

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

673 SCOM122: ALASKA LANDS FILE 1977-78

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Page
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Proposed Budget
of the
Political Public Relations
Proposal
For
The Steering Council on
Alaska Lands

May 1, 1978 Through December 15, 1978

Staff and Operations	Rent and furnishings for offices at 1016 West 6th Avenue, Suite B Anchorage, Alaska 99501. Plus salaries for staff.	\$ 85,722.00
News Bureau	Creative and professional personnel for the full scale execution of a News Bureau. This would include office, local phone, mechanical production of news releases and postage based upon a scheduled release every ten days to 1500 daily papers. \$12,750 per month.	95,625.00
Press Information Kit	Research, copy preparation; editing and editorial production; printing of press kit covers and inserts; art work, maps and graphics; plus distribution and mailing of 3,000 copies including postage and follow-up.	20,000.00
Print Media	Purchase of selected print advertising in key geo/political regions.	100,000.00
Media Events	Major media events held in 15 cities including Washington, D.C. Includes all on-site costs and travel.	90,000.00
Speakers Bureau	Travel for knowledgeable and articulate Alaskans to speak at various conventions, meetings and national forums.	60,000.00

Audio-Visual	Preparation of a multi-media presentation.	\$ 60,000.00
	Equipment for above.	4,000.00
Graphic Design		4,000.00
Printing	Brochures, mailing pieces and handouts.	25,000.00
Congressional Information Campaign	Personal letters and pertinent information to Congress.	13,000.00
Special Consultants	Retaining of various individuals to research areas of influence and issues.	13,000.00
WATS Lines		18,000.00
Additional Communications		4,000.00
Travel for Staff		35,000.00
Miscellaneous equipment rental including Xerox and office supplies		<u>18,000.00</u>
TOTAL		\$645,347.00

A Political Public
Relations Proposal

For

The Steering Council on
Alaska Lands

By: Olympic Resource
Management, Incorporated
Goodrich & Snyder,
Incorporated
Communications West
Corporation

Political Public
Relations

A Proposal for
The Steering Council on Alaska Lands

The attached Political Public Relations Proposal is made up of numerous and detailed facets. This summary will show the high points of each area. However, this summary is not all inclusive and total.

SUMMARY

1. News Bureau:

To research and write a continuing flow of news releases and feature information to print and electronic media throughout the U.S. and to handle incoming requests for such information.

2. Press Information Kit:

To research, write, print and distribute kit of news information and graphics concerning the D-2 land issues for widespread distribution at press conferences, interviews, etc. and directly to media centers.

3. Audio-Visual Communications:

A multi-media audio-visual presentation for use at press briefings, public forums, legislative briefings and other appropriate uses.

4. Media Advertising:

Preparation and distribution of print and electronic advertising in key publications and key geographical areas.

5. Special Projects:

Including, but not limited to, informational brochures and similar literature.....preparation of public speakers' kits..... procedures for generating informed D-2 public forum letters and responding to pro-D-2 letters to editors.....development of a media strategy and media contacts with local, regional and national special interest publications.....development of a D-2 "Truth Squad" to travel lower "48".....



**OLYMPIC
RESOURCE
MANAGEMENT
INC.**

500 Wall Street
Seattle Washington 98121
Suite ~~403~~ 415

206 682-~~XXXX~~ 4260

ABOUT OUR

ORGANIZATION

Olympic Resource Management is an Oregon corporation with its principal office in Seattle, Washington. In addition, ORM maintains offices in Washington, D.C. and Denver, Colorado. ORM is a "service oriented" company specializing in financial services, corporate and small business management, national and international marketing, public relations, governmental affairs and fund raising.

Management personnel include:

Wesley A. Phillips - Seattle

- Recently completed three years' service as Northwest Regional Director for the American Revolution Bicentennial Administration
- 25 years' experience as owner/manager of a personal lines insurance agency
- Eight years as a home builder in the Pacific Northwest
- 1972 to present - member of Pacific Northwest National Park Service Regional Advisory Committee
- 1960-1972 - Participated in an executive capacity in four campaigns for President of the United States. Served as a public affairs consultant to numerous partisan and non-partisan political campaigns.

Joseph A. Weber - Seattle

- Former owner of J. Arthur Weber and Associates; Advertising and Public Relations Consultants, St. Louis/Portland
- Involved in political campaigns since 1968 throughout the nation for the U.S. Senate, U.S. House and Governorships
- Extensive background in political and commercial market research since 1964

Mrs. Harlan J. (Gwen) Anderson - Washington, D.C.

- Deputy Assistant to the Counsellor to the President of the United States (1974-1977)
- Deputy Assistant to the Vice President of the United States (1974)
- Member, Special Advisory Committee on Foreign Affairs, U.S. Department of State, 1970-1972

Joseph Albi - Denver

- President (since 1953), Albi Financial Management Corporation
- Former member, Colorado House of Representatives
- 1965 - Selected as one of the Outstanding Young Men in America by the United States Junior Chamber of Commerce



PUBLIC RELATIONS

ABOUT OUR

ORGANIZATION

This proposal for services is presented by Goodrich & Snyder, Inc., a full service public relations/advertising/promotion company, founded in Portland, Oregon in 1957.

In 1961, Goodrich & Snyder moved its headquarters to Seattle where it has since operated with offices in the Grosvenor House, 500 Wall St., Seattle, WA 98121.

Goodrich & Snyder is the joint owner of Ruder & Finn/West, a west coast public relations firm with fully-staffed offices in Los Angeles, San Francisco, Portland, and Seattle and an affiliated office in Anchorage.

Additionally, Goodrich & Snyder is affiliated with Ruder & Finn, Inc. a public relations network which maintains offices in 62 American cities as well as in more than a dozen foreign countries.

As a result of these ownerships and affiliates, Goodrich & Snyder is equipped to provide on-site, local public relations services in virtually every metropolitan city in the United States.

While G & S is involved primarily in public relations, publicity and promotional services for a variety of clients, we also maintain an advertising division with appropriate copy, design and media buying services and have recognition with the media as an accredited advertising agency.

Goodrich & Snyder also is affiliated with Mystrom Advertising Co., award-winning Anchorage agency and the joint interests of this consortium would be represented on-site in the state of Alaska by Rick Mystrom, president of Mystrom Advertising.



ABOUT OUR

ORGANIZATION

Communications West is an audio-visual production company with emphasis on marketing ideas and programs to selected audiences or constituencies. We specialize in multi-media presentations, from very portable slide shows to those of multiple screens and images, 16mm film, and videotape.

Some of our more recent clients include:

- Alaska Oil & Gas Association
- Alaska Airlines
- Nordstrom
- METRO of King County Washington
- Pacific Northwest Bell
- Sisters of Providence Corporation
- University of Puget Sound
- Fred Hutchinson Cancer Research Center
- Western Airlines
- P. & O. Lines of London
- Continental Telephone System
- Princess Tours
- Princess Cruises
- National Academy of Sciences
- Western International Hotels
- Olympia Brewing Company

President and founder of Communications West is Gerald Gawne. He has had fifteen years' experience in radio broadcasting and production, including the position of Station Manager of KING Radio. During the past five years, he has created over seventy audio-visual slide productions, several motion pictures, videotapes, and radio and television commercials.

Robert Gogerty, Marketing Manager, has wide experience in the field of governmental management, most recently as Deputy Mayor of the City of Seattle. His marketing experience includes association with Transportation Development Associates and Naramore, Bain, Brady and Johanson, Architects.

Mike Sedam, primary photographer for Communications West, has a wide range of experience that has taken him across the United States, including Alaska and Hawaii, to Europe, the Mid-East, and Mexico on virtually every conceivable kind of shoot. He is proficient in stills and 16mm film.

FOREWORD

"Public opinion is stronger than the legislature and nearly as strong as the ten commandments." Charles D. Warner (1829-1900)

* * *

"Public opinion---without it, nothing can succeed; with it, nothing can fail." Abraham Lincoln (1809-1865)

* * *

Favorable public opinion is essential to the success of Alaskan objectives. While the final decisions on Alaska are to be made in the halls of Congress, the decisions themselves will be reached by the law-makers on the basis of public opinion.

Providing the nation's media---newspapers, magazines, radio stations, TV stations and other informational outlets---with facts, statistics, maps, graphs and other data to show the devastating effects of D-2 proposals not only on Alaska but throughout the nation, is best accomplished through a professional public relations campaign.

A public relations campaign is essential to the achievement of Alaskan objectives and is a vital supporting effort to Alaska's on-going legislative activities.

Articles which the legislator reads in his home town newspaper or in leading magazines, programs which he sees on TV or hears on the radio, letters, phone calls and visits which he receives from his constituency, reports which he gets from his staff all contribute to his final decision.

Because the Steering Committee has not undertaken an organized, professionally-directed public relations campaign to date, many of the articles appearing locally and/or nationally have been one-sided, biased presentations from environmental organizations and government bureaucrats.

The coalitionists have had the advantage not only of lead time but also the advantage of having local chapters in many key areas of the country which has enabled them to approach the media on a one-to-one local basis.

It is not only necessary for Alaska to defend itself against this propaganda and set the record straight, but to go on the offensive and get the news on the true consequences of D-2 in terms of jobs, inflation, balance of trade payments, national defense, energy needs and many other aspects of the U.S. economy.

FOREWORD
(CONT.)

To create favorable public opinion, and then to muster this public opinion in support of Alaska's lobbying activity, is a technique which involves time-tested and proven methods of communication which are the standard procedures of our public relations firm.

On the following pages we outline some suggestions as to how these goals can be accomplished.

THE PROCESS

Public relations is the professional function of researching and evaluating existing general and specific public attitudes toward a client's organization, products or services. Identifying and programming the policies and procedures of the client organization with the public interest, and creating and executing a realistic campaign of planned action to earn increasing public understanding, acceptance, and support of those who must affect an organization's success.

A public relations firm working on a political campaign such as the D-2 issue functions as the information/communications arm of the campaign strategists. Its assignments are carried out under the direct supervision of the campaign manager and its efforts are coordinated with the campaign legislative division.

The firm reports on a continuing basis to the campaign manager. Its fees are based on a professional estimation of the amount of time required by the various individuals working on the campaign to perform the assignments.

It is customary to submit bills for estimated fees monthly in advance and payment is anticipated upon receipt of the monthly statements.

Expenses are billed separately on a monthly basis. It is the policy of this firm to submit bills and invoices directly to the client rather than having expenses billed to the agency and then re-billed to the client. This guarantees to the client firmer cost control.

ABOUT OUR
CLIENTS

Goodrich & Snyder, through its jointly owned affiliation with Ruder & Finn, Inc., has provided services to a prestigious list of local, regional and national clients including, but not limited to:

American Bar Association	MAPCO
American Society of Heating, Refrigerating, Air Condition	Miller Brewing Co.
Bristol Myers, Inc.	Mobil Oil Corp.
Bulova Watch Co., Inc.	Phillip Morris, Inc.
Chlorox Company	John D. Rockefeller, III
Coca Cola Company	Stanley Home Products
Continental Trailways	Touche Ross & Company
Exxon, USA	Wells Fargo
General Mills, Inc.	Westinghouse, Inc.

The company also has handled PR assignments for Bristol Bay Native Corp. and Wien Airlines through the Rick Mystrom Agency in Anchorage. Recently the firm was honored for its successful campaign conducted for the Seattle Center bond issue. Among some of its northwest clients are Naramore Bain Brady & Johanson, one of the nation's largest architectural firms; Nord Door Co., world's largest door manufacturer; Strasser Travel Service, specialists in travel cruises and others.

ESTABLISHMENT
AND OPERATION
OF NEWS BUREAU

Inherent in the press strategy/media contact assignments, is the need for establishing a D-2 News Bureau. The functions of the bureau would be three-fold:

1. To prepare and disseminate on a regular basis news releases, feature stories and appropriate graphic material to daily and weekly newspapers, to radio and TV stations, to specialized newspapers and magazines and to appropriate house-organs, bulletins and newsletters to provide a continuing flow of news information about the D-2 issues.

