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AGENDA

February 28, 1978 meeting

COURTROOM "A"

Juneau, Alaska

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

STEERING COUNCIL FOR ALASKA LANDS

JOURNAL MINUTES

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

TUESDAY, January 10

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

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

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

MINUTES

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

ANNOUNCEMENTS

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

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

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

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

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

AGENDA ITEM # L

FREEDOM OF INFORMATION ACT

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

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

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

AGENDA ITEM #2

ASKALASKA PROPOSAL

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

Discussion among Council members.

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

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

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

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

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

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

AGENDA ITEM #3

ACCESS/MINERALS AMENDMENTS

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

Attorney Mike Spaan commented on legalities.

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

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

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

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

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

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

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

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

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

AGENDA ITEM #4

ALASKA SURVEY

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

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

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

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

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

AGENDA ITEM #5

MOSS, FRINK & FRANKLIN

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

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

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

AGENDA ITEM #6

BUDGET

Amount requested: \$904,422.00

Amount approved: \$831,222.00

ADJOURNMENT

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

AGENDA

January 10, 1978 Meeting

COURTROOM "A"

Juneau, Alaska

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

TENATIVE AGENDA

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

<u>TIME</u>	<u>ITEM</u>	<u>PURPOSE</u>	<u>PRESENTATION</u>
10:30 a.m.	Co-Operative Management Amendment Recreational Access Amendment	Action	Mike Spaan
11:00 a.m.	Congressmen travel to Alaska	Review/Possible Action	Discussion among Members

*Being
Council
Amendments
& Policy file*

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



1016 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2419/18
[POUCH V. JUNEAU, ALASKA 99811]

Micks
Mis
file

MEMORANDUM

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

In your packet are:

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

see Freedom of Information file
see Budget file
see House Report file

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

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

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

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

MEMO

January 18, 1978

Page Two

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

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

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

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

Scenery, Minerals - a Classic War:

The Alaska Lands Issue: Our Last Frontier

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

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

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

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

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

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

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

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

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

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



Tongass National Forest Typifies Alaska's Beauty

Background

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

When Alaska became a state at the beginning of 1960, more than 99 per cent of the total area was owned by the federal government. However, the Alaskan Statehood Act of 1958 (PL 85-506) provided for the transfer of 103 million acres of federal unreserved lands to the state government over a 25-year period. At the time, 95 million acres were within various federal withdrawals or reservations. The state also was given 45 million acres offshore.

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

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

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

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

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

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

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

In December 1973, after two years of specific evaluation, Secretary Rogers C. B. Morton (1971-75) recommended establishing 83 million acres in 28 areas as additions to the four systems. It included 17 million acres of land also classified as d-1.

Complications

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

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



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

—Interior Secretary
Cecil D. Andrus

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

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

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

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

Plans for d-2 Lands

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

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

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

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

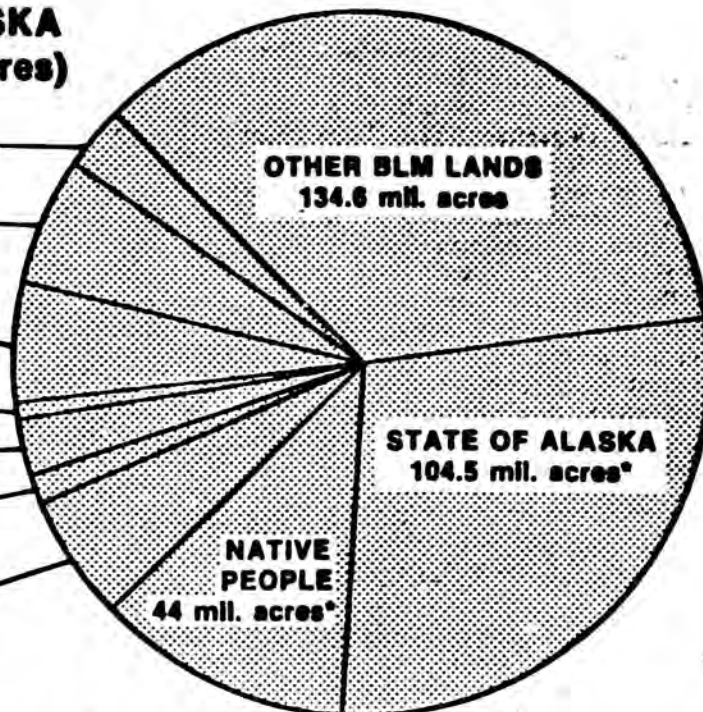
Although the 1971 act called for a maximum of 80 million acres of d-2 lands, the coalition bill would raise the total through the Interior Secretary's standing authority to increase protective management of any public lands. The Alaska Coalition insists the extra lands and extra protection are necessary.

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

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

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

NATIONAL PARKS AND MONUMENTS	7 mil. acres
NATIONAL WILDLIFE REFUGES	22.2 mil. acres
NATIONAL FORESTS (USDA)	20.7 mil. acres
PRIVATE HOLDINGS	1 mil. acres
PIPELINE CORRIDOR (BLM)	5.5 mil. acres
DEPARTMENT OF DEFENSE	2.5 mil. acres
NATIONAL PETROLEUM RESERVE †	23 mil. acres



* When final selections are made.

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

SOURCE: Department of the Interior

ATKINSON

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Alaska Geography

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Legislative Outlook

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

—By James R. Wagner

INTERIOR — Subcommittee on General Oversight
and Alaska Lands 488 House Annex I
225-8913

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

INTERIOR & INSULAR AFFAIRS
1924 LHOB

225-2761

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Philip Burton, Calif. Joe Shubitz, Kan.
Robert W. Kastenmeier, Wis. Don H. Clausen, Calif.
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Jonathan B. Bingham, N.Y. Don Young, Alaska
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Bob Carr, Mich.
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Ted Risenhoover, Okla.
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Philip R. Sharp, Ind.
Matthew F. McHugh, N.Y.
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Nick Joe Rahall II, W.Va.
Bruce F. Vento, Minn.
Jerry Huckaby, La.
Lamar Gudger, N.C.
Charles Conklin, Staff Director and Chief Clerk
Louis Striegel, Minority Counsel

Steve Gaudin 224-3349

ENERGY & NATURAL RESOURCES
3106 DSOB

224-4971

Henry M. Jackson, Wash., Chairman
Frank Church, Ida. Clifford P. Hansen, Wyo.
Lee Metcalf, Mont. Mark O. Hatfield, Ore.
J. Bennett Johnston, Jr., La. James A. McClure, Ida.
James Abourezk, S.D. Dewey F. Bartlett, Okla.
Floyd K. Haskell, Colo. Lowell P. Weicker, Jr., Conn.
Dale Bumpers, Ark. Pete V. Domenici, N.M.
Wendell H. Ford, Ky. Paul Laxalt, Nev.
John A. Durkin, N.H.
Howard M. Metzenbaum, Ohio
Spark M. Matsunaga, Hawaii
Grenville Garside, Staff Director
Fred Craft, Minority Counsel

STEERING COUNCIL FOR ALASKA LANDS

AGENDA

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

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

Unfinished business



H. A. 'RED' BOUCHER & ASSOCIATES

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

PROPOSAL

To: The Alaska State Legislature
Juneau, Alaska

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

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

INTRODUCTION

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

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

the state's interest in D-2 legislation.

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

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

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

PROGRAM PHASES

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

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

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

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

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

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

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

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

PROGRAM APPROACH

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

PERSONAL QUALIFICATIONS

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

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

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

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

ADDENDUM

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

AMENDMENT

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

STEERING COUNCIL FOR ALASKA LANDS

JOURNAL MINUTES

February 28, 1978
Supreme Court Room A
Juneau, Alaska

TUESDAY, FEBRUARY 28th

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

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

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

MINUTES

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

AGENDA ITEM #1

Alaska Survey Results

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

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

AGENDA ITEM #2

SENATOR JACKSON STAFF WORKSHOPS

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

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

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

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

AGENDA ITEM #3

L.U.P.C. WILDERNESS WORKSHOPS

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

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

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

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

Discussion among Council members regarding Congressional intent.

AGENDA ITEM #4

ASKALASKA PROPOSAL

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

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

ANNOUNCEMENT

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

AGENDA ITEM #5

BREIFING ON CURRENT HR 39 COMMITTEE PRINT & MEEDS SUBSTITUTE

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

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

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

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

General discussion among Council members.

ANNOUNCEMENT

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

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

AGENDA ITEM #6

ACQUACULTURE AMENDMENT

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

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

General discussion among Council members.

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

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

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

General discussion.

