidelines for environmental protection. The new commission would have more than advisory powers and would emphasize statewide planning. Its powers would be subject to veto by the state and federal governments within their respective areas of ownership.

One member of the present commission, Celia M. Hunter, has some reservations about the plan. The executive director for the Wilderness Society, Hunter said the Alaska National Lands concept may be risky because it postpones ultimate use of some of the d-2 lands. She said the joint commission concept also is "touchy" because it is too easily affected by the politics of state and federal appointments. She suggested "some sort of citizen review."

But Hunter said the commission was "very much concerned about the preservation of natural values" in its recommendations. For example, major mineralized areas were not enclosed in d-2 reservations. Hunter noted that national forests and BLM lands do not protect lands as fully as conservation groups would like.

**Interior Department.** The Department of Interior, overseeing the transfer of 40 per cent of Alaska from the federal government to the state and natives, is preparing its final d-2 recommendations. The review has continued since Morton made his recommendations in 1973.

In House testimony April 25 on d-2 legislation, Andrus said, "The establishment and protection of large land areas in Alaska as units of the four systems...is the highest environmental priority of this administration." He said the department would submit a detailed report on HR 39 and other proposals "this fall. At that time," Andrus said, "we will be ready to recommend specifics concerning proposals, boundaries and managing agencies."

## Alaska Geography

With a total area of 586,412 square miles, Alaska is bigger than the three next largest states combined—Texas, California and Montana. Its geography is almost as varied as that of the 48 contiguous states far to the southeast. Alaska contains several major regions, each with lands that are part of the d-2 controversy.

**Southeast**—The coastal extension that comes closest to reaching the "lower 48" is rich in timber and minerals. It includes the 16-million acre Tongass National Forest.

**South Central**—The area south of the Alaska Range includes the state's population center around Cook Inlet, forests and glaciers near the Gulf of Alaska, copper and other metals.

**Alaska Peninsula and Aleutian Islands**—Steep mountains and volcanic islands, notable for scenery, ocean resources, wildlife, sulfur and grazing lands.

**Bristol Bay Area**—North of the Alaska Peninsula is one of the richest marine resources in the world, with the major salmon runs, other fisheries, marine mammals and wildlife populations.

**Delta Region**—The Yukon and Kuskokwim Rivers flow southwest to the Bering Sea, where delta lowlands support waterfowl, wildlife and the largest concentration of Alaska natives. It also has minerals and some platinum.

**Northwest**—Seward Peninsula is one of the most productive mineral regions, where gold and base metals have been mined extensively. Rivers to the north flow into Kotzebue Sound.

**North Slope**—North from the Brooks Range wilderness to the Arctic Ocean are the tundra and permafrost environment, enormous coal and petroleum reserves, and the beginning of the oil pipeline at Prudhoe Bay.

**Interior Alaska**—The heart of Alaska is by far the largest region, between the Alaska and Brooks Ranges. It includes spectacular mountains, lowlands and hills, river systems, lakes, birds and wildlife, and reserves of gold, mercury, silver, tin, lead and other metals.

Andrus appointed his special assistant, Buff Bohlen, to be responsible for the department's final review of d-2 lands. Bohlen is spending part of his time in Alaska and is keeping in close contact with congressional committees. Guy R. Martin, Interior's assistant secretary for land and water resources and Alaska's former commissioner of natural resources, is giving much attention to the d-2 recommendations. Andrus himself began an on-site survey of the lands July 19.

The department has had little to say about its intentions. Andrus, commenting on HR 39, said he did not support the immediate wilderness designation for all lands in that bill. He also saw no need to change the interim management of the National Petroleum Reserve. Andrus promised a complete assessment of Alaska's mineral resource potential, and recommended that traditional subsistence uses such as hunting and fishing be allowed on most d-2 lands.

Ted Bingham, special assistant to Martin on Alaskan issues, noted that Morton used the law's d-2 figure of 80 million acres, and said, "This is probably the way Secretary Andrus is going to look at it." Bingham said there was general agreement in most d-2 proposals that the key areas needing fullest protection "probably rest around 25 million acres."

Bingham said nearly all proposed d-2 areas had been studied for years and many management alternatives had been offered. Andrus suggested, for example, that the Lake Clark area be managed by three or four federal agencies providing varied protection.

The department's autumn recommendations "will include the Secretary's decision on the so-called trade-off between the conservationist side and development," Bingham said. "When you key down to a lot of it, it's not new. But now somebody really has to focus on it and make a decision."

**Other Proposals.** These four plans are not the only d-2 proposals to be considered by Congress. S 499 is the "Morton bill" with the 1973 d-2 recommendations. HR 6564 is a similar comprehensive bill. HR 1652 would establish 68 million acres in Alaska as national wildlife refuges. S 1546 and HR 5605 would give permanent protection to Admiralty Island, now part of the Tongass National Forest.

## Legislative Outlook

Two House committees and one Senate committee have jurisdiction over the d-2 lands issue, and all have at least begun hearings. The House is moving at a faster pace.

**House Interior.** Udall, as the chief sponsor of HR 39, hopes to report the bill by the end of 1977. Most of the work thus far has been done by the Interior Subcommittee on General Oversight and Alaska Lands, headed by John F. Seiberling (D Ohio).

Using HR 39 as the primary bill, the subcommittee has held or scheduled almost 20 days of hearings. They began in Washington in April, and continued in Chicago, Denver, Atlanta and Seattle. The subcommittee held three hearings in Alaska in early July and planned two more in August. In addition to the formal hearings, members scheduled a dozen meetings with local people to discuss land issue. The informal meetings were held in smaller towns and remote settlements in nearly every region of Alaska.

On a related matter, the subcommittee held overnight hearings in Washington July 21-22 to explore delays in transferring lands to the Alaska natives.



Seiberling intends to begin the subcommittee's markup of d-2 legislation in mid-September. The schedule could be delayed by release of the Interior Department's recommendations. However, Udall is strongly committed to HR 39.

**House Merchant Marine and Fisheries.** The Subcommittee on Fisheries and Wildlife Conservation and the Environment, headed by Robert L. Leggett (D Calif.), is concentrating on the wildlife management aspects of d-2 lands. It held three days of hearings in June and scheduled more in Alaska for the second week in August.

HR 39 was not referred to the subcommittee, which is considering three other bills. Leggett is making an effort to keep up with Udall's schedule, however, so that House action on d-2 lands will not be separated. A subcommittee staff member said the subcommittee basically is "waiting on Andrus to come out with his proposal."

**Senate Energy.** The decision on Alaska's national interest lands is an issue for the full Energy and Natural Resources Committee, headed by Henry M. Jackson (D Wash.). But the preliminary work is being handled by Lee Metcalf (D Mont.), chairman of the Subcommittee on Public Lands and Resources. Metcalf and other members held two days of hearings in June and planned a 10-day field trip to Alaska in late August.

In early September the committee staff will hold field hearings for a week or two in Alaska's more sparsely settled areas. The staff will conduct Washington workshops this winter to complete detailed studies of the d-2 areas under consideration.

Jackson, the sponsor (by request) of both the Morton bill (S 499) and the Alaska Coalition bill (S 500), may

become more active as d-2 legislation moves through the Senate. His committee is busy now with energy legislation.

Supporters of nearly all the d-2 proposals want to avoid a congressional logjam near the statutory deadline of Dec. 18, 1978. The House, in particular, would like to complete its work many months in advance.

**Administration Study.** Andrus spent much of his July 19-23 trip to Alaska working on the d-2 lands issue. His itinerary included visits or flights to the Lake Clark area, Katmai National Monument, Kamishak Bay and other sites. He held meetings with the Federal-State Land Use Planning Commission, Gov. Hammond, native groups and environmental organizations based in Alaska. Before he left Washington, Andrus conferred with both Stevens and Sen. Mike Gravel (D).

Andrus concentrated on southern Alaska in July, but he planned to see more of the state soon. A return visit was planned tentatively for late August.

The Interior Department, now in its sixth year of studying d-2 lands, is moving deliberately, taking extra care in making its final recommendations for Alaska. Buff Bohlen told the Seiberling subcommittee March 3: "We have the opportunity to provide the level of protection which we were seldom able to do in the lower 48. We can avoid the mistakes which we are now having to face up to in places like Redwood National Park and in the watershed of the Everglades National Park. We are having to spend hundreds of millions of dollars to protect our national treasures because we failed in the past to understand the need to protect complete ecosystems."

—By James R. Wagner

**INTERIOR — Subcommittee on General Oversight  
and Alaska Lands 400 House Annex I  
225-0013**

|                      |            |         |
|----------------------|------------|---------|
| Seiberling, Chairman | ✓ Santini  | Young   |
| Kostmayer            | Vento      | Shubitz |
| ✓ McHugh             | ✓ Roncalio | Ruppe   |
| ✓ Murphy             | ✓ Corrada  | Rudd    |
| ✓ Meeds              | ✓ de Lugo  | Edwards |
| Udall                | Tsongas    |         |

**INTERIOR & INSULAR AFFAIRS  
1324 LHOB**

**225-2761**

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Robert W. Kastenmeier, Wis.  
Lloyd Meeds, Wash.  
Abraham Kazen, Jr., Tex.  
Teno Roncalio, Wyo.  
Jonathan B. Bingham, N.Y.  
John F. Seiberling, Ohio  
Harold Runnels, N.M.  
Antonio Berja Wen Pat, Guam  
Ren de Lugo, V.I.  
Bob Eckhardt, Tex.  
Goodloe E. Byron, Md.  
Jim Santini, Nev.  
Paul E. Tsongas, Mass.  
James Weaver, Ore.  
Bob Carr, Mich.  
George Miller, Calif.  
Ted Risenhoover, Okla.  
James J. Florio, N.J.  
Dawson Mathias, Ga.  
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Peter H. Kostmayer, Pa.  
Baltaar Corrada, P.R.  
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Nick Joe Rahall II, W.Va.  
Bruce F. Vento, Minn.  
Jerry Huckaby, La.  
Lamar Gudger, N.C.  
Charles Conklin, Staff Director and Chief Clerk  
Louis Striegel, Minority Counsel

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Philip E. Ruppe, Mich.  
Manuel Lujan, Jr., N.M.  
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Don Young, Alaska  
Robert E. Bauman, Md.  
Steven D. Symms, Ida.  
James P. Johnson, Colo.  
Robert J. Lagomarsino, Calif.  
Dan Marriott, Utah  
Ron Marlenee, Mont.  
Eldon Rudd, Ariz.  
Mickey Edwards, Okla.