Special emphasis should be given to labor publications since they reach--through their own national magazines and through local newspapers--an estimated 17,000,000 members of organized labor.

Also, special attention must be directed to various key trade, professional and business publications. There are, for example, 11,000 specialized publications throughout the U.S. read by individuals in every conceivable kind of business, trade or profession.

The magnitude of the communications process also comes into focus in considering that there are 4300 radio stations and over 1100 TV stations within the U.S.

Together with the 12,000 daily and weekly newspapers in the U.S., this amounts to a total of over 22,000 newspapers and periodicals with a readership of over 125,000,000, virtually the entire adult population of the U.S.

2. To furnish the press throughout the U.S. with a single informational source about the D-2 campaign, a source which may be called 24-hours a day to answer questions, acquire additional information or to prepare special material which may be sought by each and every segment of the media.

3. To arrange for special press presentations in key regions of the U.S. and in national media centers, such as New York, Washington, D.C., Chicago, Los Angeles, San Francisco, etc., so the D-2 story may be viewed on local, regional and national network TV programs, heard on radio programs and be quoted in important local, regional and national print publications.

This function would have to be located in an office of its own, with its own telephone, appropriate equipment and a full-time staff of several persons, including professional PR persons and secretarial/production personnel.

ESTABLISHMENT
AND OPERATION
OF NEWS BUREAU
(CONT.)

A special telephone line with a 24-hour answering service would be required and a (Telex or telecopier) set-up to link the office with headquarters in Alaska and other locations, would also be needed.

Some elements on the operation of this press bureau would include:

Professional service of press bureau personnel including full-time and part-time senior executives and supervisors.....

Full-time secretarial services.....

Telephone installation and monthly services.....

Telecommunications installation and monthly services.....

Office and equipment rentals.....

Postage.....

Long distance telephone calls.....

Travel and entertainment as required.....

Miscellaneous.....

PRESS
INFORMATION
KIT

In contacting the news media, in responding to news media requests for information and for general distribution in a variety of circumstances there is no substitute for the information kit, a packet of information and graphics which explains in a professional, journalistic manner the issues of the campaign and the goals of the Steering Committee.

The informational kit is made available to all segments of the media, daily and weekly newspapers, TV and radio stations, trade, business and professional journals and magazines and other appropriate outlets.

The kit consists of a series of stories, plus photographs, maps and other graphics suitable for reproduction in the print media. The format of the press kit---in a folder with pockets for inserting material---is such that the kit may be constantly updated as circumstances and new developments dictate.

A typical kit could contain:

1. A general news release explaining the D-2 land issues, about 2½ to 3 pages in length.
2. Specialized feature news releases on the effects which the D-2 land proposals would have on various Alaska resources such as petroleum, minerals, timber, tourism, fishing, agriculture and other aspects of the economy.
3. A news release describing the organizations and/or individuals supporting D-2, exposing the nature of the opposition.
4. A news release explaining the impact of D-2 proposals not only upon Alaska but upon other areas of the country and other areas of the nation's economy.
5. Various appropriate photographs, maps, charts and other visual material to help explain D-2 to the uninitiated.
6. A fact-sheet for quick summarization of the issues.
7. Additional brochures as available and as needed.

All of this material would be researched and prepared by the public relations firm and submitted to the Steering Committee for approval before publication.

Some research has been done, but much more is needed, and the task would involve primarily organizing the available information, researching new information and preparing it in a professional format acceptable to the media.

PRESS
INFORMATION
KIT (CONT.)

Estimated costs for the preparation and distribution of an initial quantity of 2,000 copies of this information kit would include these elements:

Fees for research, copy preparation, editing and editorial production of contents.....

Printing of press kit cover and inserts.....

Original artwork and reproduction of charts, maps and other graphic materials.....

Distribution and mailing, including envelopes, postage, inserting and addressing.....

Miscellaneous production costs.....

AUDIO-VISUAL
COMMUNICATIONS

We believe that one of the most effective tools that could be utilized would be the production of a comprehensive multi-media presentation.

What is envisioned is a multi-screen presentation containing the basic information on the issue as well as the advocacy position that the committee is taking, and done in such a way as to have sufficient emotional appeal. The impact of multi-screen presentations is something that must be experienced and can't be explained in written form. However, many Alaskans are aware of this technique.

The benefit of these presentations is documented by the Alaska Oil & Gas Association whose president is Mr. Monte Taylor, Alaska Manager for Exxon U.S.A. Their show is currently educating the people of Alaska concerning oil and gas taxes and regulations and the effect of those on the Alaskan economy.

Generally, the cost to produce a presentation of this kind is about half of what a film costs, while the impact is far greater. Costs for possible changes once the multi-media production is completed are minimal compared to the major undertaking of re-editing a film. This allows greater flexibility to rapidly respond to the constantly changing political situation. Also, the advantage of having a "canned" presentation is that many speakers may use the production and yet the message remains consistent every time.

This presentation could be given by Alaskan Representatives at public forums and meetings throughout the country and Alaska. Another significant use would be the presentation of this program to the members of Congress and their staffs in Washington, D.C. This type of program could greatly benefit any lobbying and educational efforts on behalf of the Steering Committee.

What is being proposed is a three-screen, four-projector show which would contain the basic facts concerning the Alaskan economy, the dependence of the economy upon Alaska's ability to manage and develop its natural resources, and would show the impact that locking up Alaska would have -- not only on Alaska's economy but also on that of the entire country.

THE AUDIO-VISUAL
PRESENTATION

The approach in this presentation will be to share with all who see it as much of the real Alaska as is possible. We will stay away from negatives and strive to show the total picture of Alaska.

CONTENT

The show should be a mini-travelogue of Alaska showing all of the natural beauty of Alaska, its size in relation to the rest of the U.S., and some of the pertinent statistics, products, problems, etc. This will be done in such a way that the show will have the necessary entertainment quality designed to capture the viewers' attention.

There will be an explanation of how much Alaska is already inaccessible to man due to natural terrain problems.

There will be a solid discussion of the economic picture facing Alaskans, bringing out the fact that Alaska has one of the highest unemployment rates in the entire nation. The fact will be shown that a stable Alaskan economy is dependent upon Alaska's ability to rationally develop the natural resources which are inherent in Alaska.

Once establishing Alaska's dependence on her natural resources, there will be a discussion of the fact that already 70% of the State of Alaska's revenue comes from one industry and there is a real need to achieve an economic balance as it relates to the development of her natural resources.

We will bring out the fact that the Udall proposal would double the size of the existing national park system. This would be accomplished by the implementation of high impact visual graphics within the presentation.

We would be discussing the fact that approximately 80% of all of the national park system would then lie within the boundaries of one state.

There would be a demonstration of the world energy situation and the balance of trade problem facing our country. Also there would be an in depth discussion of just how much of America's resources lie within the State of Alaska, and how important it is that those resources be made available to the rest of America through reasonable and rational exploration.

THE AUDIO-VISUAL
PRESENTATION
(CONT.)

There would be a substantive discussion concerning the point that there has never been a true survey of the natural resources in Alaska, and to restrict so much of Alaska without such a survey could eventually pose a severe threat for the whole country.

OVERALL DISCUSSION

This program will be designed for maximum impact. That means three to five screens -- with "big sound." Communications West will train your personnel to operate the equipment or provide our personnel as needed.

The program would be designed for maximum portability.

This type of program (five screens, big sound) is not without precedent. Princess Cruises and P. & O. Lines have such programs which have been extremely successful across the United States.

The show would not go into extreme detail on each point, but as in other public information programs, the detailed information would be provided by whomever travels with the show.

TIME

It is our estimate that Communications West Corporation would need six weeks from the date that we are given the go-ahead to finish the production, provided that all parties cooperate in a timely fashion.

The photography shoot and interviewing effort would be available to spin off other presentation and to make necessary and immediate changes in the major program as required. The presentation will run approximately twenty to thirty minutes.

MEDIA
ADVERTISING

An important support tool for the political/public relations program is media advertising. Mass media advertising can add depth, dimension and effectiveness to a campaign effort but only when combined with the professional political/PR services.

Unless there are many millions of dollars available, media advertising must be selective, utilizing the "rifle shot" rather than the "shot-gun" technique, targeting in upon critical geographical/political areas and taking full advantage of the emotional appeal of mass media.

Use of print advertising, which permits fuller explanation of campaign issues, and radio advertising, which has the impact of immediacy, would be recommended. Print advertising should be considered not only for magazines and newspapers of general circulation but for publications of specialized interest--such as those having readers whose business or avocational interests would incline them toward support of multiple-purpose land useage; i.e., individuals with interests in sports, outdoors, recreation, construction, real estate, recreational vehicles, labor, mining, fishing, agriculture, transportation, petroleum and many other categories.

Network TV advertising, which is costly to produce and prohibitively expensive if it is to achieve the desired degree of frequency and geographical coverage, should be used sparingly on a selected regional basis.

It is essential that the paid media advertising campaign and the public relations campaign be coordinated and handled under a single responsibility so that the same messages, themes, graphics and visual material can be used in both efforts.

No attempt at this stage should be made to select specific geographical/political areas until after complete and accurate input can be obtained concerning D-2 positions and philosophical leanings of the individual members of Congress.

SPECIAL
PROJECTS

A variety of special communications projects could and should be mounted during the campaign. These could cover a wide range and, as examples, we would cite below a few of the many hundreds of possible projects:

1. State by state analysis of results if D-2 type of land use plan were imposed upon the Lower 48.

Articles about the tragic results of the D-2 land-freeze in Alaska may be brought home most effectively in many of the 48 states by developing special graphic material which would show what Pennsylvania for example, would look like if the present Alaska land ownership situation and the proposed Udall scheme were imposed upon a map of Pennsylvania. By preparing maps and articles for each of the 48 states, or at least for a selection of the most important states, and by distributing these "custom-made" presentations to major newspapers in the appropriate states, the impact upon editors and readers would be immediately "localized" and understandable in terms of their own state.

We would strongly recommend that the necessary research, copy preparation and distribution of this special feature be given high priority in the proposed PR/publicity/promotion campaign by the Steering Committee.

2. Utilization of state senators and representatives to travel throughout the Lower 48.

Bring citizens of Alaska to the Lower 48 with well-thought out and articulate answers in order to counteract the one-sided impressions concerning D-2 lands.

Through the public relations network, a series of city-by-city press conferences would be arranged so the native person would be scheduled to appear on TV and radio talk shows and give newspaper interviews in, for example, 20 major U.S. cities.

Our firm would be responsible for planning this personal appearance tour, making travel arrangements and handling all arrangements for news coverage in each individual city.

SPECIAL
PROJECTS
(CONT.)

3. Development of procedures for generating anti-D-2 public forum letters and responding to pro-D-2 letters.

There are well-recognized, professional techniques for stimulating correspondence to newspaper "letters-to-the-editor" columns which environmentalists have been utilizing for many years on the Alaskan issue. This program would stimulate responses to counteract the pro-D-2 letters and to initiate pro-Alaska letters.

4. Development of media strategy and media contacts with local, regional and national special interests publications.

This project would provide editors of special publications and their readers with factual information about the D-2 issue, customized for their particular interests. These publications would include but not be limited to publications for organized labor, outdoor and sports enthusiasts, real estate and construction, recreational vehiclists, oil, timber, agriculture and mining, etc. There are over 11,000 special interest publications in the U.S. today, excluding newspapers and magazines of general circulation. Many of these have editorial and news interests parallel to the interests of Alaska citizens opposing D-2 and this interest should be solicited and enhanced through this special project.

5. Informational brochure and literature.

There would be multiple uses for a quickly-read "rack-folder" type of brochure providing clear, concise and simplified explanations of the D-2 issues and the effects not only upon Alaska but upon other sections of the nation and other segments of the economy. This brochure should be produced in large quantities as "hand-out" pieces in connection with speaking appearances, distribution with news releases and correspondence, distribution with audio-visual presentations and many similar utilizations.

There may also be a need for a more elaborate and detailed informational piece intended for in-depth indoctrination and information in situations where a more comprehensive presentation of the issues may be required.