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

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

CO-OPERATIVE MANAGMENT

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

RECREATIONAL AMENDMENT

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

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

Chuck Hawley moved to insert the words "wildlife population"

Motion amended, no objection, Recreational Amendment passes.

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

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

AGENDA ITEM # 7

49-LEGISLATURES

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

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

General agreement among Council members.

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

AGENDA ITEM #8

WETA COALITION

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

AGENDA ITEM #9

RETENTION OF REP. STEVE COWPER ON COUNCIL

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

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

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

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

ADJOURNMENT

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

AGENDA

February 28, 1978 meeting

COURTROOM "A"

Juneau, Alaska

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

MEMORANDUM

TO: D-2 STEERING COUNCIL

FROM: MICHAEL R. SPAAN

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

DATE: MARCH 9, 1978

I. SOUTHEAST ALASKA

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

II. D-2 CREATED WILDERNESS

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

III. WILDLIFE REFUGES

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

IV. NATIONAL PARK PRESERVES

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

V. NEW WILDERNESS AREAS

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

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

IRCH, HORTON, BITTNER AND MONROE

ATTORNEYS AT LAW

733 WEST FOURTH AVENUE, SUITE 206

ANCHORAGE, ALASKA 99501

TELEPHONE (907) 279-9403

TITLE VII—SUBSISTENCE

1

FINDINGS

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SEC. 701. The Congress finds and declares that—

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

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

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

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

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

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

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

17 POLICY

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

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

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

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

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

DEFINITION

1

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

9

STATE REGULATION

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

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

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

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

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

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

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

7 (3) A State law or regulation which—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 ENFORCEMENT DUTIES OF SECRETARY OF THE INTERIOR

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

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

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

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

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

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

21 COOPERATIVE ARRANGEMENTS

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

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

3 SUBSISTENCE AND LAND USE DECISIONS

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

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

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

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

24 ACCESS

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

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

3 SNOWMOBILES AND MOTORBOATS

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

12 RESEARCH

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

22 PERIODIC REPORTS

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

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

5 The report shall include at least the following:

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

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

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

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

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

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

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

REGULATIONS

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

OTHER LAWS

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

LIMITATIONS

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

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

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

3 REIMBURSEMENT TO THE STATE

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

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

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

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

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

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

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

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

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

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

20 CONVEYANCE OF CORE TOWNSHIP LANDS

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

TITLE I. - ALASKA LANDS SYSTEM

Section 101:

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

ADDITIONAL FEDERAL LANDS

Section 102:

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

STATE LANDS

Section 103:

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

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

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

PRIVATE LANDS

Section 104:

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

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

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

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

ADMINISTRATION

Section 105:

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

104, in accordance with the requirements specified in this Section 201 of this Act. As provided in Section 301, the area will be open to mining and mineral leasing prior to the land classification being made. Hunting, fishing and other wildland recreational activities, trapping, information gathering activities, conducted or sponsored by federal agencies or the State Department of Fish and Game, and snow machine use shall be permitted unless specifically prohibited by the Commission or by then existing regulations of the appropriate managing agency: Provided further, and nothing herein shall be construed to abrogate or otherwise adversely affect valid existing rights of access. In making planning and classification decisions, the Commission shall provide the high level of environmental protection necessary to maintain the natural values and characteristics of the affected land. The Commission shall permit such uses as it finds to be in the national interest or to be consistent with the level environmental protection specified in the preceding 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 recommend the establishment of a corridor, issuance of a right-of-way or easement across a system described in §303(b) to the Secretary of Interior and the Secretary of Transportation when he is involved pursuant to existing law.

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

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

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

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

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



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3925 Reka Drive, Anchorage, Alaska 99504, (907) 279-3516

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

Prepared for
Senator Joseph L. Orsini

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

February 27, 1978

I INTRODUCTION

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

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

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

II THE SITUATION

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

III OBJECTIVES

- A. To reach a substantial portion of the constituents of those United States Senators and Representatives most subject to influence, with sufficient explanatory information, and enough frequency, to win them to Alaska's position.

- B. To measure results, both before and after, in order to provide proof positive to these members of Congress that a vote favorable to Alaska's position will not harm them politically with their constituents, and in fact may be of positive benefit.

IV STRATEGY

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

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

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

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

Alabama - Birmingham Metro, Mobile, Montgomery,
Huntsville

Arizona - Phoenix Metro, Tucson

Arkansas - Little Rock, Fort Smith, Texarkana

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

Colorado - Denver-Boulder, Colorado Springs, Pueblo

Connecticut - Hartford, Stamford-Norwalk

Delaware - New Castle, Wilmington

Florida - Dade County Metro, Orlando, Tampa,
Tallahassee

Georgia - Atlanta Metro, Augusta, Columbus,
Savannah

Hawaii - Honolulu

Idaho - Boise City, Pocatello-Idaho Falls

Illinois - Chicago, Arlington, Madison, Rock Island

Indiana - South Bend, Evansville, Indianapolis

Iowa - Davenport, Des Moines, Cedar Rapids

Kentucky - Louisville, Ashland, Lexington

Louisiana - New Orleans, Baton Rouge, Jefferson,
Shreveport

Maine - Portland, Augusta

Massachusetts - Boston, Springfield, New Bedford

Michigan - Lansing, Detroit, Grand Rapids, Flint

Minnesota - Minneapolis-St. Paul, Duluth

Mississippi - Jackson, Biloxi, Columbus, Greenville

Nebraska - Omaha, Grand Island, North Platte, Lincoln

Nevada - Las Vegas, Reno

New Hampshire - Manchester, Portsmouth-Exeter

New Jersey - Newark, Trenton, Camden, Patterson

New Mexico - Albuquerque Metro, Las Cruces

New York - New York, Buffalo, Albany

North Carolina - Raleigh-Durham, Charlotte,
Greensboro

North Dakota - Fargo-Moorhead, Grand Forks, Minot

Ohio - Cleveland, Columbus, Cincinnati

Oklahoma - Oklahoma City, Tulsa

Oregon - Portland, Salem

Rhode Island - Warwick, Pawtucket

South Carolina - Spartanburg, Greenville, Charleston

Tennessee - Memphis, Nashville, Knoxville, Chattanooga

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

Utah - Ogden, Salt Lake

Virginia - Newport News-Norfolk-Portsmouth, Richmond

Washington - Seattle-Tacoma, Olympia, Spokane

Washington, D. C.

West Virginia - Charleston, Huntington, Wheeling

Wyoming - Cheyenne, Casper

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

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

National Newspapers

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

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

Summary. In one three-week period, Americans

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

2. Plan No. 2 - Local Newspaper Program.

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

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

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

VI BUDGET

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

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

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

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

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

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

VII CONCLUSION

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

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

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

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

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

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

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



ALASKA LANDS NEWS SERVICE

1010 W. 6th Ave., Suite 4 • Anchorage, Alaska 99501

CROSS EXAMINATION of statistics under Sen. Durkin's SB222

Statistics as presented by Durkin news release re Durkin bill:

--95% of all high potential oil and gas lands will be open to possible development.

FACT: This is not an accurate statement. With the exception of oil and gas fields near Anchorage and on the North Slope, most of the Interior oil and gas sedimentary basins have not been subjected to ANY form of significant exploratory activity. In fact, in the remaining 300 million acres of Alaska, only 12 exploratory wells have been driven. An information base is virtually non-existent.

--100% of all federal lands in Alaska will be open to mineral assessment for geological information by the Department of the Interior.

FACT: Close to 100% would be open for assessment by the canoe/rock hammer approach, it is true. However, comprehensive assessment and exploration including the use of motorized terrain vehicles and machinery including core drilling and helicopter access, would be prohibited in wilderness lands.

--88% of all land in Alaska could be open to sport hunting.

FACT: "Could" is the key word here. It "could" be open to hunting but "will" not be if past performance by federal agencies involved is any indicator of future plans. In addition, Alaska Fish & Game officials estimate as high as 60% of prime Dall sheep areas (with smaller percentages for other trophy animals) will be removed under proposed legislation. Resulting hunter pressure on remaining stock will mean drastic reduction of hunting in remaining "open" areas.

--70% of the lands with metallic mineral potential in Alaska will be outside the conservation system units.

FACT: This is true when lumping together highly favorable,

moderately favorable and less favorable areas. However, when only highly favorable areas are examined, about 70% of these rich areas would be WITHDRAWN by pending legislation.

--61% (230 million acres, the sum of the above) of all land in Alaska will be open to a wide variety of uses.