Steve Gaudin 224-3349  
**ENERGY & NATURAL RESOURCES**  
**3106 DSOB**

**224-4971**

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Frank Church, Ida. Clifford P. Hansen, Wyo.  
Lee Metcalf, Mont. Mark O. Hatfield, Ore.  
J. Bennett Johnston, Jr., La. James A. McClure, Ida.  
James Abourezk, S.D. Dewey F. Bartlett, Okla.  
Floyd K. Haskell, Colo. Lowell P. Weicker, Jr., Conn.  
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John A. Durkin, N.H.  
Howard M. Metzenbaum, Ohio  
Spark M. Matsunaga, Hawaii

Grenville Garside, Staff Director  
Fred Craft, Minority Counsel

# STEERING COUNCIL FOR ALASKA LANDS

## AGENDA

March 15, 1978 Meeting  
Committee Room #118  
CAPITOL BUILDING  
Juneau, Alaska

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| ITEM                                              | PURPOSE                                | PAPERS/PRESENTATION     |
|---------------------------------------------------|----------------------------------------|-------------------------|
| 1:30 Convene/Minutes of last meeting              | ACTION                                 | Minutes of 2/28/78      |
| 1:35 Wilderness Amendment                         | ACTION                                 | Chuck Hawley/Mike Spaan |
| 2:00 Aircraft Access Amendment                    | ACTION                                 | Joe Hayes/Mike Spaan    |
| 2:20 Subsistence                                  | ACTION                                 | Cowper                  |
| 2:40 Co-Operative Management                      | ACTION                                 | Spaan                   |
| 3:00 Murray, Kraft & Rocky Proposal               | Consideration                          | Joe Orsini/Conn Murray  |
| 3:30 Bristol Bay Native Assoc<br>Subsistence Film | Showing Cancelled<br>till next meeting | Cowper                  |
| 4:00 Adjournment                                  |                                        |                         |

Unfinished business



# H. A. 'RED' BOUCHER & ASSOCIATES

SRA BOX 889 • ANCHORAGE, ALASKA 99502 • (907) 349-2192

## PROPOSAL

To: The Alaska State Legislature  
Juneau, Alaska

From: H. A. "Red" Boucher  
SRA Box 889  
Anchorage, Alaska 99502

Re: In-Person Information Tour  
Of Key States  
On D-2 Issue

## INTRODUCTION

Our proposal is for an in-person information tour through key states to create broader knowledge of the state's interest in the D-2 Alaska Lands' Issue. The tour idea began with the D-2 Steering Council and reinforces the urging of Rep. Don Young and other Alaskans that the issue be brought as directly as possible before the American people.

This tour by H. A. "Red" Boucher will include personal interviews with influential newspaper editors, and appearances on television talk shows in Western states which also have large federal land holdings, and in other key areas of the East and South where support could be most advantageous to

the state's interest in D-2 legislation.

The tour will take factual information into the backyards of the people with voting strength on this issue.

Coordinating efforts will begin immediately. The road tour itself will last a minimum of ten weeks. Route and stress will be flexible, contingent on Congressional events surrounding D-2 legislation.

This on-the-spot tour will be a bi-partisan state effort under the leadership of the D-2 Steering Council. It is not a separate effort but complements and maximizes overall D-2 public relations efforts to create interest in the D-2 issue outside the State of Alaska.

#### PROGRAM PHASES

Phase One will include collecting pertinent information, such as maps, pictures, graphs and fact sheets to be given to newspaper publishers and editors during personal interviews. All printed material will be subject to approval by the D-2 Steering Council.

Phase Two will be the tour itself in which such information will be disseminated. Misinformation from other sources can be corrected.

The tour will tentatively begin in California, which is heavily represented on the Interior Subcommittee on General Oversight and Alaska Lands, and on to Oregon, Washington, Idaho, Montana, Nevada, Colorado and Arizona where there is strong representation on the Senate Energy and Natural Resources

Committee. These states also have large federal land areas and stress will be laid on the possible impact D-2 could have on their own lands as precedents are set.

The tour also tentatively schedules stops in key Southern states where States Rights advocates would empathize with our Alaskan concerns.

In every case, information at each stop will relate to local problems for maximum understanding.

The flexible nature of the tour will permit shuffling of routes or updating of information at a moment's notice. It also will allow for accepting spur-of-the-moment invitations to speak at chambers of commerce or other community organizations (this only with prior approval of the D-2 steering committee chairman).

Phase Three will be a coordination of all public relations efforts with a central information pool to prevent overlapping of effort and immediate updating of pertinent material.

#### PROGRAM APPROACH

Stated briefly, our approach will be to emphasize the positive aspects of the issue, that a battle between Conservationists and Industry is falsely premised. This positive approach would correct misinformation supporting the view that this is a "classic war" between scenic-wildlife values and development interests. It will be stressed that Man, too, is part of the "complete ecosystem."

PERSONAL QUALIFICATIONS

Mr. Boucher has wide experience in touring the States espousing Alaska's causes. He traveled extensively as lieutenant governor to promote the Alaska oil pipeline, and found he was welcomed as warmly and widely as a private citizen when he toured to promote the Alaska gas pipeline.

His knowledge of Alaska, and other states as well, is extensive.

He has many personal contacts within the television and newspaper industries, including William Randolph Hearst who has personally and editorially supported many Alaskan causes at Mr. Boucher's urging. Mr. Hearst will be shown the D-2 Steering Committee's film "Not Man Apart."

Key people in the nation's media are aware of Mr. Boucher's enthusiasm and loyalty to Alaska as well as his commitment to the ideal of Alaska's being a vitally contributing and benefitting member of the United States.

ADDENDUM

Other areas of this proposal will be covered orally by Mr. Boucher when he meets with the Council. Questions will be welcomed.

AMENDMENT

(j) Notwithstanding existing law, the use of airplanes and motor boats shall be allowed in all areas covered by Sections \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ of this Act subject to appropriate regulations. The land manager for unit referred to in Section \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ of this Act shall have the authority to specifically prohibit the use of an airplane or motorboat in a particular area of the unit where the benefit and recreational enjoyment afforded to the general public by the use of the airplane or motor boat is clearly outweighed by potential damage to scenic or habitat values, wildlife populations, public safety, where it is determined that a non-compatible use should be allowed within said area.

## STEERING COUNCIL FOR ALASKA LANDS

### JOURNAL MINUTES

February 28, 1978  
Supreme Court Room A  
Juneau, Alaska

TUESDAY, FEBRUARY 28th

The 9th meeting of the Steering Council for Alaska Lands was called to order at 1:30 p.m. by the Councils' Chairman Steve Cowper.

Present: Representative Steve Cowper, Representative Alvin Osterback, Representative Joe Hayes, Senator Mike Colletta, Senator Joe Orsini, State Co-Chairman Walt Parker, Commissioner Robert LeResche, Chuck Hawley, and Executive Director Sharon Long. Senator Chancy Croft, James Hoffman, and Dave Cline were absent. Chip Thoman sitting in for Dave Cline.

The purpose of the meeting was to discuss Alaska Survey Results, report on the Senator Jackson Staff Workshops, report on the L.U.P.C. Wilderness Workshops, discuss in greater depth the AskAlaska Proposal, briefing on current HJR 39 Committee Print and Meeds Substitute, take action on Aquaculture, Co-Operative Management, and Recreational Amendments, report on the 49-Legislatures, and the Coalition of Western States, report on WETA Coalition, discuss proposed Alaska Survey Brochure, and vote on the retention of Representative Cowper as Chairman of the Council.

### MINUTES

Council moved to adopt the minutes of the January 10, 1978 meeting, no objection, minutes were adopted.

### AGENDA ITEM #1

#### Alaska Survey Results

Mike Rowan presented information on the survey he conducted interviewing 465 people regarding their awareness of the (d)(2) legislation now pending before Congress. Rowan found over 60% of the Alaskan interviewed are saying access to the existing National Parks, which they do intend to visit, are limited by the cost of transportation or the total unavailability of some access into some of these parks. In conclusion Rowan feels that the limited access features presented in HJR 39, seem to negate or contradict the letter and spirit of what a National Park means.

Sharon Long mentioned she had dollars left in our last contract with the Media Group to produce a brochure.

## AGENDA ITEM #2

### SENATOR JACKSON STAFF WORKSHOPS

Chuck Hawley, who attended the 7-day public workshops, chaired by Mike Harvey and Steve Quarles, gave a report. The workshops provided light on scenery, wildlife, habitat, state and native lands, renewable resources, agriculture, forestry, fuel, minerals, access and transportation.