6. Public speakers' kit.

The kit would contain a number of sample speeches of varying length which may be used as supportive material for appearance by Alaska representatives in public forums, debates or media presentations.

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Steering Council For Alaska Lands

REP. STEVE COWPER
CHAIRMAN
REP. ALVIN OSTERBACK
REP. JOE L. HAYES
SEN. CHANCY CROFT
SEN. MIKE COLLETTA
SEN. JOE ORSINI
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MEMORANDUM

TO: ALL COUNCIL MEMBERS
FROM: SHARON LONG
DATE: April 5, 1978
RE: (d)(2) in D.C.

FOR YOUR INFORMATION enclosed please find two memorandums from Birch, Horton, Bittner & Monroe, dated March 22, 1978, and March 24, 1978, as well as a "Fact Sheet" with Bill comparisons by area that is on the last four pages.

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

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JUNEAU, ALASKA 99801
(907) 586-2800

MEMORANDUM

To: Sharon Long
Administrative Assistant

Date: March 22, 1978

D-2 Review
House of Representatives
Merchant Marine and Fisheries Committee

We have met with the majority staff director of the Merchant Marine and Fisheries Committee, Buff Bohlen (formerly the d-2 Special Assistant at the Interior Department) and Rob Thornton, Staff Counsel of the Committee. They explained the jurisdiction that the Merchant Marine and Fisheries Committee has been given over H.R. 39 and the issues they are likely to focus on. We, in turn, submitted to Bohlen and Thornton a list of issues that the Steering Council wanted Merchant Marine and Fisheries to take up. The list is essentially a restatement of the priority issues the Council has already designated. The Committee staff and each member of the Committee has also been provided with the Council's amendments, policy positions, and recommendations on the subjects under their jurisdiction.

The House Parliamentarian and the Speaker have limited the d-2 responsibilities of the Committee. Merchant Marine and Fisheries will only be able to amend or propose amendments to certain aspects of H.R. 39. After some general discussion, we pinned Bohlen and Thornton down as to which issues significant to the Steering Council their Committee will consider. These issues include:

1. Fish and wildlife laws as they affect wildlife refuges; the Committee will consider subsistence, sport hunting versus subsistence hunting, agricultural development in wildlife refuges, State versus Federal control of fish and wildlife management in refuges;
2. The Committee will consider the boundaries of the refuges (our assessment is that it will be very unlikely that a committee with jurisdiction over wildlife refuges will vote to reduce the size of the refuges approved by the House Interior Committee in order that State selections can be conveyed when they conflict with those refuge boundaries.) Most significantly, this issue effects the State selections that border the Yukon Flats Wildlife Refuge. These selections cover much top priority agricultural land, among other values.
3. Wilderness, access, and mineral development in wildlife refuges. One of the most interesting concepts that Bohlen said will be under consideration (and about which the Council has not taken a stance) is the following: with regard to Refuges, is existing law satisfactory to handle access and mineral questions, therefore obviating the need for Title IX or Title X to apply to refuges. We would appreciate some Council guidance on this question.
4. Cooperative management -- but not a "fifth system" -- in wildlife refuges and in other Alaskan lands that affect fish and wildlife populations in wildlife refuges.
5. Aquaculture and fish enhancement in wildlife refuges.

Bohlen evidenced an unwillingness to get into the "legalities" of the State conveyance issue, so if we are to advocate the supremacy of the Statehood Act with regard to refuges, we are probably going to have to convince Thornton or skirt the staff of them and deal with the members directly.

Finally, a procedural matter arose for Council consideration. The Rules Committee will have to determine whether the Merchant Marine and Fisheries Committee amendments are to be consolidated into H.R. 39 and then go to the floor as one bill, or whether the House will consider the Merchant Marine and Fisheries Committee proposals as amendments to H.R. 39. Generally, if the Steering Council believes that Merchant Marine and Fisheries will improve H.R. 39, then we should work toward having the Rules Committee consolidate the MMF provisions into H.R. 39 before going to the House floor. Conversely, if Merchant Marine and Fisheries harms H.R. 39, then we are better off having MMF proposals considered as amendments since they are more likely to be defeated if the bill does not come to the House floor in consolidated form.



Joseph M. Chomski

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MEMORANDUM

To:

Date: March 24, 1978

Memo to File
Merchant Marine and Fisheries
Testimony/Minerals Amendments

Chuck Hawley and I met with Rob Thornton, MMF Special Counsel, to discuss minerals questions and the upcoming hearings that are reviewed by Merchant Marine and Fisheries. Thornton requested that our testimony be as specific as possible, including naming the exact area where we believe the best deposits of precious oil or hardrock minerals exist for extraction in refuges. He would like specific provisions on access and minerals related to those areas.

SUGGESTION:

Hawley, we and Cowper should pick out the specific areas the Council wants eligible for mineral study/development and access and include those in Steve's testimony and as a submission to the Committee. Thornton said that the Committee will consider reducing the borders of refuges for mineral development, but if there is a substantial noticeable wildlife value it will be more fruitful to write a provision into the bill that allows mineral development although keeping the area in a refuge.

With regard to wilderness, Thornton and many others believe that wildlife values can be enhanced and protected by the avoidance of a wilderness overlay on some occasions. We should take advantage of this thinking. (The name "Allen Epps" was mentioned as a leading advocate of this philosophy.)

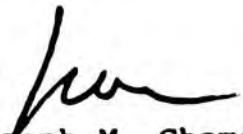
In our discussions, Chuck mentioned several key areas for mineral development in a refuge. (Togiak and platinum). Thornton mentioned a particular corridor that may be a bit large. Of course, the Arctic National Wildlife Range, particularly the giant field near the Marsh anticline;

Thornton asked whether the existing pipeline could be used to transport Arctic Wildlife Range oil. I informed him that the pipeline was built with a 2.5 million b/d engineering capacity and that there is a study -- the Van Poolen study -- showing that the Prudhoe Bay field will deteriorate by the mid-80's so there will definitely be excess capacity in the pipeline. Suggestion: we must get the Van Poolen study and submit it to MMF.

Both Hawley and Thornton, along with Alex Sisson of the American Association of Petroleum Geologists, agreed that there is risk to having the Interior Department be the only entity studying and drilling on the Arctic Wildlife Range. I brought up to Thornton, and Thornton was well aware, that Andrus had said that the Range should be developed last (if ever), so that allowing them to be the only ones to study the area is in essence, putting the fox in charge of the chicken coop. Suggestion: At the very least, there should be a joint private/public study of the Range, if not solely a private industry study under government license and regulation.

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Thornton mentioned that the Yukon Flats area has a particularly high wildlife value, which may pose a problem to State selection questions.



Joseph M. Chomski



ENVIRONMENTAL STUDY CONFERENCE

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FACT SHEET

NOTE:
SEE PAGE 12

ALASKA LANDS BILL NEARS HOUSE FLOOR

by Mark Trautwein

What has been called the most important conservation legislation of the century - the Alaska lands bill (HR 39) - is finally out of the House Interior Committee.

Spurred by a hefty 32-13 majority in that committee, the bill now goes to Merchant Marine. The House leadership and President Carter, who has identified the bill as his number one environmental priority in this Congress, are very anxious to move HR 39 to the floor as quickly as possible. Merchant Marine will wrestle with the bill for no more than a month, and floor action is expected during the first two weeks in May.

As reported, HR 39 is a hybrid between the package proposed by President Carter and the original HR 39, which was the environmentalists' "dream" bill introduced by Interior Chairman Udall (D-Ariz.) and shepherded along by Rep. Seiberling (D-Ohio).

The bill as it now stands draws boundaries around 98.9 million acres of national parks, national wildlife refuges, wild and scenic rivers, and national forests. These boundaries are roughly similar to the administration's bid for 92 million acres, but a deep slash in the original HR 39's claim for 146 million acres, all of it "instant" wilderness.

The singular opportunity offered by Alaska always has been the chance to protect not just pretty mountain tops but whole ecosystems functioning exactly as they always have, before they are reshaped and disturbed by man. In the view of its chief sponsors, the new HR 39 is pared to the bone, or worse, in terms of providing this kind of unique and dramatic protection.

Even these lands would not be inviolate, however, because the bill offers new procedures, for industry to develop resources or build transportation systems on much of the new conservation land. These procedures, generally providing easier access than would be possible under existing law, were taken from the original HR 39, which almost had to have them because its bold reach for 146 million acres would pose inevitable conflicts with resources other than ecologic ones.

The Interior Committee made additional concessions to industry, particularly on mining in conservation lands, in the face of loud complaints that the access procedures are cumbersome and unworkable. The administration package, with tighter boundaries, totally spurns the access procedures and argues instead for the application of existing laws that are generally more restrictive.

So what has come out of the Interior Committee essentially is the administration's smaller land designations with HR 39's more liberal access titles.

Wilderness boundaries within these conservation lands have been chopped in half - to 74.2 million acres - but are still well above the administration's choice of 46 million acres. This difference is misleading, however, because more wilderness is necessary in HR 39 to accomplish the same preservation goals of the administration package.

Fading from the picture for the time being is Rep. Meeds' (D-Wash.) HR 10888. Beaten in the Interior Committee by four votes, the Meeds substitute would have drawn only slightly tighter boundaries than the present HR 39 or administration proposals. But it would have provided for much less wilderness (34 million acres), many more national park preserves open to mining, and transportation and mining access titles far less restrictive than HR 39.

Meeds remains a force, however, and can be expected to continue to push for his proposals with the support of the forest and mining industries, and Alaska development interests, led by Rep. Young (R-Alaska).

Environmentalists see a bill that has survived, but just barely - a bill that firmly closes less than 20 percent of the lands of Alaska to mining and other development and leaves at least 90 percent of the state open to hunting. They see many parks and refuges open to severe attack under HR 39's transportation and mining provisions. Still smarting from painful compromises in two priority regions - Southeast Alaska and the Arctic National Wildlife Range - they see further compromises threatening the integrity of ecosystems they want to preserve.

This, of course, is little consolation to development interests and in many respects to the State of Alaska. In their view, far too much land still is salted away permanently or "locked up" behind access provisions that offer only an unworkable and unwieldy key to open it up. They see vast "instant wilderness" declared without the normal period of study and review required of wilderness in the lower-48. They see insufficient accommodation of state land selections - about nine million acres in the coveted Wrangell-St. Elias and Yukon-Charley National Parks and the Yukon Flats Wildlife Range.

They have argued that state land selections should have primacy over federal withdrawals, that national forests should be created in the interior of Alaska and that joint federal-state management should govern other lands. But all have gotten no where in the Interior Committee and are absent from HR 39.

In the coming weeks, this tug-of-war will continue. Environmentalists and HR 39 supporters will be struggling to hold the line and development interests will be pushing for a slimmer, trimmer HR 39.

Terminology

While much attention has focused on the raw number of acres to be set aside in Alaska, how those lands are managed and for what purposes are the overriding questions. Each category of land classification differs in its purpose and the degree to which its environmental resources are protected.

Conservation, or "four systems," lands refers to any region managed by the federal government as a national park, national wildlife refuge, wild and scenic river or national forest.

A national park is land set aside to preserve outstanding scenic, geologic, archaeological or ecologic values. Under the aegis of the National Park Service, they provide camping, fishing and educational activities. Generally speaking, grazing, timbering, mining and other forms of private development are not permitted. Hunting is also usually prohibited, but HR 39 would grandfather for 20 years currently registered hunting guides and trappers who operate in areas that would become national parks.

National parks preserves are a relatively new category that allows specifically for sport hunting and, in the case of Alaska, mineral extraction. There are only two national park preserves in the lower-48 - Big Cypress and Big Thicket - and they allow only hunting. Because of mineral development possibilities, park preserves have become a hot item in HR 39. The Interior Committee bill creates 10 preserves totalling 16.4 million acres on all or portions of the 10 new Alaska national parks and three additions to existing parks.