FACT: This is an abuse of statistics, a generality with no fact base. If access is difficult or denied to certain lands, if natural transportation corridors are closed and if unnatural boundaries are drawn around resource clusters and migratory wildlife, much of the 61% mentioned becomes useless.

--40% (149 million acres) of all land in Alaska will be or will become the property of the State, Native corporations or private land owners.

TRUE: But how soon? The majority of these lands have not yet been conveyed even though Alaska became a state in 1959; and the Native Claims settlement Act (1971) declared [Sec. 2 (a) (b)] that there was an "immediate need" for settlement and should be accomplished "rapidly."

--21% (80 million acres) of all land in Alaska will be federal land open to mineral entry, logging and other multiple uses.

FACT: Lands open to mineral entry will not be the highly favorable locations. Prime logging stands in Southeastern Alaska will be withdrawn with a promise of research into new methods to log less favorable stands. Interior forests, as yet untouched, will be blocked to development by patchwork D2 withdrawals which cut sparse northern forests into stands not favorable for any future economic development.

--36% (137 million acres) of all land in Alaska will be in one of the conservation system units either already existing or designated by the bill.

FACT: True, but in addition there are all the remaining federal lands, the so-called D1 lands that amount to approximately a third of Alaska, which will be under wilderness review by the Bureau of Land Management--and these "open public lands" will be treated as closed lands while under wilderness review.

Steering Council For Alaska Lands

*Alaska Lands
Steering
Council*

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



1018 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2418/18

[POUCH V. JUNEAU, ALASKA 99811]

TO: ALL COUNCIL MEMBERS
FROM: STEVE COWPER
DATE: JUNE 12, 1978
RE: ALASKA LANDS NEWS SERVICE

THE ALASKA LANDS NEWS SERVICE IS OPERATIONAL. ATTACHED IS THE
RELEASE SENT TO ALL ALASKAN NEWS DIRECTORS.



ALASKA LANDS NEWS SERVICE

1016 W 6th Ave, Suite B • Anchorage, Alaska 99501
Telephone (907) 272-5853 • Telex 090 26595 ALASKANEWS AHG

June 12, 1978

News Director
Radio Stations
Alaska

Dear News Director,

The Alaska Lands News Service is now operational. I'd like to explain just what it is.

There are basically two portions to the service: Alaska and the lower 49. The entire operation is funded with state money appropriated to the Steering Council for Alaska Lands, the bi-partisan committee charged with presenting the State's interests in (d)(2) to the Congress.

The Alaska operation will consist basically of a newsfeed operation. Any (d)(2) developments relating to the activities of the Council or the Congress that are deemed newsworthy will be distributed to all radio stations in Alaska. This office keeps track of (d)(2) developments on a daily basis; if you have any questions, please call 272-5853. Any actuality newsfeeds that are produced will be dubbed onto a codaphone, so if the office is unmanned the above phone number becomes the codaphone number. The Associated Press in Anchorage has agreed to billboard any cuts the Lands Service feeds, so keep an eye on your wire for this.

The National Headquarters of the Alaska Lands News Service is located in San Francisco; one correspondent is based in Washington, D. C. The newsfeed operation will develop and distribute (d)(2) stories to other states.

I look forward to working with you.

Sincerely,

EDWARD W. BENNETT
Communications Specialist & Correspondent
Steering Council for Alaska Lands

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

733 W. FOURTH AVE., SUITE 206
ANCHORAGE, ALASKA 99501
(907) 279-9403
TELEX 25-356

1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-9501

4400 JENIFER ST., N. W. - SUITE 300

WASHINGTON, D. C. 20015

(202) 244-4250
TELEX 9-89-2591

751 OLD RICHARDSON HWY., SUITE 340
FAIRBANKS, ALASKA 99707
(907) 452-1886

130 SEWARD STREET, SUITE 314
JUNEAU, ALASKA 99901
(907) 586-2890

MEMORANDUM

To: Representative Steve Cowper
Chairman
Steering Council for Alaska Lands

Date: April 18, 1978

H.R. 39
Committee Print No. 4

H.R. 39, as recently reported out of the House Interior Committee, includes two sections that originated either in principle or in language from the Steering Council for Alaska Lands. Both of these sections provide rights and values to Alaska and its citizens that did not exist in the earlier versions of H.R. 39. Also included in the recent bill are a number of policy positions advocated by the Steering Council.

Representative Steve Cowper

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H.R. 39 - Committee Print No. 4

April 18, 1978

The full Committee retained the provision adopted by the Subcommittee on General Oversight and Alaska Lands regarding access and inholdings. Known as the "Cowper-Colletta Amendment", Section 1202(c) provides that where State, private or native owned lands, valid mining claims or other valid occupancy is effectively surrounded by public lands within one or more of the conservation system units, the Secretary shall give the occupier such rights as may be necessary to assure adequate access. This section prohibits the Federal government from eliminating or reducing the value of existing claims through its power to deny access over surrounding d-2 areas.

The second section formulated by the Steering Council deals with aquaculture and allowing for fish stocking, enhancement and development activities and for the development of small aquaculture sites in wilderness and wilderness study areas. The Council amendment, Section 607(c) of H.R. 39, allows for fishery research, management, enhancement and rehabilitation activities within wilderness and wilderness study areas, except National Parks. By virtue of the Council's amendment, more than 50 million additional acres of Alaska will be made available for aquaculture and fish enhancement. Additionally, four areas designated in Southeastern as "potential wilderness areas" may be used as sites for fish hatcheries.

Representative Steve Cowper

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H.R. 39 - Committee Print No. 4

April 18, 1978

One of the high priority issues for the Steering Council has been to amend Title VIII, Implementation of the Alaska Native Claims Settlement Act and Alaska Statehood Act. Within this section, the Committee made some major concessions and implemented a number of the recommendations proposed by the Steering Council. Amendments proposed by the Council which were adopted include a 10 year extension of the State land selection deadline, pursuant to sections 6(a) and (b) of the Alaska Statehood Act; repeal of the provision in section 10 of the Alaska Statehood Act which requires Presidential approval of land selections made north and west of the line described in that section; grant to the State of 75,000 acres of school indemnity lands reserved to the Territory of Alaska under section 1 of the Act of March 4, 1915 from vacant, unappropriated and unreserved lands; ratification and confirmation of all selections; and permission for the State to overselect by 25% in total area the amount of its remaining entitlement under each grant (the Council advocated overselection by 125%).

The Steering Council's amendment to the subsistence provision, reimbursement to the State for carrying out the subsistence program if the State accepts the responsibility for managing subsistence, was adopted by the Interior Committee. The adopted amendment allows for 50% reimbursement for developing and implementing the program, with total payments not to exceed \$5,000,000 during any one fiscal

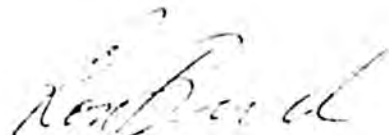
Representative Steve Cowper

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H.R. 39 - Committee Print No. 4

April 18, 1978

year. The Council took no position on what percent the State should receive in carrying out the program but felt that receipt of Federal assistance was imperative for the State to adequately and properly manage a subsistence program on Federal lands.



Ronald G. Birch

BIRCH, HORTON, BITTNER & MONROE

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

(d) (2) Steering Council
include Minutes -
file

GOODRICH & SNYDER

**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.....

"D-2 NEWS CENTRAL" . . . how the news distribution process operates

The "nerve center" of the news distribution process is the computerized listing of over 22,000 printed publications including daily and weekly newspapers, magazines, periodicals and journals listed by classification, city, county, state and region and also including addresses, telephone numbers and individual names of editors and key news department officials.

This vast informational network is so comprehensive that it is literally possible to distribute a news release within minutes to publications serving over 60,000,000 readers, yet so flexible and selective that a single editor of a single publication in a single community anywhere in the U.S. may also be served.

The distribution process is accomplished in one of two ways. For urgent news items, the news may be fed into that portion of the system which involves the use of teletype machines installed in the newsrooms of all major American daily newspapers. For feature or backup news information, a specialized mailing system is utilized.

"D-2 News Central" would be linked to Anchorage headquarters by a telecopier system to permit the instant intercommunication of typewritten copy. "D-2 News Central" also would require installation of an inward/outward WATS telephone wire for the most efficient, least expensive method of two-way telephone communication.

"D-2 News Central" would operate on a round-the-clock basis, staffed by trained news professionals, including researchers, reporters, writers and editors.

"D-2 NEWS CENTRAL" . . .how the news distribution process is utilized

The media strategy decisions and the geo-political considerations are centered in and controlled by the Steering Council on Alaska Lands, (SCAL).
The professional preparation and distribution of news and feature information about the issues are the functions of "D-2 News Central."