The information would be developed into a record for the Senate Committee on energy and natural resources.

Chuck Hawley announced there would be 4-day Senate Hearings scheduled in Washington regarding policy issues.

There were no Senators present. Although Senator Stevens and Gravel both had staff representatives present. Those agencies giving data were: National Park Service, Fish and Wildlife Service, U.S. Geological Survey, U.S. Bureau of Mines, State of Alaska Department of Natural Resources, Transportation, Alaska Coalition, Alaska Miners Association, Alaska Oil and Gas Association, and the Steering Council has a person monitoring, as well as the Professional Hunters and Native Groups were present.

## AGENDA ITEM #3

### L.U.P.C. WILDERNESS WORKSHOPS

Chuck Hawley was again present during the Joint Federal-State Land Use Planning Commission Wilderness Workshops and gave a report. The format was a bit different from the Senate Workshops, as the L.U.P.C. meeting dealt with policy matters and judicial acts that related. They did not debate the appropriateness of wilderness nor the intent of the Wilderness Act as it applies to Alaska. It was a matter of identifying conflicts, and trying to get some things clarified on what are the administrative difficulties and the administrative precedents involved in the administration of wilderness areas.

Chuck Hawley commented on the 1964 Wilderness Act and restrictions of snow machines. The only motorized access mentioned in the 1964 Act were motorboats and airplanes.

Walt Parker informed the Council that the subject of wilderness will be taken up at the April meeting, but that the position still is that wilderness should be handled on the State basis and be the result of a careful public planning process.

Parker felt he didn't get any insight on what was the Congressional intent.

Discussion among Council members regarding Congressional intent.

#### AGENDA ITEM #4

##### ASKALASKA PROPOSAL

Chairman Cowper announced that on the floor of the House, Jim Duncan introduced an amendment with respect to the Askalaska Proposal appropriation that moved it away from the University of Alaska and back into the (d)(2) Steering Council. The amendment passed and it was done on the House Floor not the Finance Committee.

Senator Orsini thought it was a hasty way and should have gone through the Committee hearing process. Discussion among Council members and general agreement.

##### ANNOUNCEMENT

Chairman Cowper mentioned that legislative Council members would have to incur those additional expenses while in Washington D.C. during any Council business over and above the Juneau per diem rate. In other words no double per diem would be allowed.

#### AGENDA ITEM #5

##### BREIFING ON CURRENT HR 39 COMMITTEE PRINT & MEEDS SUBSTITUTE

Walt Parker provided information on the current HR 39 Committee Print. Briefly, he advised to reduce the print to 80 pages which would make the Bill tighter. A lengthy report on the breakdown of proposed acreage and boundaries was given as well.

Parker stated the relationship between Title XI, Wilderness, and Title XII, Subsistence is a fairly intricate one and under Title XIII, Native Conveyance and Land Easement, there was a major problem with no easements conveyed in core townships.

At this time the Council agreed on a short 15 minute recess.

Chuck Hawley continued to explain Title IX, Mineral Assessments, Exploration, Development, Extraction, and Conservation.

General discussion among Council members.

## ANNOUNCEMENT

Chairman Cowper announced that Council member James Hoffman has resigned. It was Cowper's understanding that Governor Hammond would appoint Carl Jack, President of the Bethel Village Council.

Chairman Cowper also announced that the Bristol Bay Native Association has produced an excellent film that relates to subsistence. Cowper suggested the Council obtain a copy of that film. Motion was made by Chairman Cowper to obtain the film at the approximate cost of \$150.00. No objection, motion carries.

## AGENDA ITEM #6

### ACQUACULTURE AMENDMENT

Chip Thomas sat in for Dave Cline who was in Washington D. C. Mr. Thomas stated that he met with the American Fisheries Society in Sitka on the Aquaculture Amendment language. The series of amendments were drawn up in response to potential aquaculture sites and especially hatchery sites that would be precluded in wilderness selections within the National Forest. He doesn't see a conflict in Southeastern Alaska, only in the Prince William Sound.

Later on Attorney Mike Spaan commented on proposed 607C-1 and 607C-2, which is the variation of the Seiberling language which the fisherman, through Sherry Gross and the Alaska Coalition with Dave Cline negotiating for them, feel they can live with. Sherry Gross felt the word "indigenous" should be deleted from 607C-1. What 607C is interpreted to say is that fish hatchery sites that are now identified would not go into the wilderness area, but they would be called potential wilderness, and that the State, the private company, who ever was going to pony up with the fish hatcheries permitted a viable plan with ten years. It would not become part of the wilderness. If no plan was submitted it would go right into either the surrounding or the adjoining wilderness.

General discussion among Council members.

Chairman Cowper ask Sherry Gross who is the Executive Director of United Fisherman of Alaska and Dick Bishop of Fish and Game to participate in the discussion.

After lengthy discussion on proposed aquaculture language, Chairman Cowper made a motion to adopt the proposed draft of Section 607C-1 with the following alterations: Line #5, delete the word "Forest" and insert the words "interest or" so it says "rehabilitation activities with National interest or wilderness areas as designated by this Act." Furthermore, delete "indigenous" and "mamimal acres" from section 607C-2 and add "the land" and delete the second sentence entirely. And add "Secretary of Interior" and delete section numbers, so we are applying it overall to the Act and creating a new title.

Senator Orsini suggested as an amendment to the amendment, in the last sentence in what's C-1 delete the word "no" and "permitted" and substitute the word "minimalized".

General discussion.

Senator Orsini moves on the Aquaculture provision as it has been amended. Motion is made to that effect, no objection, the proposed amendment would be adopted.

Chip Thoman ask the Council to reimburse him for his travel to Washington D.C. when he goes for mark-up. Chairman Cowper informed him of our present financial situation due to the 1978 \$ appropriation still before the Senate Resources and it would not be possible.

#### CO-OPERATIVE MANAGEMENT

Lengthy report by Attorney Mike Spaan and discussion among Council members relating to Co-Operative management grew to be very complex so the Council will be scheduling another meeting 2 weeks from today March 15, 1978, to again take up this matter.

#### RECREATIONAL AMENDMENT

Attorney Mike Spaan addressed this issue and mentioned there was a problem with the Wilderness Act and the use of no motor vehicles with an exception of airplane and motor boats and snow machines for subsistence use.

General discussion among Council members, then Senator Orsini moved to adopt the proposed amendment.

Chuck Hawley moved to insert the words "wildlife population"

Motion amended, no objection, Recreational Amendment passes.

Representative Joe Hayes mentioned we should address the airplane access issue separately and after general discussion it was agreed to be taken up at the next meeting set for March 15, 1978.

Also Chairman Cowper mentioned he would like to address the matter of subsistence, Title VII, that was recently adopted by the Sub-Committee, but due to the time element he suggested he would bring up that issue at the next meeting as well.

## AGENDA ITEM # 7

### 49-LEGISLATURES

Senator Colletta spoke of the travel to the other 49 legislatures. Also, apologized that the entire Alaska legislature was not invited as they were seemingly offended.

Chairman Cowper mentioned the Council might consider the following policy that any member of the legislature be authorized they can go if they exhibit some knowledge on the issues and familiarize themselves and be knowledgeable on the subject.

General agreement among Council members.

No further discussion on the proposed policy, Chairman Cowper moved to adopt it and take the position of the Council. No objection, unanimous consent. Policy was adopted.

## AGENDA ITEM #8

### WETA COALITION

Senator Joe Orsini addressed the Council regarding a WETA meeting he attended in Spokane, Washington earlier last week. He felt that there is general concern in the Western States concerning resource development.

## AGENDA ITEM #9

### RETENTION OF REP. STEVE COWPER ON COUNCIL

Chairman Cowper ask Co-Chairman Orsini to chair the remainder of the meeting, as Cowper would excuse himself during the discussion and the actual voting.

Senator Orsini raised the question: Shall Rep. Cowper resign from the Steering Council? Unanimous consent to retain Chairman Cowper.

Senator Orsini also brought up the Murray, Kroft & Rockey Plan which due to the time element would also be taken up at the next meeting.

Representative Osterback reminded interested parties to gather in Room #118 for HB 211 mark-up.

### ADJOURNMENT

The Steering Council scheduled their next meeting for March 15, 1978, 1:30 p.m. to be held in the City of Juneau, and to teletype the whereabouts to all members when that was determined.