National wildlife refuges are created to protect natural habitat upon which large or unusual populations of fish and wildlife depend for their survival. Managed by the Fish and Wildlife Service, refuges are more flexible than conservation lands. Hunting and other forms of recreation are permitted, and timbering and grazing are allowed where they would enhance wildlife values. Unlike any lower-48 refuges, HR 39 makes refuges not designated as wilderness open to mineral extraction under the terms of Title IX.

A wild and scenic river designation protects free flowing rivers and a corridor of lands along their banks from dams and other major water resource development. Mining also would be prohibited, but transportation across these rivers - by a pipeline, for example - would be permitted under Title IX.

National forests differ from refuges and parks in that they are "multiple use" lands open to a wide variety of activities. They are managed by the Agriculture Department's Forest Service. HR 39 proposes very little new national forest land in Alaska, much to the disappointment of development interests.

Wilderness is a separate land use classification that can be applied to any of the four preceding categories. Wilderness preserves land in as natural and undisturbed a state as possible by precluding virtually all forms of development. In national parks, wilderness stops the park service from constructing visitor roads and large service facilities. In refuges, wilderness closes lands to possible mining entry. Wilderness areas are contained within, not in addition to, parks and refuges.

National Parks and Wildlife Refuges

HR 39 proposes the most dramatic leap in national conservation lands ever attempted. In terms of sheer acreage - 98.9 million acres - the bill would double the amount of land receiving federal protection.

The dimensions of this bill are truly staggering. The fight over the Redwood National Park expansion, enacted by Congress this session after years of bitter controversy and congressional review, involved only 48,000 acres. In the Alaska debate, the fate of areas that small has been decided with only peremptory discussion.

HR 39 draws thousands of miles of boundaries encircling millions of acres of Alaska. It creates 10 new national parks and makes additions to three existing parks. It creates 10 new wildlife refuges and makes additions to four existing refuges. As much as possible, these boundaries were drawn to avoid conflicts with other recognized resources, such as known or even suspected mineral deposits, and numerous concessions were made to these interests during the course of Interior Committee markup.

At times, of course, these conflicts are real and cannot be reconciled. At other times, they are only a possibility. Alaska is so vast and its mining industry so small that knowledge of the location and value of its resources is not well-developed.

Yet HR 39 takes the attitude that continued confusion over land designations is the most divisive and unfair burden on the state and all those interested in its future. When choices between resources must be made because exploitation of one clearly would preclude the use of another, HR 39 remains biased towards wildlife, ecological diversity and natural beauty. The environmental worth of such land would be irrevocably lost by development, many HR 39 backers believe, while preservation would "bank" other resources for the future.

As Rep. Skubitz (R-Kan.) put it during committee debate, "In this country. . . as long as I have been here anyway, private enterprise has always gone in and milked the top, taken the best and left the crud to other generations to develop."

To others, Alaska is replete with values that could never be made "uneconomic" by a mineral deposit. Seiberling expanded on this view when he said during a committee hearing last year:

"It's important not only because it's unique, but to remind man of his place in the scheme of things and that he is after all, a temporary occupant of a planet that is unique perhaps not in all of the universe but in a good part of it, and that he is not the Creator. He is the beneficiary of a system of life that he can destroy, but he did not create it, and to me that is the significance of Alaska and the significance of wild Alaska."

Alaska offers the opportunity to protect whole ecosystems in a way never before possible. Preservation in the lower-48 states has always been confined to areas bypassed by development. While the boundaries of most parks and refuges may make sense for man, and for his appreciation of natural beauty, they frequently make little sense for true ecological protection.

The boundaries in the original HR 39 were drawn with this factor specifically in mind, and it is especially important to the Alaskan environment. For example, the great caribou herds must roam vast distances to survive. Millions upon millions of the birds and waterfowl so popular in the lower-48 with sport hunters and nature lovers rely on Alaska for critical nesting and resting habitats. And for many of the animals that have been all but run out of the lower-48, such as grizzly bears, bald eagles and trumpeter swans, Alaska is literally the last refuge.

The Carter administration and the original HR 39 took different approaches to this problem. The administration proposal would designate 92 million acres of conservation lands, making them subject to existing restrictive laws governing mining, transportation and development access. The original HR 39 proposed much more acreage - 146 million acres - but provided for a relaxed access policy.

HR 39 as reported by the Interior Committee is down to just about the administration's acreage and boundaries, but also retains a liberalized access policy. In addition, the relatively new notion of preserves open to hunting and mining has been added to several parks. Still, there probably will be moves on the House floor to expand the preserves and loosen up the access titles. Expansion of wildlife refuges at the expense of national park acreage is another move open to development advocates.

Wilderness within these parks and refuges now stands at 74.2 million acres. Although this is substantially above the administration's figure of 46 million acres, the meaning of this difference is negligible. Almost half the difference is found in national parks, where wilderness designation does not add to restrictions on economic development. All it does is stop intensive recreational development, or as some wags have put it, "protect the parks from the park service." The other half is in wildlife refuges, where the administration concept of the classification is virtually as restrictive as HR 39's refuge wilderness.

Supporters of HR 39 believe that, with certain exceptions, the bill still accomplishes the task of protecting whole ecosystems. But they say the bill is down to the nub and that further deletions from parks and refuges, expansion of preserves, transfer of lands from parks to refuges, or additional cuts in wilderness designations would slice into the bill's heart.

A complete list of the parks and refuges designated by the bill with brief descriptions and resource conflicts, along with a table of acreage figures and wilderness designations, is attached as an appendix to this fact sheet. Among the highlights are:

Gates of the Arctic National Park: This park would preserve the spectacular central portion of the Brooks Range, which divides central Alaska from the North Slope. Called "America's ultimate wilderness" by the Interior Department, it is characterized by rugged peaks, deep canyons and the finest wild, clearwater float streams in northern Alaska. It has a striking diversity of botanic zones and an abundance of grizzly bears, wolves and moose. Caribou migrate through its mountain passes each spring and fall.

More than five million acres with oil and gas potential was cut off its proposed northern boundary in deference to native selections. Another 60,000 acres was declared a preserve to protect the so-called Ambler copper region. An attempt to delete the Reed River basin was defeated because it would have carried spoil from mining operations into the park. And an effort to cut a transportation corridor through the middle of the park also was beaten.

Wrangell-St. Elias National Park: This area contains the greatest concentration of peaks over 14,500 feet in North America and the most vast array of glaciers and icefields outside of Greenland and Antarctica. The Chitistone Canyon is deeper and wider than either Yosemite or Zion canyons. The valleys offer some of the most diverse wildlife and best hiking opportunities in Alaska. Coastal regions offer sand beaches, flowers and sealion colonies. It is adjacent to Canada's Kluane National Park and could become an unparalleled international park.

The lowlands are prime sport hunting regions and contain developable mineral deposits, however. HR 39 designates 3.3 million acres of the 12 million-acre park as a park preserve, open to hunting and mining. A bitter conflict over the size of the preserve, conflicts between hunters and hikers, and eventual mining in the area were not satisfactorily resolved by the committee.

Denali (Mt. McKinley) National Park Addition: The present boundaries of the park do not protect the highest peak in North America, nor its most spectacular glaciers. Additions to the north and west would protect wolf, moose, caribou and grizzly bear habitats that could be observed at close range by park visitors. A total of 290,000 acres in the Kantishna Hills area to the north has been designated a preserve for mining purposes. A stiff fight to include more acreage in the preserve can be expected.

Noatak National Park Preserve: Bordering the Gates of the Arctic to the east, this is the largest and last major pristine river basin in North America. Of significant value, the Noatak River runs 425 miles from mountains to sea, across tundra slopes, through narrow canyons and past woodlands. The area is unusually rich in wildlife and is an important caribou migration route.

About one million acres was deleted from the park's Squirrel River drainage basin. The river was placed in study status for possible wild and scenic river designation. The cut provides an unimpeded transportation corridor to the state's National Petroleum Reserve and to the major "Red Dog" deposits of lead, zinc, silver, nickel and other minerals. The associated Wulik River was dropped from wild rivers designation to facilitate the corridor.

Efforts to cut more land out of the Noatak Preserve as a further concession to the "Red Dog" deposits were defeated, but may re-emerge. More than 90 percent of "Red Dog" remains outside the park boundaries.

Yukon Flats National Wildlife Range: This is one of the most productive waterfowl habitats on earth, with tens of thousands of lakes, tarns and ponds, and more than 25,000 miles of streams. More than two million ducks, 10 - 15 percent of all canvasbacks and the peregrine falcon breed here, as well as furbearing lynx, marten, otter, mink and beaver. Native residents depend heavily on the area's fish and wildlife for subsistence.

The committee has included a provision stating that if natives do not select one million acres of agricultural lands in the flats, the state will be allowed to meet this quota with selections from refuge lands. But state interest goes well beyond agricultural lands. It would like more control of the entire Yukon River for its potential gas, oil and mineral deposits, water power, recreation and general development possibilities. The Yukon Flats refuge and the Yukon-Charley National Park are good candidates for more compromise pressure.

Yukon-Charley National Park Preserve: This park would combine a very scenic portion of the important Yukon River with the entire watershed of the Charley River, which is in pristine wilderness condition. The area is characterized by Adirondack-like high palisades, excellent river recreation, unusual habitats of Fannin and Dall sheep, and unexcelled concentrations of the endangered peregrine falcon. This park - all of which is named a potential hunting and mining preserve - is part of the struggle for the Yukon River basin. The state is interested in the area for its mineral potential and possibilities as a transportation link. National forest designation has been suggested for the area, but never got far in committee.

Wilderness

Wilderness is the ultimate conservation weapon and certainly one of the most emotional facets of HR 39. Originally, the bill declared all 146 million acres of conservation lands "instant wilderness," that is, they would be designated without the usual process of review. As reported by the Interior Committee, that figure has been halved, to 74.2 million acres. These acres are included within, not supplementary to, the 98.9 million acres designated as parks, refuges, national forests and wild rivers.

Although most forms of development, including mineral exploration, are off-limits in wilderness, many other activities normally prohibited are specifically permitted in Alaska wilderness under HR 39. These include subsistence and sport hunting, motorized access by airplane, boat and snowmobile, cabins, fishing and aquaculture, and limited commercial activity compatible with wilderness uses. All valid existing mining claims and in-holdings are specifically protected.

Despite the emotional high-profile of the wilderness issue, only two areas sparked real controversy in the Interior Committee. Both can be counted on for tough floor fights.

Southeast Alaska: The panhandle region of Southeast Alaska has generated some of the most bitter debate and the most controversial compromise of the entire bill. The panhandle is a unique archipelago of islands, inland waterways and beautiful coastal areas. It has some of Alaska's richest wildlife habitats, marvelous rock and ice scenery and untouched wilderness. Its great beauty has never been in dispute. Admiralty Island was first proposed for a national park by President Theodore Roosevelt. Sen. Stevens (R-Alaska) asked that the Misty Fjords region be studied for a national park a decade ago.

The fishing industry, well-established and an important source of employment, is basically compatible with wilderness designation. The forestry industry, also well-established and also an important source of employment, is not. Unlike central Alaska, which offers little commercial timber, Southeast Alaska contains the state's best commercial timber lands. The original HR 39 would have cost Southeast Alaska hundreds of jobs in the timber industry. In addition, an enormous molybdenum mineral strike has been made by U.S. Borax in the Misty Fjords at the headwaters of three important salmon streams.

Faced with intense labor union pressure, the committee struck a deal. It dropped several million acres, or 62 percent of all land designated for wilderness or wilderness study, including the coveted Misty Fjords. In exchange, protection of whole ecosystems as wilderness on Admiralty Island, West Chichagof-Yakobi Island and other areas was ensured. The deal also broke the back of the argument that HR 39 would harm employment in the timber industry.

Fishermen though are angered because they have not been fishing certain Misty Fjords streams for some 15 years in an effort to build up important king salmon stocks. Now those streams are likely to be damaged by logging and the open-pit mining of the molybdenum strike.

Environmentalists who reluctantly went along with the compromise are saying that too much was given away. They complain that by making the worst possible assumptions about the timber yields of some areas, unquestionably deserving wilderness proposals, such as the Endicott region, were needlessly bartered away. The loss of Misty Fjords is especially painful. Even the committee's development-oriented bloc cried foul. In the words of one staffer, "they used a meat cleaver instead of a scalpel."