Here are some examples of how this joint operation can work:

1. **SCAL determines that a sudden news development requires immediate distribution of a release.** The "raw" information is fed by telecopier to "D-2 News Central" from Anchorage, or from anywhere in the U.S. Within a few minutes, the staff of "D-2 News Central" works up a suggested draft of **a professionally-prepared news release and transmits it to SCAL headquarters for review and approval.** Corrections, additions or deletions can be made instantly and, upon approval, the dispatch can be on its way to media centers in all or any part of the U.S.

2. SCAL strategy dictates that specially-prepared media news or feature material is urgently needed in the state of Arizona. "D-2 News Central" is assigned to research, write and distribute this information--customized to meet the geo-political requirements of the situation--and, upon approval, this news or feature information is strategically fed to the appropriate news media in that state.

3. Editors of major, influential news magazines or newspapers--Wall Street Journal, Time, Christian Science Monitor, New York Times, etc.--need to be provided with news and background information on the D-2 issue. SCAL assigns "D-2 News Central" to this task and specially-prepared information is furnished to appropriate editors, with follow-up telephone calls made to determine the acceptability and to encourage use of this information.

4. Through a review of its press clipping service, SCAL learns that a particular editor of a particular publication lacks complete information about the D-2 issue or is handicapped by misinformation. "D-2 News Central," alerted to the situation, can respond immediately, personally contact the editor or writer, offer additional information and make the editor aware of SCAL's position on the issues.

5. An editor or writer, preparing an article on D-2, calls "D-2 News Central" on the inward WATS line for further information. SCAL is notified at once, the proper response is determined, and the editor's needs are filled immediately.

6. SCAL decides that a spokesperson for D-2, scheduled to appear before a group, a legislative committee or other forum in Detroit, Michigan, requires a news release and backup materials. "D-2 News Central" provides this information, furnishes the person with names and addresses of key news media personnel in Detroit and, if appropriate, alerts the news media in advance.

"D-2 NEWS CENTRAL"how the news distribution process is utilized

7. Since many national organizations--labor, for instance--have endorsed SCAL's position on the D-2 issue, it is determined that all local, state, regional and national publications reaching labor union members should be utilized for the dissemination of information about the D-2 proposals. **"D-2 News Central" prepares customized news releases and background information**, written specifically toward the interests of readers of organized labor publications, and distributes this information to the specialized periodicals.

Obviously, the above examples do not cover all of the possible uses of "D-2 News Central," but these should be sufficient to show the capabilities, the flexibility and effectiveness of the system.

"D-2 News Central" has similar lists of names, addresses, and telephone numbers of news directors and special program producers for all radio stations in the U.S. and of news directors, commentators, "talk show" producers and other key personnel of all TV stations in the U.S.

Also noteworthy is the fact that "D-2 News Central," if desirable and appropriate, can call upon the expert services of trained and professional public relations persons in over 60 U.S. cities to provide on-the-spot PR service and representation. This personalized, on-site service is available through our affiliation with an international PR network.

(d)(2) STEERING COUNCIL FOR ALASKA LANDS
SUMMARY MINUTES AUGUST 11, 1977

Council members in attendance: Chairman Steve Cowper, Joe Hayes, Joe Orsini, Walt Parker, Dave Cline, and C.C. Hawley.

Special Assistant to the Secretary for Alaska Planning, Curtis Bohlen, Department of the Interior, briefed the Council on Secretary of the Interior, Andrus, position and recommendations.

Mr. Bohlen advised the Council that Rep. John Seiberling would hold his final wrap-up hearing on September 15. The Committee would have the Administrations position on that date, in the form of a report, using HR 39 as a vehicle and imposing amendments at that time. Departmental recommendations were to be made to OMB by the 1st of Sept., giving them two weeks to clear it up.

The Secretary, because of some overriding issues, could not endorse blanket wilderness designations.

The Secretary was prepared to allow some priorities where traditional use of subsistence was concerned.

The Secretary, politically, could no way recommend less acreage than the Morton bill (85 million acres) and the Udall bill.

The Secretary had no recommendations regarding Yukon Flats at this time but sees agriculture as the main area of conflict.

Regarding any loss of state entitlements between S1500 and HR 39, the Secretary would honor state selections made prior to ANCSA; if state selections fell in Natl. Park status, they would work with the state as a willing party by coercion.

STEERING COUNCIL FOR ALASKA LANDS

Summary Minutes

August 30, 1977 Meeting

Chairman Steve Cowper called the meeting to order at 1:25 p.m. Senators Croft & Orsini, Rep. Hayes & Osterback, Chuck Hawley and Walt Parker were in attendance. Rep. Mike Miller and Kay Brown, Alaska Advocate, observed.

An agenda prepared by staff was given to each member.

Sharon Long reviewed an itemized budget paper with Council; the budget was accepted as a rough working document. Non-member legislators are to clear any (d)(2) committee travel through the chairman.

Steve Cowper and Walt Parker reported on their August 24th trip to Washington, D.C.

- Carter Administration position was being readied for submission to the Seiberling sub-committee on September 15. Carter position will be in the form of a report with specific suggested legislative language.
- U.S. Fish & Wildlife to submit detailed recommendations to Secretary Andrus which include systems other than what they now manage. Jurisdiction would include a water column out to six miles.
- Secretary Andrus will meet with Gov. Hammond during the Western Governors Conference and he will make final changes in his proposal as a result of that meeting.
- OMB to conduct interagency review with participation by the FSLUPC, who will deliver their critique on September 7, concentrating their efforts on co-operative management and fish & game management including subsistence.

Sharon continued with a run down of congressional time schedules:

- House recessed until Sept. 7
- recessed again Sept. 12 - 14
- Seiberling sub-committee holding (d)(2) hearings on Sept. 15 & 16; Secretaries Andrus & Berglund (Agriculture) invited to comment at that meeting. Berglund comments would address wilderness areas and existing forests incorporated in bill.
- mark-up session *undetermined*
- no adjournment date set for House & Senate

Summary Minutes - Continued
Page

Report from Council members on hearings attended:

Bethel - Steve Cowper and Joe Hayes attend Seiberling sub-committee hearing August 8 at the request of the Alaska Village Council Presidents.

- #1 issue was subsistence, residents want to maintain their traditional subsistence lifestyle.
- highly emotional issue with much hostility toward the Dept. of Fish & Game management in that area.

Sand Point - Chaired by Rep. Osterback, attended by Croft, Hayes, Parker and Poland. (8/22)

- residents wanted clarification on how (d)(2) would effect them in terms of continuing subsistence lifestyle.
- discussion on transplanting wildlife to the Aleutians

Chairman Cowper appointed a sub-committee consisting of the legislative council members, chaired by Senator Colletta, to meet and work with media staff, and members of other U.S. Legislatures to transfer creditable information and arouse interest in the Alaska (d)(2) issue.

The Council deliberated on proposed policy considerations of:

State & Native Selections	Agriculture
Game Management	Four Systems Designations
Wilderness	Co-operative Management
Access	Minerals

and unanimously adopted positions on each.

The meeting was adjourned at 3:30 p.m.

A G E N D A

(d) (2) STEERING COUNCIL FOR ALASKA LANDS August 30, 1977

Council Office
1016 West 6th Avenue, Suite B
Anchorage

	<u>ITEM</u>	<u>PURPOSE</u>	<u>PAPERS/PRESENTATION</u>
1:00	Convening		
1:10	Summary of last meeting	review	summary, August 11, 1977
1:20	Budget	action	itemized budget paper
1:30	Review of forthcoming Administration (d)(2) proposal	information	Steve Cowper/Walt Parker
2:00	Congressional activities	information	Sharon Long
2:10	Policy considerations	action	Chairman
2:45	Council member assignments in D.C. with members of congress	action	Chairman

STEERING COUNCIL FOR ALASKA LANDS

Summary Minutes

September 13, 1977

The meeting was called to order at 1:15 by Chairman Cowper; Senators Colletta & Orsini, Reps. Hayes & Osterback, and Diann Nelson were in attendance.

Steve Cowper and Mike Colletta gave an account of their Sept. 8th and 9th meetings in Washington, D.C. with congressional and administration officials. Both were completely optimistic and encouraged by the reception they received and the courtesy extended to them throughout their stay.

Senator Colletta said he came away with a good feeling in regard to four major issues that will accrue to Alaska:

- "setting aside how much land is to be classified",
- "state and native land selections will proceed",
- "wildlife management will accrue to the State of Alaska",
- "new designations as far as definitions of wilderness areas for Alaska".