**AGENDA**  
**February 28, 1978 meeting**  
**COURTROOM "A"**  
**Juneau, Alaska**

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| ITEM                                                                                      | PURPOSE     | PAPERS/PRESENTATION         |
|-------------------------------------------------------------------------------------------|-------------|-----------------------------|
| 1:30 Convene/Minutes of Last Meeting                                                      | ACTION      | Minutes of January 11, 1978 |
| 1:40 Alaska Survey Results                                                                | Information | Mike Rowan                  |
| 2:00 Senator Jackson Staff Workshops                                                      | Information | Chuck Hawley                |
| 2:15 L.U.P.C. Wilderness Workshops                                                        | Information | Dave Cline                  |
| 2:30 AskAlaska Proposal                                                                   | Information | Steve Cowper                |
| 2:40 Briefing on Current HR39 Committee Print<br>and Meeds Substitute                     | Information | Walt Parker                 |
| 3:10 Aquaculture Amendment<br>Co-Operative Management Amendment<br>Recreational Amendment | ACTION      | Mike Spaan                  |
| 4:00 49-Legislatures<br>Coalition of Western States                                       | Information | Mike Colletta               |
| 4:15 WETA Coalition (Spokane Meeting)                                                     | Information | Joe Orsini                  |
| 4:25 <i>Proposed</i> Alaska Survey Brochure                                               | ACTION      | Sharon Long                 |
| 4:30 Retention of Repr. Cowper on Council                                                 | ACTION      |                             |
| 4:45 ADJOURN                                                                              |             |                             |

## MEMORANDUM

TO: D-2 STEERING COUNCIL

FROM: MICHAEL R. SPAAN

RE: COUNCIL MEMBER HAWLEY'S PROPOSED POSITION  
ON WILDERNESS AREAS

DATE: MARCH 9, 1978

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### I. SOUTHEAST ALASKA

- A. Initial Position: The Council would recommend that any D-2 bill enacted into law take no action to wilderness areas within Southeast Alaska. The Tongass study plan being conducted by the United States Forest Service would be deferred to and wilderness areas would be designated by the means provided in the Wilderness Act.
- B. Fall-Back Position: If Congress refused to delete all wilderness within Southeast Alaska, the Council would then attempt to limit the inclusion to the 2.6 million acres which have already been studied. This acreage was identified in Appendix B(1) of a Land Use Planning Commission document issued in December, 1977 entitled "Towards Alaska Wilderness System".

### II. D-2 CREATED WILDERNESS

The Council would only support wilderness areas in the D-2 legislation if they were created in existing parks and had been studied under Secretary Morton and an Environmental Impact Statement prepared. This would include 1.9 million acres in Mt. McKinley, 2.6 million acres in the Katmai National Monument and 2.2 million acres in Glacier Bay. Again, the supportive counsel for this type of inclusion would only be in the national park areas.

### III. WILDLIFE REFUGES

The council would recommend the full study process for refuges dictated by the Wilderness Act. The Council would also recommend that a full study of the competing uses similar to that given the National Forest Wilderness Areas be used within the refuge system.

### IV. NATIONAL PARK PRESERVES

The Council would be on record in opposing wilderness areas in preserves.

### V. NEW WILDERNESS AREAS

- A. First Stage: When an area is being studied for wilderness inclusion by the appropriate department, the first stage would be to identify the areas not suitable and release them from the restrictions that a wilderness study area is under.

- B. Study in Parks: The Secretary of Interior would have two congresses or four years to act on areas included within the wilderness study and to make the recommendations to Congress. If the Congress does not act on the study within one full congress (two years), it automatically reverts to the underlying classification. The full study of competing uses would not be dictated for wilderness studies in national parks.
- C. Refuges: One Congress after the date of enactment, the studies would begin. There would be three congresses, or six years in order for the Department of Interior to complete their study and make recommendations. One Congress after the recommendations are made is allowed for Congress to act. If Congress does not act, it reverts to the underlying classification. The same criteria regarding competing uses shall apply to studies within refuges.

**TITLE VII—SUBSISTENCE****FINDINGS**

SEC. 701. The Congress finds and declares that—

(1) the continuation of subsistence uses by Natives of Alaska on the public lands and on their Native lands is essential to their physical, economic, and cultural existence.

(2) the continuation of subsistence uses by some other residents of the State of Alaska on the public lands is essential to their physical, economic, and traditional existence.

(3) the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply persons dependent on subsistence uses.

(4) continuation of subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, and by increased accessibility of remote areas containing subsistence resources.

(5) in order to fulfill the policies and purposes of

1 the Alaska Native Claims Settlement Act, and as a  
2 matter of equity, it is necessary for the Congress to  
3 invoke its constitutional authority over Native affairs  
4 and over management of the public lands to protect and  
5 continue subsistence uses on public lands by Alaska  
6 Natives and other Alaska residents.

7 (6) the national interest in the proper regulation,  
8 protection, and conservation of fish and wildlife on the  
9 public lands in Alaska and the continuation of the op-  
10 portunity for a subsistence way of life by the inhabitants  
11 of Alaska require that an administrative structure be  
12 established for the purpose of enabling people who have  
13 personal knowledge of local conditions and require-  
14 ments to have a meaningful role in the management of  
15 fish and wildlife and of subsistence uses on the public  
16 lands in Alaska.

17 POLICY

18 SEC. 702. It is hereby declared to be the policy of Con-  
19 gress that—

20 (1) management policies on the public lands in  
21 Alaska are to cause the least adverse impact possible on  
22 rural people who traditionally and consistently depend  
23 upon subsistence resources of such lands. Within the  
24 constraints of sound biological management and the pur-  
25 poses for which each conservation system unit is estab-

1       lished, designated, or expanded by or under this Act,  
2       the purpose of this title is to provide the opportunity for  
3       people engaged in a genuinely subsistence-oriented life-  
4       style to continue to do so if they desire and to allow such  
5       people to decide for themselves their own degree of  
6       subsistence dependency and the rate at which accultura-  
7       tion or adjustment to a nonsubsistence way of life may  
8       take place.

9           (2) subsistence use of wildlife and other renewable  
10       resources shall be the first priority consumptive use of  
11       all such resources on the public lands of Alaska, and  
12       where it is necessary to restrict taking in order to  
13       assure the continued viability of a fish or wildlife re-  
14       source or the continuation of subsistence uses of such  
15       resource, the taking of such resource for subsistence  
16       uses shall be given preference on the public lands over  
17       recreational, sport, or other consumptive uses.

18           (3) except as otherwise provided by this Act or  
19       other Federal laws, Federal land managing agencies, in  
20       managing subsistence activities on the public lands and  
21       in protecting the continued viability of all wild renew-  
22       able resources in Alaska, shall cooperate with adjacent  
23       landowners and land managers, including Native cor-  
24       porations, appropriate State and Federal agencies, and  
25       other nations.

## DEFINITION

1  
2 SEC. 703. As used in this Act, the term "subsistence  
3 uses" means customary and traditional uses in Alaska of  
4 wild, renewable resources for direct personal or family con-  
5 sumption as food, shelter, fuel, clothing, tools, or transpor-  
6 tation, for the making and selling of handicraft articles in-  
7 cluding clothing, or for the customary trade or barter among  
8 subsistence users for personal or family consumption.

## STATE REGULATION

9  
10 SEC. 704. (a) Except as otherwise provided by this  
11 Act and other Federal laws, during an interim period of  
12 eighteen months beginning on the date of the enactment of  
13 this Act, the State of Alaska is authorized to regulate, in a  
14 manner not inconsistent with the policies set forth in sec-  
15 tion 702 and the definition set forth in section 703, the  
16 taking of fish and wildlife for subsistence uses on the public  
17 lands in Alaska. If the State fails to accept such authority,  
18 the Secretary shall regulate such taking during the eighteen-  
19 month interim period in a manner not inconsistent with such  
20 policies and definition.

21 (b) At the end of the eighteen-month interim period,  
22 the State of Alaska is authorized to regulate, in a manner con-  
23 sistent with the provisions of this Act, the taking of fish and  
24 wildlife for subsistence uses on the public lands in Alaska.  
25 If the State fails to accept such authority, the Secretary shall

1 regulate such taking in a manner consistent with the pro-  
2 visions of this Act, including applicable provisions of this  
3 section concerning State regulation.

4 (c) If the State wishes to exercise the authority con-  
5 ferred under subsection (b) of this section, then within  
6 eighteen months after the date of the enactment of this Act,  
7 the Governor of the State of Alaska shall submit to the  
8 Secretary a State program which shall include at least the  
9 following elements:

10 (1) A management plan which has as its central  
11 elements (A) the maintenance of the continued viability  
12 of the populations of fish and wildlife species on the  
13 public lands, and (B) a system capable of monitoring  
14 subsistence and other consumptive uses of such species  
15 to insure that timely and appropriate State action will  
16 be taken to carry out the purposes and policies of this  
17 title.

18 (2) The establishment of not less than five or more  
19 than twelve fish and game management regions which,  
20 taken together, shall include all public lands where the  
21 State is exercising regulatory authority under this title.  
22 After consultation with the Secretary, the Native Corpo-  
23 rations, rural residents, and other interested persons and  
24 organizations, the State shall, from time to time, deter-  
25 mine the number and boundaries of such regions taking

1 into account the exterior boundaries of Native Corpora-  
2 tions, State fish and game management unit boundaries,  
3 ecosystems, the migration and movement of fish and  
4 wildlife utilized for subsistence purposes, the boundaries  
5 of boroughs, cities, towns, and unincorporated municipal-  
6 ities, and other relevant factors.

7 (3) A State law or regulation which—

8 (A) provides for the regulation of the  
9 taking of fish and wildlife on the public lands by a  
10 professionally staffed State agency which has an  
11 administrative structure compatible with the pro-  
12 visions of this section and which has adequate en-  
13 forcement authority;

14 (B) provides priority for subsistence uses over  
15 other consumptive uses of fish and wildlife on the  
16 public lands; and

17 (C) provides that, whenever it is necessary to  
18 restrict the taking or other consumptive uses of sub-  
19 sistence resources in order to protect the continued  
20 viability of such resources or the continuation of  
21 subsistence uses of such resources, restrictions and  
22 limitations on and priorities for such consumptive  
23 uses shall be established on the basis of the following  
24 criteria: (i) customary and direct dependence upon  
25 the resource as the mainstay of one's livelihood,

1 (ii) local residency, and (iii) availability of alter-  
2 native resources.

3 (4) A system of local and regional fish and game  
4 councils within each management region referred to in  
5 paragraph (3). Each such council shall be composed of  
6 residents of the concerned region and shall have the fol-  
7 lowing functions:

8 (A) Reviewing, developing, and evaluating  
9 proposals for regulations, policies, management  
10 plans, and other matters relating to the conservation  
11 and utilization of fish and wildlife in such region.