But the compromise takes the labor question out of Southeast Alaska. By dealing in relatively large, identifiable areas, it protects certain whole ecosystems that might have been surgically perverted by the "scalpel" and leaves open the possibility that those areas cut out of the southeast wilderness package might be reinstated. This could happen either on the House floor or as a result of a current Forest Service wilderness study due to be completed next year.

Arctic National Wildlife Range Additions: Unquestionably, this is America's largest and most pristine wilderness, and the most untouched arctic ecosystem. It contains calving grounds for Alaska's diminishing Porcupine caribou herd, which represents half of all the caribou in the United States. Major migratory routes for a vast variety of waterfowl and critical habitats for grizzly bear, wolverine, moose, red fox, musk oxen and Dall sheep are located here. A total of 4.3 million acres of the 8.9 million acres added to the range are wilderness, bringing the total of the new and existing rangelands to 16.9 million acres, of which 13.1 million acres would be wilderness. For environmentalists, there is no higher priority in the Alaska lands debate than the Arctic National Wildlife Range.

About 800,000 acres were slashed off its southern extension to accommodate mining interests. These are important calving grounds for the caribou and is one example of a significant compromise with the "preservation of whole ecosystems" concept of HR 39. Udall and Seiberling accepted the deletion offered by Young on the understanding that there would be no other major wilderness cuts.

The overriding conflict, however, is the potentially rich deposits of oil and gas along the sensitive coastal wilderness. It is the only significant oil and gas conflict in HR 39.

This area has been administratively off limits to oil and gas drilling since 1960, and President Carter personally has determined that it should remain so, as unadulterated wilderness. But faced with intense pressure for energy development, the Interior Committee struck a two-pronged deal. It maintained the range's wilderness status but created a 1.2 million-acre zone where the federal government will conduct a five-year exploratory drilling program. This is expected to produce better information on just what the energy resources of the area are. Then, the committee stipulated that five years after enactment of the law, and regardless of the outcome of the federal study, this same zone will become subject to the Title IX mineral access process.

A tug-of-war over this issue is certain for the remaining legislative life of the bill. The industry has little confidence in a government study and thinks the mining process is far too cumbersome. Environmentalists can live with the study but are unhappy about automatically opening up the exploratory zone to Title IX. A Department of the Interior staffer calls the entire provision a "slap in the face of President Carter."

A large chunk of land (the acreage figures, still being negotiated at press time, are between 400,000 and one million acres) was slashed off its southern extension to accommodate mining interests. These are important calving grounds for the caribou and is one example of a significant compromise with the "preservation of whole ecosystems" concept of HR 39. Udall and Seiberling accepted the deletion offered by Young on the understanding that there would be no other major wilderness cuts.

Sweetener for the State: A provision was added to HR 39 late in committee markup that exempts Alaska from wilderness studies required of the Bureau of Land Management under its organic act. The 1976 law requires BLM to examine all its units of 5,000 acres or more for possible wilderness designation. BLM has just gotten this process under way in Alaska. Although HR 39 would cut Alaska out of the mandatory wilderness review, the secretary of the interior would retain all existing authority to conduct studies and propose designations if he chooses.

Wild and Scenic Rivers

HR 39 names 10 new additions to the Wild and Scenic Rivers system. These rivers - the Delta, Fortymile, Gulkana, Alagnak, Killik, Noatak, Nowitna and Unalakleet Rivers, as well as the Ramparts Section of the Yukon River and Birch Creek - would be designated without the usual process of review.

An additional 14 rivers would be studied for possible future designation. Eleven of the studies must be completed within five years. Dropped from the study category were the Wulik River and Susitna River. While the Wulik deletion is not controversial, the Susitna River is to be the site of the most expensive hydroelectric dam ever proposed. The \$2 billion project has been attacked by environmentalists for supplying electricity that energy-rich Alaska does not need. The river was included in the administration proposal as a study river, largely because of the expense of the dam. An effort to resurrect the Susitna designation is possible.

Sport Hunting

HR 39 as presently written puts no new Alaska land whatsoever completely off limits to sport hunters. More than 90 percent of the state, including all wildlife refuges and wilderness areas, would remain generally open to hunters, except for any limitations the State of Alaska itself may choose to impose. No federal registration of hunters or over federal control of hunting is authorized. More than six million acres of national park preserves were created, in large part to expressly accommodate hunters.

The remaining 10 percent of the state is contained in new or existing national parks and wilderness park preserves. Hunting in national parks is unheard of in the lower-48. However, the Interior Committee has grandfathered all commercial registered guides and trappers in Alaska for the next 20 years as a concession to protecting their current livelihoods.

There are some 40 to 50 of these guides and trappers. Out-of-staters cannot hunt in Alaska without one. Recently, the state legislature carved up Alaska into zones, with each guide or trapper agreeing to operate only within a particular zone. Presently, they operate throughout parts of Alaska that would become national parks under HR 39.

For at least the next 20 years, therefore, Alaskan national parks will be the only ones in America in which hunting is allowed, although it will be possible only by hiring one of the grandfathered guides.

Subsistence

Crucial to the way of life of Alaskan natives and some other Alaska residents is the taking of fish, wildlife and other renewable resources. The preservation of this subsistence culture is almost as important a task of HR 39 as is the preservation of Alaska's scenic and natural wonders.

Title VII of the bill could have been one of the most explosive in the entire Alaska lands debate because of its implications for potential federal intrusion into the lives of people who have more than the usual concern that government leave them alone. On the other hand, the federal government has a responsibility to ensure that wildlife and other resources are protected from overhunting and that priorities are established between competing "consumers."

Fortunately, this issue has been worked out to the apparent satisfaction of all parties. The bill gives the State of Alaska responsibility for developing a subsistence plan for its residents within 18 months. The plan must meet certain tests. For example, it has to establish priorities between subsistence "consumers" based on customary and direct dependence on particular resources, local residency and the availability of alternative resources. There also has to be a system of local and regional councils to give area residents a strong voice in the subsistence program.

This plan then would be reviewed and approved by the secretary of the interior, but it would continue to be administered by the state. The secretary would continue to look over the shoulder of the state and would have power to respond to written complaints from local and regional councils. Under specified circumstances and with due process requirements, he could suspend all or part of the state program. However, general state and federal agreement on the purposes of a subsistence program should make this unnecessary.

The title also commits the federal government to pay up to half the costs of implementing the new subsistence program, to a maximum of \$5 million.

Mining Access

Although mining has never been a prominent industry in Alaska, the most general and persistent resource conflict in the Alaska lands debate has been hardrock minerals vs. ecological preservation.

It is no accident that mining has not played a big role in the state economy to date. The primary obstacle always has been money. Government statistics indicate that it costs 1.5 to 2.75 times as much to mine Alaskan resources as it does in the lower-48 states. The very vastness of Alaska makes mining expensive. There is no transportation network to speak of in interior Alaska and the costs of building even a single highway or railroad line are astronomical.

Not only have few deposits been developed, but comparatively little exploration has occurred as well. Industry and public officials interested in traditional forms of development say forget about what has happened in the past. So little is known about the true nature, location and value of Alaskan minerals that it would be economic folly, they say, to "lock it up" in conservation land before more information is acquired.

What is known about Alaskan minerals has only whetted the appetite for more. Almost certainly, Alaska is fabulously rich in minerals of every kind. Major strikes or molybdenum, lead, zinc, copper, nickel and other minerals have been made. A few are so rich that the mines will soon be economic even if the deposits have to be flown out to the lower-48 or to export markets. Down the road, 40 or 50 years from now, many mineral deposits may become more economic.

HR 39 specifically protects all valid existing mining rights, access to them and the right to develop them no matter where they are.

Existing law bans mining in national parks and in park preserves. Wildlife refuges are closed to hardrock mineral development, but open under certain conditions to oil and gas drilling. Wilderness is closed under all circumstances. So currently, 27.5 million acres of Alaska is closed to mining. If HR 39 were to pass without

a mining access title, about 121.4 million acres - nearly one-third of the state - would be effectively off limits to mining. This would be very close to the administration position.

But the Interior Committee's HR 39 takes a much more flexible tack. Even the original HR 39, by claiming so much acreage, recognized it would have to provide for a special process - Title IX - to allow access to more of this land than present law would permit. The bill as reported by committee still closes national parks and refuge wilderness to mining. But national park preserves and wildlife refuge lands that are not designated as wilderness would be open under the new process.

Including the Arctic National Wildlife Range and Misty Fjords, both specifically written into the title, the total of all new and existing federal lands in Alaska subject to the process would be about 51.5 million acres, about 14 percent of the state. With the exception of Misty Fjords, these lands would otherwise be closed to mining.

The total acreage protected by HR 39 from mining altogether is 51.8 million acres - minus all valid existing rights, which are an unknown quantity but potentially significant in certain regions. When this is added to areas already off limits, the total acreage closed to mining in Alaska would be about 72.4 million acres less valid rights, or less than 20 percent of the state.

Although environmentalists and the administration worry that the bill now opens up much more of Alaska to mining than previously contemplated, the mining industry itself hardly thinks it is getting any breaks. Because of the conservation land designations themselves, it is faced with about 45 million acres less of potentially mineable lands than under the status quo with no bill. It also is faced with 51.5 million acres of lands subject to Title IX, which it thinks is "unworkable". So the difference for the mining industry between HR 39 and the status quo is nearly 100 million acres less of completely unfettered mining chances. This says nothing, of course, of whether these acres would have any commercial quantities of minerals or whether they would be located in inaccessible or environmentally unthinkable regions.

The Title IX Process: A mining firm would be required to file an application with the secretary of the interior together with supporting information. The claim would be published and subject to competitive bidding.

The secretary could approve an application if he finds that there is a national need for the mineral, that other domestic sources of supply cannot meet the demand and that the deposit in question contains a substantial amount of the mineral. He also must find that there will be no serious environmental harm from the mining, but this consideration can be swept aside in the face of a national need. Legal challenges to these findings are precluded by the bill.

If he makes these findings, the secretary then would be required to submit the recommendation to Congress within 14 months. Concurrence of both houses would be required within 120 days for the mining to proceed.

Numerous concessions to the mining industry were made by watering down or restricting the findings required of the secretary. Mining interests can be expected to push for elimination of congressional review and competitive bidding. The mining industry is sharply opposed to any kind of lease system, as implied by the competitive bidding process, preferring instead a modification of the current location patent system. In general, industry strongly feels that Title IX is unworkable and will act as a deterrent to mining in Alaska.

Environmentalists are generally opposed to all hardrock mining on public lands, but have reluctantly supported a minerals access title. They are much opposed to the provision cutting off all legal challenges to secretarial findings, however,

The administration has never endorsed a new access procedure, arguing instead for the application of more restrictive, existing laws. It can be expected to push for dropping the title on the floor, or at the very least, dropping park preserves from the process.

Transportation

From an environmental point of view, transportation across conservation lands could well be the "sleeper" in HR 39. Construction of highways, railroad lines and pipeline and utility corridors bears grave potential for significant environmental damage. The violent yet delicate nature of the Alaskan environment makes these projects very risky ventures.

The oil pipeline, of course, is the prime example of these dangers, and there are others. Construction on the rather infamous "Hickel Highway" for example, was begun in the late 1960s with the intention of building a winter highway from Fairbanks to the North Slope oil fields. The road did not get very far. Instead of following the expensive and painstaking method of building on top of the permafrost, bulldozers were used instead to gouge a roadway. When the first spring thaw came the highway was flooded, and after many attempts to salvage it, the highway was closed.

Most foreseeable transportation corridors are accommodated in HR 39 by drawing park and refuge boundaries to avoid potential conflicts. Several concessions along these lines were made during markup. Access to valid existing rights and in-holdings also is assured.

If, however, a road, pipeline or utility line is proposed to cut through any conservation system unit in Alaska, HR 39 attempts in Title X to provide a coherent, expedited process for determining whether to permit construction. The title, for the most part, is supplementary to existing law and applies generally to all conservation lands, including wilderness.