Eli Bleich, Media Group representative, submitted a memo to the council and elaborated on (d)(2) disposition, and the role of information.

Senator Orsini reviewed the forthcoming State Council of Governments Conference in Santa Fe, New Mexico, 9/25-28, and the part of the council at the meeting. Senators Colletta & Orsini will attend.

Forest Service representatives outlined the September 1 (bootleg) copy of the Department of Interior position. Andrus' proposal would place 39 million acres in new national parks, 44 million acres in wildlife refuges, 3.4 million acres in national preserves, and 5.8 million acres in wild and scenic rivers.

After deliberating in executive session, the council authorized Media Group of San Francisco to draw up a \$75,000 proposal for advertising, and submit to the council in one weeks time for council review and action.

The meeting was adjourned at 3:50 p.m.

(d) (2) STEERING COUNCIL FOR ALASKA LANDS

September 13, 1977

A G E N D A

<u>ITEM</u>	<u>PURPOSE</u>	<u>PAPERS/PRESENTATION</u>
1:00	Convene	
1:10	Summary of last meeting	review summary notes, 8/30/77 Sharon Stoops
1:20	Meetings with members of Congress	information Steve Cowper/Mike Colletta
1:50	Discussion, personnel hire	executive session
2:30	Personnel hire	action
2:45	State Council of Governments Meeting	information Joe Orsini
3:00	Adjourn	

STEERING COUNCIL FOR ALASKA LANDS

Summary Minutes

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The meeting was adjourned at 3:50 p.m.

(d) (2) STEERING COUNCIL FOR ALASKA LANDS

September 13, 1977

A G E N D A

<u>ITEM</u>	<u>PURPOSE</u>	<u>PAPERS/PRESENTATION</u>
1:00	Convene	
1:10	Summary of last meeting	review summary notes, 8/30/77 Sharon Stoops
1:20	Meetings with members of Congress	information Steve Cowper/Mike Colletta
1:50	Discussion, personnel hire	executive session
2:30	Personnel hire	action
2:45	State Council of Governments Meeting	information Joe Orsini
3:00	Adjourn	

(d)(2) STEERING COUNCIL FOR ALASKA LANDS

Summary Minutes, September 28, 1977

The meeting was called to order by Chairman Cowper at 1:15 p.m., Council members in attendance were Croft, Hawley, Hayes, Parker, and Diann Nelson for Rep. Osterback.

John Katz, Federal-State Land Use Planning Commission, gave a presentation of Andrus (d)(2) proposal. Staff was instructed to prepare a written report of the presentation; Dick Stenmark of the Commission will use this report in his outline of the proposal at the October 11th meeting.

In further business, the Council heard Ed Isenson, Alaska Film Studios, proposal for a media campaign. Isenson's proposal included the following:

- film, 15 minutes & 3 minutes
- arrangements for showing film and conducting interviews on national and regional television shows
- production of literature and newspaper advertising
- assistance with scheduling and arrangements in Washington
- coordination with members of the Alaska delegation and other interest groups regarding any presentations

the proposal included a budget summary, with a total campaign budget figure of \$74,935.

Michael Rowan, Rowan Group, Inc., gave a follow-up presentation to Eli Bleich's, Media Group, proposal (September 13 meeting). Rowan discussed Phase I of the proposal which includes the development of strategy, collection of research data, design of media materials, production of the media, and a presentation of a plan for their use. A questionnaire for survey and research for the U.S. Senate & House and Alaska public opinion was discussed; data-processing of this information would be prepared and conducted by Rowan Group.

Chairman Cowper ruled that five members of the council was a quorum, and five members were present for a quorum count. There were no objections by the council.

Sharon Long informed the council of congressional time schedule.

The minutes were read and accepted.

The council members voted in favor of Media Group.

The meeting was adjourned at 3:20

(d)(2) STEERING COUNCIL FOR ALASKA LANDS

September 27, 1977

A G E N D A

<u>ITEM</u>	<u>PURPOSE</u>	<u>PAPERS/PRESENTATION</u>
1:00 Convene		
1:05 Summary of last meeting	review	summary notes, 9/13/77 Sharon Stoops
1:10 Congressional schedule	information	Sharon Long
1:15 Andrus Proposal	information	Walt Parker/John Katz
2:00 Alaska Film Studios multi-media information and education proposal	details & discussion of proposal	Ed Isenson
2:30 Media Group multi-media information and education proposal	details & discussion of proposal	Mike Rowan

(d)(2) STEERING COUNCIL FOR ALASKA LANDS

October 11, 1977

A G E N D A

<u>ITEM</u>	<u>PURPOSE</u>	<u>PAPERS/PRESENTATION</u>
1:00	Convene	
1:05	Washington Report	Information Commissioner LeResche Resource Maps
1:20	Andrus Proposal	Information Richard Stenmark Outline and maps
1:50	Acreage Amendment	Consideration/action Richard Stenmark
2:20	Amendments re: resolutions	Action Jack Chenoweth
2:45	Council Meetings	Information Steve Cowper
2:55	Survey Questions	Individual Action Sharon Stoops

(d) (2) STEERING COUNCIL FOR ALASKA LANDS

October 26, 1977

A G E N D A

ITEM	PURPOSE	PRESENTATION
10:00 Update	information	Ron Birch
10:30 D.C. findings Conceptual film plan Film treatment/script	review	Mike Rowan Eli Bleich
11:15 Alaska questionnaire	review	Mike Rowan
11:35 Phase II	possibilities	Mike Rowan

(d) (2) STEERING COUNCIL FOR ALASKA LANDS

November 22, 1977

A G E N D A

<u>ITEM</u>	<u>PURPOSE</u>	<u>PAPERS/PRESENTATION</u>	
1:00	Convene		
1:05	Subsistence Report	Information	Nels Anderson, Jr.
1:20	Alaska Lands Public Involvement Forums	Action	Proposal by Askalaska
1:30	State Selections & (d)(2) legislation	Information	Bob LeResche/Dave Hanson
2:00	Council positions for U.S. House Deliberations Subsistence All others	Action	Staff Drafts: Ron Summerville Mike Spann
3:30	Public Comments	Information	Charles Konigsberg
3:40	Adjourn		

STEERING COUNCIL FOR ALASKA LANDS

JOURNAL MINUTES

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

TUESDAY, January 10

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

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

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

MINUTES

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

ANNOUNCEMENTS

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

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

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

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

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

AGENDA ITEM # L

FREEDOM OF INFORMATION ACT

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

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

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

AGENDA ITEM #2

ASKALASKA PROPOSAL

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

Discussion among Council members.

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

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

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

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

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

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

AGENDA ITEM #3

ACCESS/MINERALS AMENDMENTS

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

Attorney Mike Spaan commented on legalities.

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

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

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

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

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

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

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

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

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

AGENDA ITEM #4

ALASKA SURVEY

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

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

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

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

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

AGENDA ITEM #5

MOSS, FRINK & FRANKLIN

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

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

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

AGENDA ITEM #6

BUDGET

Amount requested: \$904,422.00

Amount approved: \$831,222.00

ADJOURNMENT

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

AGENDA

January 10, 1978 Meeting

COURTROOM "A"

Juneau, Alaska

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

STEERING COUNCIL FOR ALASKA LANDS

JOURNAL MINUTES

February 28, 1978
Supreme Court Room A
Juneau, Alaska

TUESDAY, FEBRUARY 28th

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

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

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

MINUTES

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

AGENDA ITEM #1

Alaska Survey Results

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

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

AGENDA ITEM #2

SENATOR JACKSON STAFF WORKSHOPS

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

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

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

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

AGENDA ITEM #3

L.U.P.C. WILDERNESS WORKSHOPS

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

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

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

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

Discussion among Council members regarding Congressional intent.

AGENDA ITEM #4

ASKALASKA PROPOSAL

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

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

ANNOUNCEMENT

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

AGENDA ITEM #5

BREIFING ON CURRENT HR 39 COMMITTEE PRINT & MEEDS SUBSTITUTE

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

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

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

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

General discussion among Council members.

ANNOUNCEMENT

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

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

AGENDA ITEM #6

ACQUACULTURE AMENDMENT

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

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

General discussion among Council members.

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

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

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

General discussion.

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

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

CO-OPERATIVE MANAGMENT

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

RECREATIONAL AMENDMENT

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

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

Chuck Hawley moved to insert the words "wildlife population"

Motion amended, no objection, Recreational Amendment passes.

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

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

AGENDA ITEM # 7

49-LEGISLATURES

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

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

General agreement among Council members.