12 (B) Providing a forum for the expression of  
13 opinions and recommendations by persons interested  
14 in any phase of fish and game conservation and  
15 utilization.

16 (C) Maximizing local and regional participa-  
17 tion in the fish and wildlife decisionmaking process.

18 (D) Preparing a subsistence management plan  
19 for such region. The plan shall be updated annually  
20 and shall contain (i) an identification of current  
21 and anticipated subsistence uses of fish and wild-  
22 life in such region, (ii) an evaluation of current  
23 and anticipated subsistence needs for fish and wild-  
24 life in such region, (iii) a subsistence management  
25 strategy for fish and wildlife resources of such

1 region, and (iv) proposals for policies, standards,  
2 guidelines, and regulations necessary to implement  
3 the plan.

4 (5) The assignment of adequate and necessary staff  
5 to the regional councils and the distribution of all avail-  
6 able, relevant technical and scientific support data to  
7 the local and regional councils.

8 (6) A requirement that the State agency referred  
9 to in paragraph (3) (A) or any other State rulemaking  
10 authority shall adopt recommendations of the regional  
11 councils concerning the taking of fish and wildlife within  
12 their respective regions unless any such recommendation  
13 is not supported by substantial evidence, is violative of  
14 recognized principles of sound fish and wildlife man-  
15 agement, or would be detrimental to the satisfaction of  
16 rural subsistence needs.

17 (7) A requirement that if a recommendation of a  
18 regional council is rejected by the State agency referred  
19 to in paragraph (3) (A) or any other State rulemaking  
20 authority, such agency or authority shall make findings  
21 of fact detailing the basis for its failure to adopt the  
22 recommendation.

23 (d) The Secretary shall issue a certificate of approval  
24 for the State program and publish such program in the  
25 Federal Register if he finds that such program complies with

1 the provisions of this section and is well adapted to achieve  
2 the purposes and policies of this title. If the Secretary is  
3 unable to make such finding, he shall so notify the State  
4 and shall afford the State an opportunity to modify its pro-  
5 gram under a procedure similar to the procedure set forth  
6 in section 705. If the State fails to submit a State program  
7 within the eighteen-month period established in section 704  
8 (b), the State shall be deemed to have failed to accept the  
9 authority to regulate the taking of fish and wildlife on public  
10 lands in Alaska granted by this section.

11 ENFORCEMENT DUTIES OF SECRETARY OF THE INTERIOR

12 SEC. 705. (a) After issuance of a certificate of approval  
13 under section 704 (d) of this title, the Secretary of the In-  
14 terior shall monitor the implementation of the State program.  
15 If the Secretary determines that the program or its imple-  
16 mentation is not in compliance with the requirements, pur-  
17 poses, or policies of this title, he shall so notify the State  
18 and shall indicate changes in its program or its implementa-  
19 tion which he considers necessary to bring the State into  
20 compliance.

21 (b) If a local or regional council referred to in section  
22 704 (c) (4) determines that the State is not in compliance,  
23 in whole or in part, with the State program or with the re-  
24 quirements, purposes, or policies of this title, and so notifies  
25 the Secretary of the Interior in writing, the Secretary shall

1 investigate and report publicly on the results of his investi-  
2 gation. If, after notice and hearing, the Secretary deter-  
3 mines upon the record taken as a whole that the State is  
4 not in compliance with the State program or with the re-  
5 quirements, purposes, or policies of this title, he shall notify  
6 the State of the changes in its program or its implementation  
7 which he considers necessary to bring the State into com-  
8 pliance.

9 (c) If, after a reasonable opportunity, the State fails to  
10 make the changes in its program or its implementation as  
11 indicated by the Secretary of the Interior under subsection  
12 (a) or (b) of this section, the Secretary may issue an in-  
13 terim suspension of the certificate of approval, in whole or  
14 in part, issued under section 704 (d). Following any such  
15 interim suspension, the Secretary shall afford the State an  
16 opportunity to appeal such interim suspension. Within thirty  
17 days after receipt of notice of such appeal, the Secretary  
18 shall afford the State a hearing pursuant to section 554 of  
19 title 5 of the United States Code and, within thirty days  
20 after such hearing, shall make his final decision on such ap-  
21 peal. If the Secretary finds the State is in compliance with  
22 the State program and the requirements, purposes, and poli-  
23 cies of this title, he shall revoke the interim suspension. If  
24 the Secretary finds the State is not in such compliance, he  
25 may issue a final suspension of the certificate, in whole or

1 in part. Whenever the Secretary of the Interior issues an  
2 interim or final suspension of the certificate under this sub-  
3 section, he (or, as to lands under his jurisdiction, the Secre-  
4 tary of Agriculture) shall assume, in accordance with the  
5 requirements, purposes, and policies of this title (including  
6 applicable provisions of section 704 pertaining to State  
7 regulation), responsibility for regulating the taking of fish  
8 and wildlife on the public lands to which such suspension  
9 applies, until such time as the Secretary of the Interior  
10 revokes the interim suspension or, with respect to the final  
11 suspension, certifies that the State is in compliance with  
12 the State program and the requirements, purposes, and  
13 policies of this title.

14 (d) Notwithstanding any other provision of law, the  
15 Secretary, after adequate notice and public hearing, may  
16 temporarily close any of the public lands in Alaska (includ-  
17 ing those within a conservation system unit) or any portion  
18 thereof to subsistence or other uses when necessary for  
19 reasons of public safety or to assure the continued viability  
20 of one or more fish or wildlife species.

21 COOPERATIVE ARRANGEMENTS

22 SEC. 706. The Secretary is authorized to enter into  
23 cooperative agreements or otherwise cooperate with other  
24 Federal agencies, the State of Alaska, Native Corporations,  
25 and other appropriate persons and organizations (including,

1 through coordination with the Secretary of State, other na-  
2 tions) to effectuate the purposes and policies of this title.

3 SUBSISTENCE AND LAND USE DECISIONS

4 SEC. 707. In determining whether to withdraw, reserve,  
5 lease, or otherwise permit the use, occupancy, or disposition  
6 of public lands under any provision of law authorizing such  
7 actions, the head of the Federal agency having primary  
8 jurisdiction over such lands or his designee shall evaluate  
9 the subsistence needs of the persons who would be affected,  
10 the availability of other lands for the purposes sought to be  
11 achieved, and other alternatives which would reduce or elim-  
12 inate the use, occupancy, or disposition of public lands  
13 needed for subsistence purposes. No such withdrawal, reser-  
14 vation, lease, permit, or other use, occupancy, or disposition  
15 of such lands which would significantly restrict subsistence  
16 uses shall be effected until the head of such Federal agency—

17 (1) gives notice to the appropriate local and re-  
18 gional councils described in section 704 (c) (4) if such  
19 councils have been established,

20 (2) gives notice of, and holds, a hearing in the  
21 vicinity of the area involved, and

22 (3) determines that such significant restriction of  
23 subsistence uses is necessary and unavoidable.

24 ACCESS

25 SEC. 708. The Secretary shall ensure that persons en-  
26 gaged in traditional or customary subsistence activities shall

1 have appropriate access to subsistence resources on the  
2 public lands.

3 SNOWMOBILES AND MOTORBOATS

4 SEC. 709. Notwithstanding any other provision of this  
5 Act or other law, the Secretary shall permit on the public  
6 lands appropriate use for subsistence purposes of snow-  
7 mobiles, motorboats, and other means of surface transpor-  
8 tation traditionally employed for such purposes, subject  
9 only to such reasonable regulations as are necessary to pre-  
10 vent abuse, waste, or damage to terrain or other natural  
11 values.

12 RESEARCH

13 SEC. 710. The Secretary of the Interior and the Sec-  
14 retary of Agriculture shall each undertake research on fish  
15 and wildlife and subsistence activities on the public lands  
16 in Alaska under their respective jurisdiction, seek data there-  
17 on from subsistence users, consult such users frequently, and  
18 make findings concerning such research available to the State  
19 of Alaska, the local and regional councils described in section  
20 704 (c) (4), subsistence users, and other appropriate per-  
21 sons and organizations.

22 PERIODIC REPORTS

23 SEC. 711. Within five years after the date of the enact-  
24 ment of this Act and every two years thereafter, the Secre-  
25 tary of the Interior, in consultation with the Secretary of

1 Agriculture, shall prepare and submit a report to the Presi-  
2 dent of the Senate and the Speaker of the House of Repre-  
3 sentatives on the current status of fish and wildlife and sub-  
4 sistence and other uses of those resources on the public lands.

5 The report shall include at least the following:

6 (1) An evaluation of the performance of the State  
7 of Alaska, if the State is then regulating the management  
8 and taking of fish and wildlife under this title.

9 (2) The status of fish and wildlife populations on the  
10 public lands.

11 (3) The number of persons engaged in subsistence  
12 uses and in other uses of fish and wildlife on the public  
13 lands.

14 (4) The status of subsistence uses in the economy  
15 and culture of rural Alaska.

16 (5) Comments, if any, on the report made by the  
17 State of Alaska, the local and regional councils described  
18 in section 704 (c) (4), and other appropriate persons  
19 and organizations.

20 (6) A description of those actions taken, or which  
21 may need to be taken in the future, to permit the con-  
22 tinuation of subsistence activities on the public lands,  
23 as well as recommendations for any legislation the Secre-  
24 tary deems desirable.