The process requires an application to the secretary of the interior and preparation of an environmental impact statement. The secretary would then make a recommendation based on findings concerning the public interest, compatibility with the purposes of the conservation land and the existence of economically prudent and feasible alternatives. The secretary would be required to submit his recommendation, whether favorable or unfavorable, to Congress.

The transportation route in question could not go forward without approval of a joint resolution of Congress, signed by the president.

Excluded from the congressional-presidential review are an oil or gas pipeline crossing a wild and scenic river or minor transportation intrusion on conservation lands other than wilderness.

The title is not per se a weakening of any existing law. Rather it provides a more lucid, expedited roadmap for government consideration of transportation corridor proposals, particularly in the case where no current authority exists. For example, the secretary now has no authority to approve a pipeline across a national park. Any application for such a pipeline would be turned down automatically, and it would require an act of Congress for that pipeline to be built. Title X says that the pipeline still requires an act of Congress but lays out procedures and findings that must be satisfied along the way.

What worries some, especially in the Interior Department, is that the title shifts the political burden from the road or pipeline builder to the federal government. In this view, existing law stacks the political odds against a builder by

making congressional consideration an extraordinary act. Under HR 39's Title X, the process is legitimized and any builder even proposing to cross a conservation land is assured of congressional consideration. This may tend, administration analysts fear, to point to conservation lands as areas where expedited federal action can be obtained.

They also object that the "prudent and feasible alternative" finding required of the secretary has been weakened by adding the word "economically" to the test. Current law says nothing about financial hardships that may be incurred by an alternative route.

Positions

The Alaska Coalition supports HR 39, but has reservations about some compromises on conservation land designations. The coalition is the umbrella group for environmental organizations, including the Sierra Club, Friends of the Earth, Wilderness Society, National Audubon Society, Defenders of Wildlife, the National Parks and Conservation Association and Alaska environmental groups. Coalition contacts: Cathy Smith, 543-3663, Barbara Blake, 547-1144.

The Carter administration also supports the bill, but has reservations about the minerals and transportation access titles. Department of the Interior contact: Randy Jones, 343-4911, Mike Lamb, 343-5883.

The American Mining Congress opposes the bill, most especially Title IX, which governs mineral entry to conservation lands. It believes the procedure is impractical and sets up a lease permit system instead of a modified patent location mechanism favored by the industry. It also believes the bill claims too much federal land and will block efforts to develop reliable information on Alaska's mineral resources. AMC contact: Keith Knoblock, 331-8900.

The National Forest Products Association also opposes HR 39. The group has backed the Meeds bill (HR 10888). It would like to see more land in interior Alaska designated as national forests and is opposed to the compromise in Southeast Alaska. It believes there should be no wilderness designation in the panhandle region until the completion of Forest Service studies next year of its land that might be suitable for wilderness. NFP contact: Evie Jarvis, 797-5800.

The Steering Council on Alaska Lands, a bipartisan group established by the Alaska state legislature last year, neither firmly opposes nor supports the bill. The council's primary objection to the bill is that it does not recognize the principal that state land selections should have primacy over federal selections. About 10 million acres recently selected by the state are among the proposals in HR 39.

The Steering Council also opposes the designation of vast, unstudied wilderness areas and the inclusion of important mineral deposits on conservation lands. But the group has not taken specific positions on boundary or wilderness decisions and has not determined whether HR 39 meets its criteria.

The council is satisfied with the subsistence title, despite concerns about the local and regional councils' ability to forward complaints directly to the secretary of the interior. And it "appreciates" a provision guaranteeing access to all valid existing mineral rights. The provision was patterned after language drafted by state legislators. Steering Council contact: Joe Chomski, 244-4250.

Most labor unions interested in the legislation are in the process of reviewing HR 39 and have not yet established definitive positions. The Teamsters Union, for example, says that generally the bill needs "substantial improvements" but that it is still studying the compromise in Southeast Alaska and boundary designations in interior Alaska for their impact on the future of the state's economy. Teamster contact: Bartley O'Hara, 624-5800. The United Auto Workers, on the other hand, has thrown its support behind the Alaska Coalition and HR 39. UAW contact: Howard Pastor, 296-7484.

Interior Committee contacts: Stan Sloss (majority), x56013. Bill Horn (minority), x55617. Merchant Marine contact: Rob Thornton, x51282.

Appendix

Aniakchak National Park: Located in the heart of the Alaska peninsula, the Aniakchak volcano is a registered national landmark whose last major eruption was in 1931. The caldera, or crater, is 30 square miles and contains a beautiful lake. It offers a complete and unusual volcanic environment, with abundant wildlife from the brown bear and moose around the caldera to the sea lions, otters and birds on the coast. A park preserve is established to protect native oil and gas selections.

Bering Land Bridge National Park Preserve: This is an area of great archaeological and wildlife value on the Seward Peninsula, the remains of the land bridge that once connected Asia with North America. Volcanic activity has preserved evidence of prehistoric Eskimo cultures and ancient ecosystems. There is bountiful wildlife including reindeer herds, endangered whales and nesting areas for 87 of the 112 species of migratory birds. Some upland mineral deposits are protected by preserve status.

Cape Krusenstern National Park: The cape's unusual horizontal beach ridges tell in both archaeological and ecologic succession the story of Eskimo cultures going back 4,500 years. A preserve in the northern acreage of the park would protect trappers and subsistence hunters.

Gates of the Arctic National Park: This park would preserve the spectacular central portion of the Brooks Range, which divides central Alaska from the North Slope. Called "America's ultimate wilderness" by the Interior Department, it is characterized by rugged peaks, deep canyons and the finest wild, clearwater float streams in northern Alaska. It has a striking diversity of botanic zones and an abundance of grizzly bears, wolves and moose. The main caribou herd migrates through its mountain passes each spring and fall.

More than 5 million acres with oil and gas potential was cut off its proposed northern boundary in deference to native selections. Another 60,000 acres was declared a preserve to protect the so-called Ambler copper region. An attempt to delete the Reed River basin was defeated because it would have carried spoil from mining operations into the park. And an effort to cut a transportation corridor through the middle of the park also was beaten.

Kenai Fjords National Park: On the Kenai Peninsula only two and one-half hours drive south of Anchorage, the park would extend from the top of the Harding Icefield, recommended as a national landmark in 1968, down past the rugged coast and out over the coastal waters. Abundant sea life, bald eagles, lush coastal rain forest and the geologic effects of retreating glaciers are among prime values. An effort might be made to include Kenai Fjords in the adjacent Kenai National Moose Range, but the park is geographically distinct and its values not so heavily oriented toward wildlife.

Kobuk Valley National Park: The main feature of this park proposal is 25 square miles of slow-moving, active sand dunes located north of the Arctic Circle. The dunes are remnants of what used to be 300 square miles of inland sand dunes. Kobuk also has very important archaeological and subsistence hunting values, a major migration route of the Arctic caribou herd, gentle recreation rivers and boreal forests covering its green, tundra-swathed hills. Attempts may be launched to create a preserve in a portion of Kobuk for minerals, hunting and a transportation corridor.

Lake Clark National Park: This is a superb scenic park area characterized by glaciers, volcanoes, dramatic coastline and some of Alaska's finest fishing streams and lakes. It is frequently referred to as the Switzerland of Alaska. A superabundance of wildlife, including the once-endangered trumpeter swan, and its location

100 miles west of Anchorage make Lake Clark a prime recreational resource. A third of the park has been designated as a preserve to provide for sport hunting.

Noatak National Park Preserve: Bordering the Gates of the Arctic to the east, this is the largest and last major pristine river basin in North America. Of significant scientific value, the Noatak River runs 425 miles from mountains to sea, across tundra slopes, through narrow canyons and past woodlands. The area is unusually rich in wildlife and is an important caribou migration route.

About one million acres was deleted from the park in the Squirrel River drainage basin. The river was placed in study status for possible wild and scenic river designation. The cut provides an unimpeded transportation corridor to the state's National Petroleum Reserve and to the major "Red Dog" deposits of lead, zinc, silver, nickel and other minerals. The associated Wulik River was dropped from wild rivers designation to facilitate the corridor.

Efforts to cut more land out of the Noatak Preserve as a further concession to the "Red Dog" deposits were defeated, but may re-emerge. More than 90 percent of "Red Dog" remains outside the park boundaries.

Wrangell-St. Elias National Park: This area contains the greatest concentration of peaks over 14,500 feet in North America and the most vast array of glaciers and icefields outside of Greenland and Antarctica. The Chitistone Canyon is deeper and wider than either Yosemite or Zion canyons. The valleys offer some of the most diverse wildlife and best hiking opportunities in Alaska. Coastal regions offer sand beaches, flowers and sealion colonies. It is adjacent to Canada's Kluane National Park and could become an unparalleled international park.

The lowlands also are prime sport hunting regions and contain developable mineral deposits, however. HR 39 designates 3.3 million acres of the 12 million-acre park as a park preserve, open to hunting and mining. A bitter conflict over the size of the preserve, conflicts between hunters and hikers, and eventual mining in the area were not satisfactorily resolved by the committee.

Denali (Mt. McKinley) National Park Addition: The present boundaries of the park do not protect the highest peak in North America, nor its most spectacular glaciers. Additions to the north and west would protect wolf, moose, caribou and grizzly bear habitats that could be observed at close range by park visitors. A total of 290,000 acres in the Kantishna Hills area to the north have been designated a preserve for mining purposes. A stiff fight to include more acreage in the preserve can be expected.

Yukon-Charley National Park Preserve: This park would combine a very scenic portion of the important Yukon River with the entire watershed of the Charley River, which is in pristine wilderness condition. The area is characterized by Adirondack-like high palisades, excellent river recreation, unusual habitats of Fannin and Dall sheep, and unexcelled concentrations of the endangered peregrine falcon. This park - all of which is named a potential hunting and mining preserve - is part of the struggle for the Yukon River basin. The state is interested in the area for its mineral potential and possibilities as a transportation link. National forest designation was suggested for the area, but never got far in committee.

Glacier Bay National Park Addition: At the northernmost section of the Alaska panhandle, the proposal would add the lower canyon of the Alsek River which is fronted by a five-mile long glacier, and include entire physical and biological

systems. A portion of one of the most extensive wilderness sand beaches on the Pacific coast would be added, as would important wildlife habitats and recreational opportunities. Geography varies from sand dunes to 15,000-foot mountains.

Katmai National Park Addition: Established as a national monument in 1918 by President Wilson after a volcanic eruption in 1912, the Katmai park is a protected brown bear habitat and is vital for moose, wolves, eagles, coastal birds and other wildlife. The addition would protect complete watersheds, scenic volcanic lakes, coastal landforms, fisheries and maritime tundra. A small preserve also is created. There is some conflict with proposed state selections.

Alaska Maritime National Wildlife Refuge: This refuge is composed of a string of islands and mainland cliffs stretching 1,100 miles from the Chukchi Sea in the far northwest to Middleton Island in the Gulf of Alaska. It would protect 20 percent of Alaska's sea birds, 22 percent of its sea otters, 20 percent of its peregrine falcons, seals, 16 species of whale, seven of which are endangered, and other wildlife. Increasing offshore oil and gas drilling, with associated tanker traffic, make this an important addition to the wildlife refuge system.

Alaska Peninsula National Wildlife Range: This is one of the finest fish and wildlife areas in all of Alaska, but also one of the more controversial. The peninsula is a very complex and fragmented system of state, federal and native land ownership patterns. A study of the area and its future use is now being conducted and future land swaps to satisfy all interests is expected. At issue is what designation should the peninsula receive in the meantime. HR 39 proposes that interim protection be provided by naming it a wildlife refuge.

Becharof National Wildlife Range: Located adjacent to the Alaska Peninsula range and the Katmai National Park, it is one of Alaska's finest brown bear habitats. The refuge has been separated from the Alaska Peninsula range because it is a compact, distinct unit with few, if any, conflicts.