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

AGENDA ITEM #8

WETA COALITION

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

AGENDA ITEM #9

RETENTION OF REP. STEVE COWPER ON COUNCIL

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

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

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

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

ADJOURNMENT

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

AGENDA

February 28, 1978 meeting

COURTROOM "A"

Juneau, Alaska

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

STEERING COUNCIL FOR ALASKA LANDS

JOURNAL MINUTES

March 15, 1978
Committee Room #118
Capitol Building
Juneau, Alaska

WEDNESDAY, MARCH 15, 1978

The 10th meeting of the Steering Council for Alaska Lands was called to order at 2:30 p.m. by the Council's Chairman Steve Cowper. The hour delay in commencing was due to the House being in session.

PRESENT: Representative Steve Cowper, Representative Alvin Osterback, Representative Joe Hayes, Senator Mike Colletta, Senator Joe Orsini, State Co-Chairman Walt Parker, C. C. Hawley, and our newly appointed Council member Carl Jack from Bethel. Senator Chancy Croft was meeting with the Governor, Commissioner LeResche was involved with the oil/gas hearings, and Dave Cline was still in Washington D.C. Also present at our meeting was Attorney Mike Spaan, Mike Rowan, H.A. 'Red' Boucher, and Becky Tischer. Executive Director Sharon Long was ill and remained in Anchorage.

The purpose of the meeting was to take action on the Wilderness, Aircraft Access, Subsistence, and Co-Operative Management Amendments. Also consider the Murray, Kraft & Rocky Proposal and Red Boucher's Proposal.

MINUTES

Council moved to adopt the minutes of the February 28th meeting, no objection, minutes were adopted.

ANNOUNCEMENTS

Chairman Cowper announced that Red Boucher was present and that he would present his proposal.

Also, the Chairman informed the Council members of closing down the Anchorage Steering Council offices due to a lack of funds. Although the Council was obliged to pay the rent.

Carl Jack, President of the Association of Villiage Council Presidents was introduced to the Council as our newly appointed member.

Carl Jack moved to have the Councils' Executive Director Sharon Long to make an on going status report on the financing and fiscal commitments at each meeting. No objection. Motion passes.

At this time Red Boucher spoke of his proposal. A breakdown of the time involved, cost, and purpose was given. Discussion among Council members, with questions addressed to Boucher. Boucher was excused by the Chairman and was informed action would be taken at such time as the Council was capable of doing so.

Another announcement by Chairman Cowper was made regarding Title IX. Title IX was adopted with no major amendments to the mining section. Amendments failed. Tuesday morning that bill will pass out of the full committee. There's a 30 day referral to Merchant Marine & Fisheries for the refuge sections. Due to come out of Merchant Marine & Fisheries approximately May 3rd. Another development of interest to the members would be that Susitna is now out of the Wild & Scenic study area and back to the Federal Power Commission for the study thats proposed as an ongoing project.

Senator Mike Colletta addressed the Council in reference to his feelings about the closing down of the Steering Council. He said he was very disturbed that we're going to have to close and he is disturbed for many reasons because he believes that it is one of the major issues affecting Alaska and that now is not the time to close down. He shared Senators Stevens and Gravel feelings that it would be totally disastrous and tragic in the States interest for us to close down.

Mr. Parker said he would echo what Senator Colletta has to say. Parker said the Steering Council would be making its first appearance formally in the National arena on April 5th. Scheduled to testify before the Senate and our absence will be noted and that could be an absolute tradedy and the next 6 months are going to be absoulutely critical.

After lengthy discussion Senator Colletta moved to appoint a delegation to go upstairs to Governor Hammond's office to borrow from the Governors contingency fund enough money, perhaps \$25,000.00 - \$50,000.00 so that we do not have to close the office or terminate the lobbying activity and to carry the Council's operation until our own appropriation comes through. Carl Jack seconded the motion, No objection. Senator Colletta and Chuck Hawley were appointed to visit Governor Hammond. A brief recess was called for.

One half hour later Senator Colletta and Chuck Hawley returned and reported they were able to get \$25,000.00 on a gentleman's agreement that they will dig up the money to keep us going until we get an appropriation.

Senator Orsini was then called upon to briefly make a presentation on the 1.3 million dollar Murray, Kroft & Rockey proposal. The concept was to have an opinion poll tacked onto a national poll to find out if we can establish benchmarks of national opinion and knowledge on the issue. A question was raised on whether or not Red Boucher's proposal would be in conflict with the Murray, Kroft, & Rockey proposal. Also, if the Murray proposal was accepted there would have to be a separate appropriation bill. After some discussion it was generally agreed that Con Murray appear before the Council to review the proposal and answer any questions.

Chairman Cowper suggested that we authorize Mr. Red Boucher to put a contract together to present at the next meeting with a view toward getting him on the road almost immediately thereafter, assuming the contract is acceptable to the Council. Discussion among Council members. Cowper then moved to ask unanimous consent that Red Boucher be requested to submit a formal contract for approval by the body at the next meeting and that he be instructed to proceed as soon as possible assuming the contract is in good order. No objection. Motion carries.

The next order of business was discussion on the proposed amendments. Attorney Mike Spaan presented the proposed language on Wilderness, Aircraft Access, Subsistence and Co-Operative management. The Co-Operative Management amendment was generally agreed to be put off until the next meeting or after the Federal State Land Use Planning Commission seminar on Co-Operative Management. The proposed wilderness amendment was agreed to and adopted as an interim working position. Subsistence amendment was reviewed and agreed to be taken up at our next Council meeting as well. There was debate and discussion on the Airplane Motor Boat Access Amendment. Senator Orsini moved to delete "scenic or". Hand vote 2 Yes, 3 No. Motion fails. More discussion. Chairman Cowper moves to adopt the language. No objection. Motion passes. Language will be adopted. Unanimous consent.

Adjournment

The next Council meeting to be scheduled for March 30, 1978 to be held in Juneau.

STEERING COUNCIL FOR ALASKA LANDS

AGENDA

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

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

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

Steering Council For Alaska Lands

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



1016 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

TO: MEMBERS OF THE ALASKA HOUSE OF REPRESENTATIVES & SENATE
MEMBERS OF THE STEERING COUNCIL FOR ALASKA LANDS

FROM: SHARON LONG
EXECUTIVE DIRECTOR

RE: (d)(2) IN THE U. S. SENATE

DATE: MAY 25, 1978

Representative Steve Cowper asked me to circulate this memo from our D. C. representatives to you.

The degree of organization and input to Congress from every other state on the part of the Alaska Coalition is massive. In an effort to aid in the dissemination of our State's position we have established the "Alaska Lands News Service" which is capable of disseminating news on a national and/or regional basis.

In addition on May 16, 1978, Senator Dirkin of New Hampshire introduced **Senate Amendment 2176**. It is a revised version of the Metcalf Bill S.1500. S.1500 is H.R. 39 with a Senate number. Dirkin's Bill modifies S.1500 to reflect some of the action taken in the House on H.R. 39. Co-sponsoring with Senator Dirkin are Senators Metzenbaum, Anderson, Haskell, Abouresk, McIntyre, Mathias, and Proxmire. This is the Alaska Coalition preferred bill.

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

738 W. FOURTH AVE., SUITE 206
ANCHORAGE, ALASKA 99501
(907) 279-9403
TELEX 25-358

1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-9801

4400 JENIFER ST., N. W. - SUITE 300

WASHINGTON, D. C. 20015

(202) 244-4260

TELEX 9-89-2591

751 OLD RICHARDSON HWY., SUITE 340
FAIRBANKS, ALASKA 99707
(907) 482-8888

130 SEWARD STREET, SUITE 314
JUNEAU, ALASKA 99801
(907) 598-2890

MEMORANDUM

To: Sharon Long

Date: May 18, 1978

Grassroots Lobbying

In the last two weeks, the level of grassroots lobbying in favor of H.R. 39 has reached levels beyond any precedent. Every Congressional office we have dealt with have remarked upon the large number of letters and calls received from the Congressman's district, all of which recommend support for H.R. 39. Each of the offices realizes that a terrific organizational job has been done on a grassroots level to generate so many similar comments. The net effect: it becomes extremely difficult for a Congressman to vote against something when 95+% of the input from back home says vote for it.

Without question, the success the Alaska Coalition is having with this grassroots network will result in even greater emphasis on it when a vote in the Senate nears. The merit of any arguments and proposals we present to the Senate will be lost if Senators' hands are tied by nearly unanimous H.R. 39 support from back home. I cannot stress enough how essential it is for us to expedite initiation of our State information network and to explain to citizens in every State that there are two sides to the issue and that creating parks in Alaska has some detrimental impact to their lives and that they should reflect before supporting the Alaska Coalition's approach. Our objective must be to create a split of opinion in each State on this issue so that Senators can, in all conscience, weigh both sides of each argument and retain the freedom to choose the one they find most meritorious.