25 The report shall be published in the Federal Register and  
26 made available to the public.

## REGULATIONS

1  
2 SEC. 712. The Secretary of the Interior and the Secre-  
3 tary of Agriculture shall each prescribe such regulations as  
4 are necessary and appropriate to carry out their respective  
5 responsibilities under this title.

## OTHER LAWS

6  
7 SEC. 713. Nothing in this title shall be deemed to mod-  
8 ify or repeal the provisions of the Fur Seal Act of 1966 (80  
9 Stat. 1091; 16 U.S.C. 1151-1187), the Endangered Species  
10 Act of 1973 (87 Stat. 884; 16 U.S.C. 1531-1543), the  
11 Marine Mammal Protection Act of 1972 (86 Stat. 1027;  
12 16 U.S.C. 1361 and following), the Act entitled "An Act  
13 for the protection of the bald eagle", approved June 8, 1940  
14 (54 Stat. 250; 16 U.S.C. 667-668d), the Fish and Wild-  
15 life Act of 1956 (70 Stat. 1119; 16 U.S.C. 742a-754), the  
16 Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703  
17 and following), and the Migratory Bird Conservation Act  
18 (45 Stat. 1222; 16 U.S.C. 715 and following).

## LIMITATIONS

19  
20 SEC. 714. (a) Nothing in this title shall be construed  
21 as granting any property right in any fish, wildlife, or other  
22 resource of the public lands in Alaska.

23 (b) Nothing in this title shall be construed as permit-  
24 ting any subsistence use of the resources of any portion of  
25 the public lands (including any unit of the National Park

1 System) where any such use was not permitted on the date  
2 of the enactment of this Act.

3 REIMBURSEMENT TO THE STATE

4 SEC. 715. (a) Upon the issuance of a certificate of ap-  
5 proval described in section 704(d) of this title, the Secre-  
6 tary of the Interior is authorized to reimburse the State  
7 agency described in section 704(c) (3) (A), from funds  
8 appropriated for the Department of the Interior, for costs  
9 relating to the implementation of the State program. Sums  
10 paid under this section shall be in addition to any grants,  
11 payments, or other sums to which the State is entitled under  
12 existing law. The purpose of such reimbursements shall be  
13 to assist the State in developing and implementing the State  
14 program described in section 704. During any fiscal year,  
15 such reimbursements shall not exceed 50 per centum of the  
16 costs of the program's development and implementation  
17 during such fiscal year. Such costs shall be verified in a  
18 statement which the Secretary of the Interior determines  
19 to be an adequate, accurate account.

20 (b) No reimbursements shall be paid under this section  
21 for costs incurred by the State during any period of suspen-  
22 sion of part or all of the State program under section 705.

23 (c) Total payments to the State under this section shall  
24 not exceed the sum of \$5,000,000 in any one fiscal year.

25 (d) The Secretary shall periodically review the finan-

1 cial aspects of implementing the State program and shall  
2 advise the Congress at least once in every ten years as to  
3 whether or not the maximum amount of payments specified  
4 in subsection (c) is adequate for proper implementation of  
5 the State program.

6 (e) With respect to any fiscal year in which insufficient  
7 funds are appropriated—

8 (1) to reimburse 50 per centum of the costs re-  
9 ferred to in subsection (a), or

10 (2) to meet the maximum amount of payments  
11 specified in subsection (c),

12 whichever is less, the Secretary shall consult the State, and  
13 shall hold a public hearing, for the purpose of determining  
14 the most economical manner in which the State can, con-  
15 sistent with the provisions of this title, carry out its program  
16 during such fiscal year.

17 TITLE VIII—IMPLEMENTATION OF ALASKA  
18 NATIVE CLAIMS SETTLEMENT ACT AND  
19 ALASKA STATEHOOD ACT

20 CONVEYANCE OF CORE TOWNSHIP LANDS

21 SEC. 801. (a) (1) Except to the extent that conveyance  
22 of a surface estate would be inconsistent with section 22 (1)  
23 of the Alaska Native Claims Settlement Act, there is hereby  
24 conveyed to and vested in each Village Corporation for a

## TITLE I. - ALASKA LANDS SYSTEM

### Section 101:

New Federal Units: Subject to valid existing rights, the following areas are hereby established as units of the Alaska Lands System --- [list of specific additions and managers]

### ADDITIONAL FEDERAL LANDS

### Section 102:

In addition to federal lands designated by Congress in Section 101, all other unreserved federal lands in Alaska after the date of enactment of this Act shall become part of the Alaska Lands System.

### STATE LANDS

### Section 103:

(a) The State of Alaska shall designate an appropriate amount of state land which is of like character and adjacent to federal lands placed in the Alaska Lands System into said system. Such lands shall be classified and managed in accordance with Titles II & III of this Act and the applicable laws of the State of Alaska.

(b) The State of Alaska must designate an equal percentage of its lands into the Alaska Land System as that designated by this Act of federal lands. The percentage figure will be based upon the number of acres of federal lands in the State of Alaska in relation to the total acreage of Alaska as compared to the percentage of state lands within the state in

relation to the total acreage. The location boundaries of such lands shall be determined by mutual agreement of the Secretary and the State of Alaska. Prior to such agreement, the Secretary shall consult as necessary with other federal officials, including, but not limited to the Secretaries of Agriculture, Defense, Transportation, State and Energy. As soon as practical after the date of designation pursuant to Subsection (a) of this Title, a map and legal description of the areas established by this title shall be published by the Secretary in the Federal Register and filed with the Committee on Energy and Natural Resources in the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and such map and legal description shall have the same force and effect as if included in this Act.

#### PRIVATE LANDS

##### Section 104:

(a) With the approval of the Commission, and subject to valid existing rights, private landowners may dedicate their lands for periods of not less than ten years as Private Alaska Lands. Upon dedication, such lands shall be classified by the Commission and managed by the landowner in accordance with such classification and other provisions of this Act.

(b) With the concurrence of the State of Alaska, private owned lands designated as "Private Alaska Lands" under this title shall be exempt from State and local real property taxation and assessment so long as such lands are not developed

or leased to third parties. For purposes of this subsection, development shall mean any disturbance of the land which results in the production of revenue. The Commission shall promulgate regulations to supplement the meaning of development for purposes of this section.

(c) Private Alaska Lands shall be open to all uses, except that the Commission may close areas to a particular use if it finds that such use is incompatible with a land use plan developed by the Commission pursuant to section 201(0), or upon a finding that exigent circumstances exist: Provided, however, That lands dedicated pursuant to this title may, upon notification to the Commission, be removed from the designation of Private Alaska Lands, and effective upon such removal, the provisions of this title shall no longer be applicable to such land so removed: Provided further, That if such lands are removed from the designation of Private Alaska Lands prior to the expiration of each ten-year period, such landowner shall be liable for accrued local and State property taxes and assessments which would have been owing on such lands but for their designation as Private Alaska Lands, together with interest thereon in an amount to be determined at the rate charged by the appropriate taxing agency for delinquent property taxes.

#### ADMINISTRATION

##### Section 105:

(a) The Commission shall classify the lands, waters and interests therein referred to in Sections 101, 102, 103 and

104, in accordance with the requirements specified in this Section 201 of this Act. As provided in Section 301, the area will be open to mining and mineral leasing prior to the land classification being made. Hunting, fishing and other wildland recreational activities, trapping, information gathering activities, conducted or sponsored by federal agencies or the State Department of Fish and Game, and snow machine use shall be permitted unless specifically prohibited by the Commission or by then existing regulations of the appropriate managing agency: Provided further, and nothing herein shall be construed to abrogate or otherwise adversely affect valid existing rights of access. In making planning and classification decisions, the Commission shall provide the high level of environmental protection necessary to maintain the natural values and characteristics of the affected land. The Commission shall permit such uses as it finds to be in the national interest or to be consistent with the level environmental protection specified in the preceeding sentence.

(b) The agencies listed in Section \_\_\_\_\_ (federal lands classified into the Fifth System will have a lead agency, either the Parks Service, Forest Service, or Fish and Wildlife Service) shall manage the units placed under their jurisdiction, and shall regulate uses within such units, in accordance with classifications made by the Commission. Except to the extent that they would be inconsistent with the Commission classifi-

cation or the provision of this Act, land use and management decisions made by an agency referred to in Section \_\_\_\_, shall be in accordance with the laws and regulations which generally govern the function of such agency.

## TITLE II - ALASKA LAND COMMISSION

### Section 201:

(a) There is hereby established the Alaska Land Commission (hereinafter referred to as the "Commission"), which shall be composed of eight members as follows:

(1) Four members appointed by the President with the advice and consent of the Senate, of whom one will be designated by the President, at the time of appointment, as Co-Chairman; and

(2) Four members appointed pursuant to the law of the State of Alaska, one of whom shall be designated, at the time of appointment, as Co-chairman.

(b) (1) The Federal Co-Chairman shall be compensated at a rate to be determined by the President not to exceed the rate provided for GS-18 of the General Schedule under Section 5332 of Title V, United States Code.

(2) The other Federal members of the Commission shall be compensated at a rate to be determined by the President not to exceed the rate provided for GS-16 of the General Schedule under Section 5332 of Title V, United States Code.

(3) The State Co-Chairman and the State members of the Commission shall be compensated in accordance with applicable State law.

(c) Members shall serve at the pleasure of the appointing authority. A vacancy in the membership of the Commission shall not affect its powers but shall be filled in the same manner as the original appointment [was made].