Innoko, Kanuti, Koyukuk and Nowitna National Wildlife Ranges: These four refuges in central western Alaska are critical habitats for hundreds of thousands of migratory ducks and geese enjoyed in the lower-48. HR 39 protects entire watersheds and the resources upon which natives depend for subsistence. The Nowitna contains an especially fine recreational river. The major conflicts in these refuges generally are with potential transportation corridors to the mineral deposits associated with the Brooks Range and North Slope. Many of these conflicts already have been accommodated by HR 39.

Selawik National Wildlife Range: Latticed by rivers, lakes, streams and ponds, Selawik is another key home for millions of migratory birds and a portion of the caribou wintering habitat. Fish resources on Kotzebue Sound are important. The main conflicts are with native selections along the coast.

Tetlin National Wildlife Range: A small refuge that abuts the Wrangell-St. Elias National Park. It is especially attractive to nesting waterfowl because of its early ice melt and has the second highest density of nesting in Alaska. Furbearers, grizzly and black bears, moose and the endangered osprey rely on Tetlin.

Yukon Flats National Wildlife Range: This is one of the most productive waterfowl habitats on earth, with 40,000 potholes, lakes, tarns and ponds, and more than 25,000 miles of streams. More than two million ducks, 10-15 percent of all canvasbacks and the peregrine falcon breed here, as well as furbearing lynx, marten, otter,

mink and beaver. Native residents depend heavily on the area's fish and wildlife for subsistence.

The committee has included a provision stating that if natives do not select one million acres of agricultural lands in the flats, the state will be allowed to meet this quota with selections from refuge lands. But state interest goes well beyond agricultural lands. It would like more control of the entire Yukon River for its potential gas, oil and mineral deposits, water power, recreation and general development possibilities. The Yukon Flats refuge and the Yukon-Charley National Park are good candidates for more compromise pressure.

Arctic National Wildlife Range Additions: Unquestionably, this is America's largest and most pristine wilderness, and the most untouched arctic ecosystem. It contains calving grounds for Alaska's largest, but diminishing Porcupine caribou herd, major migratory routes for a vast variety of waterfowl and critical habitats for grizzly bear, wolverine, moose, red fox, musk oxen and Dall sheep. A total of 4.3 million acres of the 8.9 million acres added to the range are wilderness, bringing the total of the new and existing rangelands to 17.3 million acres of which 13.1 million acres would be wilderness. For environmentalists, there are no higher priorities in the Alaska lands debate than the Arctic National Wildlife Range.

A very large region was slashed off its southern extension to accommodate mining interests. These are important calving grounds for the caribou and is one example of a significant compromise with the "preservation of whole ecosystems" concept of HR 39. Udall and Seiberling accepted the deletion offered by Young on the understanding that there would be no other major wilderness cuts.

The overriding conflict, however, is the potentially rich deposits of oil and gas along the sensitive coastal wilderness. It is the only real oil and gas conflict in HR 39.

This area has been administratively off limits to oil and gas drilling since 1960 and President Carter personally has determined that it should remain so, as unadulterated wilderness. But faced with intense pressure for energy development, the Interior Committee struck a two-pronged deal. It maintained the range's wilderness status but created a 1.2 million-acre zone where the federal government will conduct a five-year exploratory drilling program. This is expected to produce better information on just what the energy resources of the area are. Then, the committee stipulated that five years after enactment of the law, and regardless of the outcome of the federal study, this same zone will become subject to the Title IX mineral access process.

A tug-of-war over this issue is certain for the remaining legislative life of the bill. The industry has little confidence in a government study and thinks the mining process is far too cumbersome. Environmentalists can live with the study but are unhappy about automatically opening up the exploratory zone to Title IX. A Department of the Interior staffer calls the entire provision a "slap in the face of President Carter."

Togiak National Wildlife Range Addition (Cape Newenham): The area would embrace striking mountains, upland tundra, jewel-like lakes, two wild rivers and a wide range of wildlife habitats from the summit of a 5,000-foot mountain to the shores of Kuskokwim Bay. The region supports 32 species of land mammals, almost two million salmon, many bald eagles and peregrine falcons, and is a crossroads for migratory waterfowl and shorebirds.

Yukon Delta National Wildlife Range Addition (Clarence Rhode Range): This is the greatest goose nesting region in the United States and contains almost all the populations of at least four species of geese. At least 100 million shorebirds and

other waterfowl nest here and 170 species of birds have been observed in the region. Local fisheries are protected as are native subsistence uses.

Kenai National Wildlife Range Addition: A small addition to round out habitats for the Kenai moose, trumpeter swans, Dall sheep, mountain goats and other fish and wildlife. The greatest loon populations in North America are located here.

Southeast Alaska National Forest Wilderness: The panhandle region of Southeast Alaska generated some of the most bitter debate and the most controversial compromise of the entire bill. The panhandle is a unique archipelago of islands, inland waterways and beautiful coastal areas. It has some of Alaska's richest wildlife habitats, marvelous rock and ice scenery and untouched wilderness. Its great beauty has never been in dispute. Admiralty Island was first proposed for a national park by President Theodore Roosevelt. Sen. Stevens (R-Alaska) asked that the Misty Fjords region be studied for a national park a decade ago.

The fishing industry, well-established and an important source of employment, is a basically compatible with wilderness designation. The forestry industry, also well-established and also an important source of employment, is not. Unlike central Alaska, which offers little commercial timber, Southeast Alaska contains the state's best commercial timber lands. The original HR 39 would have cost Southeast Alaska hundreds of jobs in the timber industry. In addition, an enormous molybdenum mineral strike has been made by U.S. Borax in the Misty Fjords at the headwaters of three important salmon streams.

Faced with intense labor union pressure, the committee struck a deal. It dropped several million acres, or 62 percent of all land designated for wilderness or wilderness study, including the coveted Misty Fjords. In exchange, protection of whole ecosystems as wilderness on Admiralty Island, West Chichagof-Yakobi Island and other areas was ensured. The deal also broke the back of the argument that HR 39 would harm employment in the timber industry. Fishermen, though, are angered because they have not been fishing certain Misty Fjords streams for some 15 years in an effort to build up important king salmon stocks. Now those streams are likely to be damaged by logging and open-pit mining of the molybdenum strike.

Environmentalists who reluctantly went along with the compromise are saying that too much was given away. They complain that by making the worst possible assumptions about the timber yields of some areas, unquestionably deserving wilderness proposals, such as the Endicott region, were needlessly bartered away. The loss of Misty Fjords is especially painful. Even the committee's development-oriented bloc cried foul. In the words of one staffer, "they used a meat cleaver instead of a scalpel."

But the compromise takes the labor question out of Southeast Alaska. By dealing in relatively large, identifiable areas, it protects certain whole ecosystems that might have been surgically perverted by the "scalpel" and leaves open the possibility that those areas cut out of the southeast wilderness package might be reinstated. This could happen either on the House floor or as a result of a current Forest Service wilderness study due to be completed next year.

ALASKA CONSERVATION LANDS
(in millions of acres)

<u>New National Parks</u>	<u>Original HR 39</u>	<u>Administration</u>	<u>HR 39 As Reported</u>
Aniakchak			
National Park	.400	.338	.340
National Preserve	-0-	.157	.160
Total	.400	.495	.500
Wilderness	.400	-0-	.340
Bering Land Bridge			
National Preserve	4.500	2.340	2.480
Wilderness	4.500	-0-	.700
Cape Krusenstern			
National Park	.900	.360	.190
National Preserve	-0-	-0-	.350
Total	.900	.360	.540
Wilderness	.900	-0-	-0-
Gates of the Arctic			
National Park	13.600	8.120	8.060
National Preserve	-0-	-0-	.600
Total	13.600	8.120	8.120
Wilderness	13.600	8.100	8.110
Kenai Fjords			
National Park	.600	.410	.420
Wilderness	.600	.332	.340
Kobuk Valley			
National Park	1.900	1.670	1.670
National Preserve	-0-	-0-	-0-
Total	1.900	1.670	1.670
Wilderness	1.900	-0-	1.140
Lake Clark			
National Park	7.500	2.429	2.280
National Preserve	-0-	.711	1.220
Total	7.500	3.140	3.500
Wilderness	7.500	2.549	2.620
Noatak			
National Preserve	7.600	5.958	6.600
Wilderness	7.600	-0-	6.100
Wrangell-St. Elias			
National Park	14.000	9.560	8.670
National Preserve	1.800	2.491	3.380
Total	15.800	12.051	12.050
Wilderness	15.800	8.846	9.780
Yukon-Charley			
National Preserve	3.200	1.690	1.660
Wilderness	3.200	-0-	1.040

ALASKA CONSERVATION LANDS
(in millions of acres)

<u>Additions to Parks</u>	<u>Original HR 39</u>	<u>Administration</u>	<u>HR 39 As Reported</u>
Denali (Mt. McKinley)			
National Park	4.700	8.853	3.460
National Preserve	-0-	-0-	.290
Total	4.700	3.853	3.750
Wilderness	4.700	5.499*	5.400*
Glacier Bay			
National Park	.800	.588	.540
Wilderness	.800	2.787*	2.810*
Katmai			
National Park	2.600	1.100	1.130
National Preserve	-0-	-0-	.210
Total	2.600	1.100	1.340
Wilderness	2.600	2.692*	3.630*

*including existing park

ALASKA CONSERVATION LANDS
(in millions of acres)

<u>New Wildlife Refuges</u>	<u>Original HR 39</u>	<u>Administration</u>	<u>HR 39 As Reported</u>
Alaska Maritime			
Nat'l Wildlife Refuge	.300	.430	.460
Wilderness	.300	-0-	.350
Alaska Peninsula			
Nat'l Wildlife Range	1.200	Study Area	1.570
Wilderness	1.200		-0-
Becharof			
Nat'l Wildlife Range	-0-	1.030	1.000
Wilderness	-0-	-0-	.400
Innoko			
Nat'l Wildlife Range	2.300	2.840	3.190
Wilderness	2.300	-0-	1.240
Kanuti			
Nat'l Wildlife Range	.800	1.200	1.300
Wilderness	.800	-0-	.300
Koyukuk			
Nat'l Wildlife Range	3.700	3.330	3.720
Wilderness	3.700	-0-	.910
Nowitna			
Nat'l Wildlife Range	1.000	1.450	1.450
Wilderness	1.000	-0-	.480
Selawik			
Nat'l Wildlife Range	2.500	2.150	2.160
Wilderness	2.500	-0-	.240
Tetlin			
Nat'l Wildlife Range	-0-	.770	.770
Wilderness	-0-	-0-	.100
Yukon Flats			
Nat'l Wildlife Range	12.300	8.450	10.310
Wilderness	12.300	-0-	1.970
Copper River Delta			
Nat'l Wildlife Refuge	.900	-0-	-0-
Iliamna			
Nat'l Wildlife Range	2.900	-0-	-0-
Kaiyuh			
Nat'l Wildlife Refuge	.300	-0-	-0-

ALASKA CONSERVATION LANDS
(in millions of acres)

<u>Additions to Refuges</u>	<u>Original HR 39</u>	<u>Administration</u>	<u>HR 39 As Reported</u>
Arctic			
Nat'l Wildlife Range	8.400	8.850	8.850***
Wilderness	8.400	8.800*	13.100**
Togiak			
Nat'l Wildlife Range (Cape Newenham)	3.500	3.840	3.840
Wilderness	3.500	-0-	2.770**
Yukon Delta			
Nat'l Wildlife Range (Clarence Rhode)	6.300	10.590	12.570
Wilderness	6.300	-0-	2.330
Kenai			
Nat'l Wildlife Range	-0-	.250	.250
Wilderness	-0-	1.390**	1.390**

*all in existing range

**including existing range

***at press time, committee action on boundary and acreage designations in the Arctic National Wildlife Range were in considerable dispute among majority and minority staff. This figure is not final.

Wild and Scenic Rivers: Acreage figures for wild and scenic rivers are not comparable between the three proposals. HR 39 as reported names 1.687 million acres of wild and scenic rivers.