RECEIVED

MAY 23 1978

STEERING COUNCIL
FOR ALASKA LANDS

Sharon Long
Page 2
May 18, 1978

As you know, Senator Jackson has made a commitment to attempt to speed d-2 legislation through the Senate so that it can be enacted in 1978. This leaves us with no choice but to expedite the State education program if we hope to get any results from it.


Joseph M. Chomski

The New York Times

Founded in 1851

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Preserving Alaska's 'Crown Jewels'

The House Rules Committee votes today on the Alaska lands bill—in the opinion of Interior Secretary Andrus “the most sweeping and important conservation legislation that any of us will see in our lifetime.” The bill seeks to preserve extensive tracts as national parks, forests, wildlife refuges, and scenic rivers—protected against mining, oil and gas exploration, logging, and other exploitation. The bill has precipitated a classic confrontation between conservationists and developers. The conservationists want to preserve areas of spectacular scenery and an unparalleled array of wildlife. Developers fear they will be denied access to vast resources simply because a few “effete rich backpackers” want to set aside millions of acres for their own occasional enjoyment.

In our view, the bill offers the best chance to insure orderly development of our last great frontier. It would add some 100 million acres, roughly the size of California, to the 48 million acres of Alaska already protected in Federal reservations, and would give somewhat less than half of these lands an extra layer of protection by designating them as wilderness areas. The areas are vast, but so is the state. One new park—Gates of the Arctic, in the Brooks range—would be four times the size of Yellowstone. Such acreages are needed to protect large, fragile ecosystems. The caribou roam distances as great as that between Chicago and Boston in search of food. A single grizzly requires 100 square miles to survive.

Opponents claim that the bill would “lock up” potential

oil, gas and mineral resources of inestimable value. But the House committees drew their boundaries to leave 95 percent of the most promising onshore oil lands open to development, along with the offshore areas that are believed to contain the bulk of Alaska's oil. As for contentions that the state should be allowed to control its own development, the Federal Government, which owned virtually all the land before Alaska gained statehood in 1959, has already been extraordinarily generous. It has begun transferring 40 percent of the vast area to the state and to its native peoples. That should be enough for a population of only 400,000 surrounded by a roadless wilderness.

Opponents also claim the parks are too remote to serve more than a trickle of tourists. But they are no more inaccessible than Yellowstone was a century ago. Some analysts predict that tourism may eventually become the biggest industry in the state.

If the bill emerges from the Rules Committee, efforts to weaken it will be made on the floor. They should be resisted. Too much land—including the incomparable Misty Fjords area of southeast Alaska—has already been yielded to developers. The new bill offers an opportunity to leave a priceless legacy of parks for future generations. If the mineral and energy resources are eventually needed, they can always be tapped. But if the gold rush mentality prevails, lands that have been described as Alaska's “crown jewels” may be irretrievably squandered.

From
E. Linnest

The Alaska Lands Bill

5-22-78
Wash Post

THE BATTLE over Alaskan land and wildlife has been going on for more than half a century. The conservationists (who want to preserve much of the state in its pristine beauty) and the developers (who want to use its minerals, oil, timber and game) clashed soon after Mount McKinley National Park was created in 1917, and they have been at it ever since. Last Friday, when the House passed the Alaska lands bill, the conservationists won their greatest victory. The bill gives federal protection of one kind or another to 100 million acres of mountains, valleys and open land. If it becomes law in anything like its present form, the bill will rank in importance with the creation of the first national park a century ago and the National Forest System in the early 1900s.

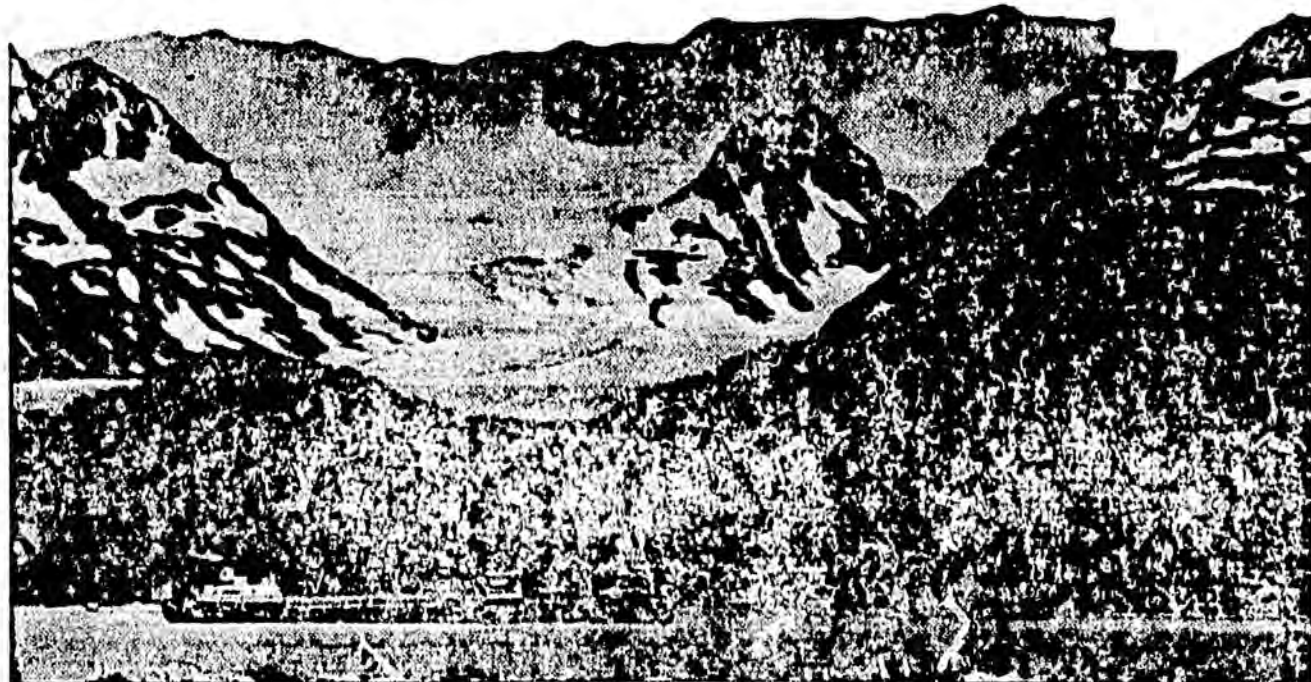
The issues in these struggles have always been the same: How much land should be left relatively untouched? How much should be given some protection but opened to some kinds of development? How much should be given to the Alaskans to do with as they will? The answers provided by the House in its votes last week seem about right. Although many in Alaska, including most of its leading politicians, disagree, the House has struck an appropriate balance between the state's interest in having sufficient resources available to develop its economy and the nation's interest in leaving something for future generations to enjoy or use as they see fit.

Unfortunately, the path of this bill through the Senate appears to be unusually difficult. Senate Ma-

jority Leader Robert C. Byrd has indicated he does not want it to reach the floor so long as Alaska's senators, Mike Gravel (D) and Ted Stevens (R), are threatening to filibuster. Sen. Byrd has said he would not support cloture "on a matter that affects one state" as long as that state's senators vigorously oppose it.

That view of senatorial courtesy might be understandable if the Alaska lands bill were some minor piece of legislation of concern only in that state. But it is not. The land in dispute doesn't "belong to" Alaska any more than the Grand Canyon "belongs to" Arizona or the Mall "belongs to" the District of Columbia. We doubt that even Sen. Byrd would be willing to give the District's congressional delegate the same veto over the use of federal land here that he seems prepared to give to Alaska's senators.

In thinking about the vast spaces of Alaska and this opportunity to set aside huge amounts of virgin land for the future, we are reminded of what Secretary of the Interior Ray Lyman Wilbur wrote in 1931: "One hundred years from now," as people look back on our use of this continent, we shall not be praised for our reckless use of its oil, nor the weakening of our watershed values through overgrazing, nor the loss of our forests. . . . But we may take comfort in the knowledge that we shall certainly be thanked for the national parks." It is in that spirit that we urge Sen. Byrd and his colleagues to consider the bill the House has passed.



SUPPORT IN SAN DIEGO

Anch Times Editorial
May 17, 1978

A READER BY the name of Anthony Gazzola of San Diego, Calif., has sent us a couple of clippings from the San Diego Evening Tribune that provide an insight into the Alaska land battle that is being waged nationwide.