(d) With respect to all Federal lands subject to the jurisdiction of the Commission, the Secretary may veto a decision of the Commission. With respect to all State lands subject to the jurisdiction of the Commission, the Governor of the State of Alaska may veto a decision of the Commission.

(f) All Commission meetings shall be public and shall be duly noticed at least fifteen days prior to the date when the meeting is to take place.

(g) The Commission, or on its authorization, any subcommittee or member thereof, may hold such hearings, take such testimony, receive such evidence, and print such reports as are deemed necessary to carry out the functions specified in this title.

(h) The Co-Chairmen, acting jointly shall have the authority, in accordance with regulations prescribed by the Commission, to create and abolish employments and positions, including temporary and intermittent employments; to fix and

provide for the qualification, appointment, removal, compensation, pension, and retirement rights of Commission employees; and to procure needed office space, supplies, and equipment.

(i) The principal office of the Commission shall be located in the State of Alaska.

(j) Within any one fiscal year, the Federal government shall pay only 50 percent of the costs and other expenses incurred by the Commission in carrying out its duties under this Act.

(k) The Commission is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursements. Each department and agency of the Federal government is authorized to cooperate fully in making its services, equipment, personnel, and facilities available to the Commission.

(l) The Commission is authorized to accept donations, gifts, and other contributions and to utilize such donations, gifts, and contributions in carrying out its functions under this Act.

(m) The Commission shall keep and maintain complete accounts and records of its activities and transactions, and such accounts and records shall be available for public inspection.

(n) The Commission shall submit annually to the President and Congress of the United States and to the Governor

and Legislature of the State of Alaska, a report concerning its activities to implement the provisions of this Act during the year. In addition to other subjects included, the Commission shall make recommendations for any additional administrative or legislative action necessary to accomplish the purposes of this Act.

(o) It shall be the function of the Commission:

(1) To review resource inventories prepared by the managing agencies of Alaska's scenic areas, referred to in Section \_\_\_\_\_ and by the U.S. Geological Survey and the Bureau of Mines; to develop comprehensive land use plans with respect to such lands; and to make land classifications based on the plans;

(2) Make recommendations of ways to improve coordination and consultation between officials of the United States and the State of Alaska in wildlife managements, transportation planning, wilderness review, guaranteed access; and other governmental activities which require regional or statewide coordination;

(3) To make recommendation to the appropriate state and federal officials on ways to insure that the orderly development of Alaska is compatible with state and national economic, social, and environmental objectives;

(4) To make recommendations to the appropriate state and federal officials with respect to changes in laws, policies, and programs relating to public lands and resources which the Commission deems necessary;

(5) To make recommendations to the appropriate state and federal officials with respect to the inventory, planning, classification, management, and use of Federal and State lands, respectively, and to provide such assistance to Native corporations upon their request;

(6) To make recommendations to appropriate State and Federal officials with respect to needed modifications in existing withdrawals of Federal and State public lands; and

(7) To make recommendations to appropriate State and Federal officials with respect to the programs and budgets of Federal and State Agencies responsible for the administration of public lands in Alaska.

(p) Notwithstanding any provision of law, Federal participation in the Joint Federal-State Land Use Planning Commission for Alaska, established in Section 17(a) of the Settlement Act, shall cease upon the expiration of the 90-day period

following the date of enactment of this Act. Immediately upon the expiration of such period, all unexpended funds appropriated to the Joint Commission shall be returned, as appropriate, to the United States and the State of Alaska, and, all Federal property of said Commission at the discretion of the Commission, established in this section, shall either be transferred to said new Commission or disposed of pursuant to applicable law.

### TITLE III

#### MANAGEMENT AND ADMINISTRATION

##### Section 301 - Wildlife Management:

The taking of fish and game on all lands subject to this Act shall be regulated by the State of Alaska in accordance with applicable State law, including, but not limited to, the regulation of seasons, bag limits, means and methods, the administrative structure for wildlife management and regulations, the determination of resource depletion, and the definition of subsistence use and local residency. Where there is a conflict caused by depletion, the taking of fish and game for subsistence purposes shall be given preference over the taking of fish and game for other purposes. Such preference shall be granted to the local residents of the area affected by a conflict between consumptive uses. Where a further preference is necessary among subsistence users, such preference shall be granted on the basis of economic need. Nothing in this section shall be construed to require that hunting or fishing be permitted where depletion of the resource would dictate a complete prohibition of such activities.

\*Note - Second option is language adopted by Council and prepared by state has second choice. See appendix One.

## MINERAL DEVELOPMENT

### Section 302:

(a) The location, lease, sale, or other disposition of minerals and mineral materials found in National Parks are prohibited subject to valid existing rights.

(b) The location, lease, sale, or other disposition of minerals and mineral materials on National Park Preserves is permitted in accordance with existing laws.

(c) In regard to those areas included in the National Wildlife Refuges Systems, mining and mineral leasing shall be administered by the Secretary in accordance with the laws which generally apply to such system.

(d) Jointly managed areas created pursuant to this Act in Title I will be open for mining and mineral leasing unless specifically closed by the Commission pursuant to a land classification as set forth in §201(0)(1) of this Act.

(1) Previous to the land classification plan being made pursuant to §201(0)(1) mining and mineral leasing shall be subject to the requirements set forth in 43 U.S.C. 1701 Et. Seq.

(2) The Mineral Leasing Act of 1920 (30 U.S.C. 181 et. seq.) and the Act of July 31, 1947 (30 U.S.C. 101 et. seq.) shall apply with respect to said lands classified pursuant to Title I of this

Act. The exploration and development of minerals currently subject to location under General Mining Laws (30 U.S.C. 21 et. seq.) shall be governed by the system provided for in Title \_\_\_\_\_ (Note H.R. 5931)

(e) In holdings:

(1) The Secretary is hereby directed to administer and attempt to see that the Clean Air Act (42 §1857 et. seq.) and Water Pollution Control Act (33 U.S.C. §466 et. seq.) and other Environmental Acts are administered in a manner that would not frustrate the development of valid existing claims within areas included within the systems described in §\_\_\_\_.

(2) In any case where state-owned or privately owned land (including native land) or a valid mining claim or other valid occupancy is surrounded by public lands within one or more conservation systems units, the state or private owner or occupier shall be given such easements or other rights as may be necessary to assure adequate access to such surrounded land or occupancy by such state or private owner or occupier and his successors in interest, under reasonable regulations to protect the values of the unit or units.

(3) If the development of a valid existing claim is prevented by the denial of access or other restrictions imposed by the federal government in its management of areas surrounding the claim, the amount due the holder of the claim should be calculated on the basis of net profit to be realized on the mineral deposit defined at the time the forced sale occurs.

Section 303:

ACCESS FOR TRANSPORTATION AND UTILITY PURPOSES

(a) Existing law shall govern the establishment of corridors and the issuance of rights-of-way and easements for transportation and utility purposes across the units of the system referred to in Title \_\_\_\_ of this Act. (National Forest).

(b) The establishment of corridors and the issuance of rights-of-way and easements for transportation and utility purposes across the units of the systems referred to in Titles \_\_\_\_, \_\_\_\_, \_\_\_\_, and \_\_\_\_ of this will be governed by the following process:

(1) The Commission may at its own initiative or pursuant to a request may recommend the establishment of a corridor, issuance of a right-of-way or easement across a system described in §303(b) to the Secretary of Interior and the Secretary of Transportation when he is involved pursuant to existing law.

(2) If the Commission considers a proposal pursuant to a request a decision on said request will be given by the Commission within 120 days from its receipt.

(3) If an access request is denied by the Commission, the right of appeal directly to the Secretary is preserved.

(4) If either the Secretary of Interior or the Secretary of Transportation (when applicable) fails to veto a proposal of the Commission within 120 days of its receipt, the proposal will be deemed accepted and the Commission will issue the necessary permits.

(c) Notwithstanding existing law, the factors to be taken into consideration by the Commission and both the Secretaries of Interior and Transportation when making access decisions as outlined in §401(b) are as follows:

- (1) State wide and regional transportation plans.
- (2) A need for access.
- (3) Alternative routes and modes of access.
- (4) Feasibility of including different transportation and/or utility functions of the same corridor.
- (5) Short and long term social, economic, environmental impact.



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AN OUTLINE FOR  
THE STATE OF ALASKA  
FOR A  
NATIONAL d-2 INFLUENCE PROGRAM

Prepared for  
Senator Joseph L. Orsini

by  
Murray, Kraft & Rockey, Inc.  
3925 Reka Drive  
Anchorage, Alaska 99504

February 27, 1978

## I INTRODUCTION

At the request of Senator Joe Orsini, Murray, Kraft & Rockey, Inc. has prepared the following prospectus, detailing estimated reach and frequency which might be achieved by the State of Alaska, should it desire to go to the American public with messages urging reasonable assignment of d-2 lands.

Obviously, close coordination with our congressional delegation would be required, since rather than "shot-gunning" advertising, our messages should be concentrated in those congressional districts wherein influence is required. However, for purposes of this outline, the agency has selected the 128 leading United States markets, and for purposes of budgeting have assigned market values to the total, based on two different media proposals, and the combination of both.

In order to produce a detailed plan, to include budget allocation by market and medium, with frequency and penetration figures, and specific costs, Murray, Kraft & Rockey, Inc. would require approximately two weeks' time and a preliminary budget of \$3,500.