Southeast Alaska National Forest Wilderness: Acreage figures for national forest wilderness lands in Southeast Alaska are not comparable between the three proposals. However, about 60 percent of the original HR 39's wilderness proposal was deleted by the Interior Committee, including 2.4 million acres in the important Misty Fjords region. Final Southeast Alaska wilderness figures stand at 3.879 million acres.

Wilderness: Wilderness designations within national parks only preclude intensive recreational development.

Although the administration proposes no wilderness in national wildlife refuges, there is no essential difference in development that would be allowed in an HR 39 refuge wilderness and an administration refuge without wilderness.

All wilderness designations permit hunting, fishing and other traditional subsistence practices subject to regulations to be developed by the State of Alaska. Traditional forms of motorized access to wilderness areas, such as airplanes, motorboats and snowmobiles, are allowed.

Some acreage figures are tentative and may be subject to change.

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

TO: The Record
FROM: C. C. Harvey
SUBJECT: Wilderness Workshop, February 21-22, 1978, Anchorage
DATE: February 28, 1978

The FSLUPC sponsored a Wilderness Workshop for background for the Commissioners. The meeting was chaired by Bob Weeden (2/21) and Dave Cline (2/22), and was attended by Washington or senior Alaska level personnel from USFWS, USFS, USBLM, USNPS, by representatives of the Alaska Coalition, the Alaska Miners Association, the Alaska Professional Hunters, Alaska Loggers Association, the Wilderness Society, and Doyon, NANA, and BBNC.

A list of participants, an agenda, and policy questions to be addressed are appended.

Basically, the workshop addressed the proposed questions. It did not address fundamentals of how much wilderness. It is apparent that d-2, the Forest Service Management Act, and the BLM Organic Act have completely revised the amount of wilderness that can be added to the wilderness system in the United States. The intent of Congress should be clarified with new debate.

Federal-State
Land Use Planning Commission
For Alaska

WILDERNESS WORKSHOP
February 21 and 22, 1978
Anchorage, Alaska

Moderator, First Day: Dr. Robert Weeden
Moderator, Second Day: David Cline

Participants

User Groups

Dr. Bernard Shanks
Stan Senner
Mary Ellen Cuthbertson
Rich Gordon - Ben Shaine

The Wilderness Society
The Wilderness Society
Alaska Coalition
Alaska Center for the Environment

Dr. C. Hawley
Terry Brady
Don Finney
Tom Scarborough

Alaska Miners' Association
Alaska Professional Hunters
Alaska Loggers' Association
Alaska Wildlife Federation

Corporations

Roger Huntington
Jack Moores
Bert Griest

Galena Corp./Doyon
Bristol Bay Corp.
NANA Corp. (Wed. only)

State

George Hollett
Richard Logan
Richard Bishop
Ron Regnart

Department of Natural Resources
Habitat/Alaska Dept. of Fish & Game
Game/Alaska Dept. of Fish & Game
Com. Fish/Alaska Dept. of Fish & Game

Federal

Paul Fritz
Roger Contor
G. Bryan Harry

NPS

National Park Service
National Park Service

Burke Neeley
Averial Thayer
Dick Hensel
Bill Raffelt
Darrell Lewis
Jules Tileston
Zane Smith
Bob Tracy
Ray Clark

Fish and Wildlife Service
Fish and Wildlife Service
Fish and Wildlife Service
FWS
Bureau of Land Management
Bureau of Land Management
Forest Service
Forest Service
Forest Service



Federal-State
Land Use Planning Commission
For Alaska

Tentative Agenda

Wilderness Workshop
Anchorage, Alaska

Tuesday, February 21

9:00 a.m.	Introduction and Purpose
9:30 a.m.	The National Wilderness Presentaion System 1964 to 1978
10:00 a.m.	Break
10:15 a.m.	Wilderness - Definition
11:00 a.m.	Wilderness Candidate or Study Areas
11:30 a.m.	Wilderness Regulations
12:00 noon	Lunch
1:30 p.m.	Wilderness Management a. Conforming and Nonconforming Uses and Facilities b. Land and Resource Management (Fire, Wildlife, Fisheries)
3:15 p.m.	Break
3:30 p.m.	c. Inholdings and Adjoining Lands Mining Claims/Subsurface
4:15 p.m.	e. Wilderness Litigation Review
4:45 p.m.	Review Wilderness Legislation Areas in Alaska
5:00 p.m.	
Evening	Open

Wednesday, February 22

9:00 a.m.	Review of Wilderness Proposals and Legislation for Alaska Areas
10:00 a.m.	Immediate or Instant Wilderness Discussion
10:30 a.m.	Break
10:45 a.m.	Candidate or Wilderness Study Areas Discussion - Policy, Interim Management, Study Program
11:15 a.m.	Conforming and Nonconforming Uses, Facilities, and Activities Discussion
12:00 noon	Lunch
1:30 p.m.	Impact on Private and State Lands Inholdings, Adjoining Lands, and Access Discussion
2:30 p.m.	Subsistence and Wilderness
3:15 p.m.	Break
3:30 p.m.	Public Input/Participants
4:30 p.m.	Area Nominations
5:00 p.m.	Summary

TO: The Record
FROM: C. C. Harvey
SUBJECT: Senate Workshop on Alaska's d-2 Lands
DATE: February 28, 1978

The staff of the U. S. Senate Committee on Energy and Natural Resources conducted a workshop in Anchorage on February 13-22 on Alaska's d-2 lands. Although the workshop is part of the Senate's d-2 process, it was not a public hearing. Its purpose was to develop a total resource based picture from knowledgeable user groups.

The workshop was divided first of all areally, i.e., the first day's hearings were on western Alaska (a.m.) and southeastern (p.m.), and secondly into a resource format which addressed in sequence the following resource values: (1) scenic; (2) habitat and wildlife; (3) state and native lands; (4) renewable resources; (5) fuel minerals--coal, oil and gas, and uranium; (6) non-fuel minerals; and (7) transportation and access. Participants were supposedly knowledgeable in a site-specific fashion, and each area was discussed separately; for example, the Gates of the Arctic National Park, during the general February 21-22 session on northwestern Alaska.

The session was chaired by Mike Harvey and Steve Quarles of the majority staff. Tom Williams also represented the majority staff and is responsible for assembly of the workshop documents. Tom Imeson represented minority staff, and Tony Benedetto represented Senator Hanson (Wyo). Steve Silver of Senator Stevens also was present and often took the lead in questioning. "User" groups represented included: Alaska Miners Association, Alaska Oil and Gas Association, State of Alaska DNR, DOT, and F&G, U. S. NPS, FWS, USGS, USBM, and the Alaska Coalition. Lisa Parker monitored for the d-2 Steering Council.

In general, the format was adequate to develop a state-wide resource picture, although not detailed enough generally to resolve boundary problems. It allows detailed further input.

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

*Includes all
lands BLM
DI etc*

(4)

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.

(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.

February 27, 1978

Mr. Steve Cowper
Chairman
Steering Council for Alaska Lands
Tenth Legislature - Second Session
State of Alaska
Pouch V
Juneau, Alaska 99811

Dear Steve:

Attached are proposed technical amendments to Committee Print #3 of HR 39, dealing with fishing enhancement and rehabilitation (aquaculture) interests of Alaskan fishermen. The language was drafted by representatives of the Northern Southeast Aquacultural Association and the Prince William Sound Aquaculture Association in cooperation with Alaskan representatives of the Alaska Coalition.

The amendments have the backing of the United Fishermen of Alaska and have been reviewed by the Fisheries Rehabilitation and Enhancement Division of the Alaska Department of Fish and Game. They are currently under review by the Alaska Coalition in Washington, and the staffs of the Subcommittee on General Oversight and Alaska Lands, and the Interior and Insular Affairs Committee of the U. S. House of Representatives prior to full committee markup scheduled to commence Tuesday, February 28.

It is my recommendation that the Steering Council approve the amendments as drafted to lend support to Alaskan on this important resource issue as addressed in HR 39.

Sincerely,



David Cline
Member
Steering Council for Alaska Lands

DC:mh

Attachments

Section 101(8)

The protection, rehabilitation, and enhancement of Alaska's fish resources is necessary and desirable both as a means to provide for future economic, social, recreational, and cultural development in Alaska and contribute to the world's food supply.

Section 102(1)(6)

Maintain opportunities for the research, management, rehabilitation, and enhancement of fish resources.

Section 607(c)(1)

In accord with principles of sound fisheries management, and to protect and preserve wilderness resources, the Secretary of Agriculture is authorized to permit fishery research, management, enhancement, and rehabilitation activities within national ^{forest or} wilderness areas designated by this Act, as he determines to be necessary and desirable to study, manage, protect, augment, or sustain indigenous fish populations. *(delete potential wilderness)*

delete Developments for any such activities shall involve only those minimal facilities essential to these operations and shall be constructed in such manner as to blend into the natural character of the area. In constructing such structures, no significant alteration to the natural contours of the terrain shall be permitted.

Section 607(c)(2)

Fish hatchery sites as identified in section 605 where permanent development appears imminent and desirable will be excluded from wilderness and designated "Potential Wilderness." Such exclusions will involve the ^{land} minimal acres deemed essential to accomodate the proposed hatchery development. If after a period not to exceed 10 years from the date of this Act a plan for orderly development of the proposed hatchery sites is not submitted to the Secretary of Agriculture by the State of Alaska, the "Potential Wilderness" will automatically be included in the adjacent wilderness.

STAFF

(c) In accord with principles of sound fisheries management, the Secretary of Agriculture [shall] [is authorized to] permit fisheries rehabilitation and enhancement activities, including fish stocking and development of aquaculture sites within National Forest wilderness areas designated by this Act [as he determines to be necessary] [as ^{is} necessary] to restore, augment, or sustain native fish populations. Structures for any such aquaculture site shall involve only activities necessary to the aquacultural operations and shall be constructed at such locations and in such manner as to blend into the natural character of the area.

SECTION _____:

(a) Notwithstanding existing law, the use of snow-machines shall be allowed in all areas covered by Sections _____, _____, _____ and _____ of this Act, subject to appropriate regulations. The land manager for a unit referred to in Sections _____, _____, _____ or _____ of this Act shall have the authority to specifically prohibit the use of snowmachines in a particular area of the unit where the benefit and recreational enjoyment afforded to the general public by the use of snowmachines is clearly outweighed by potential damage to scenic or habitat values, public safety, or where it is determined that a non-compatible use should be allowed within said area.

(b) Notwithstanding existing law, the use of other recreational vehicles in units referred to in _____, _____, _____ and _____ of this Act is authorized subject to reasonable regulations of the Secretary.

February 27, 1978

DAVE CLINE'S COMMENTS ON COOPERATIVE
MANAGEMENT AMENDMENT

I disagree with the concept of contributing federal lands to an untested and unproven "5th System" of cooperatively managed Alaska Lands System.

Rather, I suggest the creation of a Joint Commission to oversee the management of state, federal, and private lands, to play an advisory role in land management, and to serve as a forum for developing "cooperative management agreements" involving the various land holders.

As an interim move toward an Alaska Lands System for the future, I would suggest considering the creation of a regional planning "pilot program" involving the Joint Commission. In essence, this would be a "proving ground" for the Alaska Lands System, where "bugs"--political and otherwise--can be worked out before attempting to commit the various parties in a major land and political gamble. Possibly the Alaska Peninsula--Lake Iliamna again--would be the most appropriate place to make such a commitment.

After a period of five to seven years, the legislature could provide for a review of progress of the Joint Commission on such a venture by both the Congress and the State Legislature. If the findings were in the best interests of all parties, further major commitments of state and federal to an Alaska Lands System.

I prefer to see all unappropriated federal lands in Alaska managed by the BLM under the Organic Act rather than committed to an untested and unproven Alaska Lands System.

#22.3

SCOMM

For Copy of Complete report see:
Legislative Reference Library, LLIB File

**ALASKANS TALK ABOUT
NATIONAL INTEREST
(d-2) LANDS**

Rowan Group Report

for the

**Steering Council for Alaska Lands
Anchorage, Alaska**

February 1978