## II THE SITUATION

Sometime this summer or fall, the Congress of the United States will consider one or more bills providing for assignment and disposition of the d-2 lands of the Alaska Native Claims Settlement Act. Within Alaska, it is generally conceded that a bill such as the Udall bill could work extreme hardship on Alaskans and our economy. On the other hand, recent events would seem to indicate that the environmental groups opposing a limited d-2 settlement have begun to lose some of their momentum. Obviously, in an election year politicians are inclined to vote "on the right side" on matters which either effect their constituency, or about which their constituents have strong feelings. To this point, most Americans (with the exception of Alaskans) have very little knowledge of, or interest in, the d-2 assignments. Therefore, their elected officials may cast their vote in Congress with relative impunity. As has been shown by the Panama Canal controversy, however, an involved constituency can drastically effect political outcomes. It would be our hope that the attached program could help Alaskans to achieve their goal of an equitable d-2 land settlement.

### III OBJECTIVES

- A. To reach a substantial portion of the constituents of those United States Senators and Representatives most subject to influence, with sufficient explanatory information, and enough frequency, to win them to Alaska's position.
- B. To measure results, both before and after, in order to provide proof positive to these members of Congress that a vote favorable to Alaska's position will not harm them politically with their constituents, and in fact may be of positive benefit.

#### IV STRATEGY

- A. Selection of Target. Immediate meetings with our Congressional Delegates and their staffs, and other resource persons in our nation's capitol, in order to ascertain which congressional districts should be reached. In general, we would tend to concentrate major effort on those votes most subject to influence. Secondary emphasis would be placed on those already supporting Alaska's cause, since these officials also require our assistance with their constituents. Final targets would be those adamant adversaries who are facing strong opposition in their bids for reelection.
- B. Survey. As soon as target markets are selected, we would arrange for a survey which essentially would seek to determine what people now know about the d-2 lands issue, how important they consider it to be, and how they feel about it. This would be a bench-mark survey, and would precede the media program.
- C. Creation of Program. Working with resource people from the State of Alaska, the agency would seek to create communications material which would educate,

inform and influence the general public. In all instances, materials would give every appearance of factuality and all information would be footnoted where necessary. Should radio be utilized, we would seek to find responsible, nationally-known spokesmen to help promote Alaska's views.

D. Media Placement. The agency would contract with a nationally reputable media buying service, in order to ensure that materials are delivered to the media in a timely fashion, yet not so far in advance as to alert the opposition. Incidentally, it would be our contention that the Fairness Doctrine may not be invoked against radio stations carrying our messages should this media be selected. This is because of the "local controversy" aspect of past rulings. However, please bear in mind that each station must bear the responsibility for making determination as to whether provisions of the Fairness Doctrine should be afforded, if requested by the opposition. Naturally, fairness provisions apply only to broadcast--not print media.

- A. The following list of 128 markets constitutes a total population of 117,745,000 American citizens.

Alabama - Birmingham Metro, Mobile, Montgomery,  
Huntsville

Arizona - Phoenix Metro, Tucson

Arkansas - Little Rock, Fort Smith, Texarkana

California - Los Angeles, Oakland, San Francisco,  
San Diego

Colorado - Denver-Boulder, Colorado Springs, Pueblo

Connecticut - Hartford, Stamford-Norwalk

Delaware - New Castle, Wilmington

Florida - Dade County Metro, Orlando, Tampa,  
Tallahassee

Georgia - Atlanta Metro, Augusta, Columbus,  
Savannah

Hawaii - Honolulu

Idaho - Boise City, Pocatello-Idaho Falls

Illinois - Chicago, Arlington, Madison, Rock Island

Indiana - South Bend, Evansville, Indianapolis

Iowa - Davenport, Des Moines, Cedar Rapids

Kentucky - Louisville, Ashland, Lexington

Louisiana - New Orleans, Baton Rouge, Jefferson,  
Shreveport

Maine - Portland, Augusta

Massachusetts - Boston, Springfield, New Bedford

Michigan - Lansing, Detroit, Grand Rapids, Flint

Minnesota - Minneapolis-St. Paul, Duluth

Mississippi - Jackson, Biloxi, Columbus, Greenville

Nebraska - Omaha, Grand Island, North Platte, Lincoln

Nevada - Las Vegas, Reno

New Hampshire - Manchester, Portsmouth-Exeter

New Jersey - Newark, Trenton, Camden, Patterson

New Mexico - Albuquerque Metro, Las Cruces

New York - New York, Buffalo, Albany

North Carolina - Raleigh-Durham, Charlotte,  
Greensboro

North Dakota - Fargo-Moorhead, Grand Forks, Minot

Ohio - Cleveland, Columbus, Cincinnati

Oklahoma - Oklahoma City, Tulsa

Oregon - Portland, Salem

Rhode Island - Warwick, Pawtucket

South Carolina - Spartanburg, Greenville, Charleston

Tennessee - Memphis, Nashville, Knoxville, Chattanooga

Texas - Dallas, Fort Worth, Houston, El Paso,  
San Antonio

Utah - Ogden, Salt Lake

Virginia - Newport News-Norfolk-Portsmouth, Richmond

Washington - Seattle-Tacoma, Olympia, Spokane

Washington, D. C.

West Virginia - Charleston, Huntington, Wheeling

Wyoming - Cheyenne, Casper

1. Plan No. 1 - Basic Radio, Supported by  
National Newspapers.

The agency would purchase an average of three adult stations per market, with a frequency of four spots per day per station for a period of three weeks. The number of stations per city would vary from one (in the smaller communities) to six (in Los Angeles and New York). This type of selection should deliver an estimated penetration of 60% of the total population, with a frequency per listener of 4.5 times. This amounts to total impressions of 317,915,000 generated in a 21-day period. In addition, radio would be supported by National newspaper schedules.

National Newspapers

| <u>Publication</u>        | <u>Circulation</u> |
|---------------------------|--------------------|
| New York Times            | 1,479,862          |
| Washington Post           | 762,825            |
| Wall Street Journal       | 1,484,667          |
| Christian Science Monitor | 170,087            |
| Total Circulation         | 3,897,441*         |

\*for total readership of 7,210,266, at an average pass-along factor of approximately 1.85%.

Summary. In one three-week period, Americans

receive 323,623,288 impressions urging their support of a reasonable d-2 legislation, under Plan No. 1.

2. Plan No. 2 - Local Newspaper Program.

Newspaper advertising generally tends to reach community thought leaders. We do not wish to appear to be the "blue-eyed Arabs" some of the eastern establishment is calling us. Therefore we feel that advertising should be less than full-page size, contain fairly detailed information, and although all advertising would follow a specific format, we would recommend that each succeeding ad would cover different aspects of the d-2 controversy. Frequency would be one ad per week, in the 128 foregoing markets. Ads would be approximately three-quarters of a page in size, and would appear in 217 newspapers, both morning and evening. Along with the New York Times and the Washington Post, we would once again recommend inclusion of the Wall Street Journal and the Christian Science Monitor--two of the nation's leading national newspapers.

4. Total combined circulation of all 217 newspapers is approximately 29,203,000. Applying the 1.85 pass-along factor, each ad would have theoretical exposure to 54,025,550 readers.

Multiplied this factor by three--the number of insertions--we would be exposed to a potential 162,076,650 readers. However, the nature of the subject and the ad would dictate against high readership. Therefore, if we assume that one-fourth of all readers actually see the ad, we would have a "noted" factor of 40,519,163. If, of this number, one-fourth read all or most of the ad--a fair average based on national readership surveys--we will have reached with our message a total of 10,129,791 Americans.

## VI BUDGET

Plan I - Radio plus national newspapers. \$750,000.

Plan II - Local newspaper advertising program. \$727,600.

Obviously, the most effective program would combine these two, although not necessarily simultaneously.

Rather, we would recommend a six-week program, initiated by radio, and culminating with the newspaper advertising.

The total price for carrying out both newspaper and radio in 128 of the leading population centers of the United States would be \$1,353,100.

In addition, we estimate the two national surveys at approximately \$15,000 each, or a total of \$30,000. It is imperative, in our opinion, that the surveys be taken, because we believe that this actual data will provide the basic vehicle for using our advertising effort to influence legislation.

## VII CONCLUSION

The foregoing programs are estimated only, but in the agency's experience, should be reasonably accurate, and are inclusive enough to include such factors as creativity, production, and direct expense incurred in formulating and carrying out the program. As an item of general philosophy, we would urge that advertising messages concentrate on people--both the people of Alaska, and the people of the United States who will benefit from Alaskan resources which might otherwise be lost if an unduly restrictive d-2 act is passed. Again, because of the drastic fact of d-2 legislation on Alaskans in all walks of life, we would urge that primary consideration be given to working with Alaskan professional firms and suppliers. Finally, it is our contention that the media themselves will respond more favorably to advertising which is generated in, and from, Alaska--perhaps even to the extent of supplying favorable editorial support.

(6) Measures that should be instituted to negate any adverse impact.

(d) This section does not effect existing law regarding electric transmission lines for access across systems identified in § \_\_\_\_\_ (Parks, Refuges, and Rivers).

(e) Within three years of the date of enactment of this act, the Departments currently involved in planning and environmental assessment regarding access across federal lands, shall submit to the Congress, recommendations as to how each department will be responsible for their area of expertise in arriving at joint decisions on transportation matters. The recommendations of each Department in their area of expertise shall be conclusive.

(f) The Governor of Alaska shall have the same power of the respective secretaries outlined in Section 303(b)(4) on land described in §103 (State lands in joint ownership).

(g) Nothing in this section shall be construed to abrogate or otherwise adversely affect valid existing rights of access.

· PLEASE NOTE: THE PRECEDING PAGES WERE TREATED  
AS A UNIT IN THE ORIGINAL DOCUMENT.