We have written many times of the massive effort being made across the country by environmental lobbies and pressure groups in favor of passage of HR 39, the Udall-Seiberling bill to lock up more than a hundred million acres of Alaska land.

Yet all too often and all too easily this campaign is forgotten by Alaskans busy with local affairs. It's just hard to keep believing that out there in other states a determined lobbying effort is going on, day in and day out, to convince Americans that Alaska's destiny is to become something of a national zoo, preserved and protected from those who live here.

MR. GAZZOLA'S LETTER is a sharp reminder of just what's happening. With the thought that the two clippings he enclosed "might be of some interest to you and your readers," Mr. Gazzola provided us with:

- An article from the "Tribune Town Hall" written by Frank Norris and headlined, "Our Wild Alaskan Heritage." Mr. Norris is identified by the Tribune as "a historian and environmentalist living in San Diego."

- A letter to the editor in the Tribune's "Voice of the People" column, written by Mr. Gazzola in response to Mr. Norris' article and taking sharp exception to the environmentalist's viewpoint. His letter was headed, "Differing on Alaska."

Of the two, Mr. Norris got the most space and the best play. His article was illustrated by a map identified as "Alaska National Interest Lands Conservation Act." Shown were national parks and monuments, national wildlife refuges, national forests (you have to look closely to find those) and huge areas already set aside in Alaska and labeled "existing units."

Not on the map, according to the fine print of the legend, are wild and scenic rivers.

MR. GAZZOLA'S response took only four paragraphs in the letters column, but from an Alaska standpoint he made a lot of sense in a relatively small space. He got righteously upset over such statements as these by the San Diego historian and environmentalist:

"Common sense...suggests that the (Alaska) land be protected in some way, and this bill does just that. It is a product of wise land-use planning...."

"For example, present-day Mount McKinley National Park will be allowed to more than dou-

ble in size, and thus preserve its delicate lower slopes; a new Wrangell St. Elias National Park, adjacent to Canada's highest peak, will preserve much of the snowy magnificence of the Chugach Range of southeast Alaska while providing an excellent opportunity for a large international park; and the Alaska Peninsula National Wildlife Range will set aside perhaps the world's largest contiguous area for the preservation of the magnificent brown bear...."

"Surprisingly enough, the cost of preserving this monumental chunk of American land is surprisingly low, in both financial and socioeconomic terms. All of this land is currently owned by the U.S. Bureau of Land Management; therefore, transfer to other agencies will be a simple administrative matter, requiring only minimal costs for structures and personnel.

"More important, the bill will have almost no effect on Alaska's burgeoning growth because little commercial value is gained from the land."

NO MATTER that Mr. Norris placed the Chugach Mountains in Southeastern Alaska. Alaskans would say he was no more wrong about that than he was in contending that enactment of such a bill would have almost no effect on Alaska's growth or that little commercial value is gained from the land.

Mr. Gazzola dismissed the appeal to preserve McKinley's delicate lower slopes by noting that "nobody drives on them now." And he might have added that nature itself quite adequately can handle preservation of "much of the snowy magnificence of the Chugach Range." It's done so for hundreds of thousands of years, and probably can be counted on to do so for another hundred thousand.

Mr. Gazzola said it in one word — "Baloney." He suggested that Mr. Norris would be better off addressing himself to local San Diego problems.

MR. NORRIS apparently disagrees.

He concluded his article in the San Diego Tribune by telling readers that "letters to your senators and congressmen are in order."

That is the key to the environmental effort on behalf of this bill to freeze Alaska lands into instant, legislated wilderness and to prohibit multiple use by Alaskans and other Americans.

There is no way that Alaskans, few in number, can offset the massive amount of congressional mail generated by the nationwide appeals and the slick propaganda of the environmental lobbies.

But it sure helps to have friends like Mr. Gazzola in San Diego.

By Mary Russell

Washington Post Staff Writer

A bill environmentalists call the conservation measure of the century, one that would set aside about one third of the state of Alaska as parks, preserves, wildlife refuges, wild and scenic rivers and wilderness areas sailed through the House yesterday by an overwhelming 277-to-31 margin.

In a single stroke, the bill would double the size of the U.S. national park system, adding to it some 102 million acres, an area equal to the size of the state of California.

That fact has caused environmentalists to liken it to other historic conservation measures such as establishment of Yellowstone as the first national park in 1872 and the creation of the National Forest System by President Theodore Roosevelt in the early 1900s.

The bill was a developer-versus-environmentalist controversy. It was opposed by mining and timber interests, the Teamsters and building trades unions as well as most Alaskan officials, including the state's governor, Jay Hammond, its two senators and

its lone House member, Rep. Don Young (R-Alaska).

Though the bill easily passed the House, passage by Congress this year is far from assured, since Alaska's senators—Ted Stevens (R) and Mike Gravel (D)—have threatened to filibuster the bill in the Senate.

Senate Majority Leader Robert C. Byrd (D-W.Va.) has said he would not attempt to shut it off, since the Senate traditionally does not pass bills affecting states that are opposed by the

Alaskan Wilderness Bill Sails Through House on 277-31 Vote

ALASKA, From A1

state's senators. However, the margin of passage in the House will put some pressure on the Senate to act.

Rep. Lloyd Meeds (D-Wash.), a leading opponent of the bill, said it would "effectively stop hard-rock mineral exploration and development" on the lands in question. "We simply cannot lock up" the land "when we need the minerals we do in this country," he said.

But Interior Committee Chairman Morris K. Udall (D-Ariz) argued that Alaska is the last great expanse of wilderness left in this country, saying "There are no more Alaskas, there are no more opportunities" to preserve wildlife and wilderness. Udall also argued that it was a balanced bill that put 70 percent of the land with minerals outside the system and left 100 percent of high-potential oil and gas land open to development.

The parks, wildernesses, refuges and preserves designated in the bill are scattered throughout the state, from the rain forests in the southeast to the frozen tundra near Prudhoe Bay in the far north. In some cases existing parks were merely expanded.

Environmentalists argue that the land mass in Alaska is a fragile ecosystem and must be left intact in order to maintain its wildlife populations of bears, musk ox, caribou and hundreds of species of migratory birds.

Until Alaska became a state in 1958, the federal government owned virtually all of its 375 million acres. Upon statehood, the state was allowed to select 104 million acres for itself by 1984. Native inhabitants of Alaska, Eskimos and other Indian tribes, were granted the right to another 44 million acres by the Alaskan Native Claims Act of 1971.

Alaska, which is twice the size of Texas, has a population of about 405,000.

The 1971 act also allowed the Interior Department to withdraw from state and native claims some 80 million acres for the park system. It also required Congress to act before Dec. 18 of this year on adding lands to the park system.

Udall contends that if a bill is not passed by Dec. 18, "the bulldozers" will begin despoiling the lands. Opponents say a bill extending the deadline could easily be passed.

Young contended that the bill prevents the state from selecting some 5 million acres it is entitled to by the land grant by shutting it off in parks and wilderness. Udall contended that the land is "inholdings" in parks and that the state should not own land in the middle of parks and wilderness areas but is free to choose other land outside the area.

The major fight in the bill was over how much should be designated a wilderness, the highest conservation classification which generally shuts off all commercial development.

All of Maryland's representatives supported the measure except Reps. Goodloe E. Byron (D) and Marjorie S. Holt (R) who did not vote. In the Virginia delegation, only W. C. (Dan) Daniel (D) and David E. Satterfield opposed the bill. William C. Wampler (R) did not vote.

The bill calls for about 66 million acres to be designated wilderness. Meeds offered an amendment that would cut that amount to 33 million acres. Meeds was defeated 240 to 119.

An amendment was adopted, however, that would require continuation of U.S. Geological Survey mineral assessment programs on the lands, and to require the president to submit to Congress recommendations for mineral development produces by Oct 1, 1981.

The amendment, by Rep. James Santini (D-Nev.), passed by a 157-to-150 vote, and was something of a victory for the mining interests, since it leaves open some possibility for mining on all the lands.

Wash. Post 6-20-78

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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JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



1016 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2418/18
[POUCH V. JUNEAU, ALASKA 99811]

Mike
Ms
file

MEMORANDUM

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

In your packet are:

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

See Freedom of Information file
Budget file
See State Report file

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

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

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

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

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

130 SEWARD STREET

JUNEAU, ALASKA 99801

(907) 586-2890

RONALD G. BIRCH
HAL R. HORTON
WILLIAM H. BITTNER
SUZANNE CHERDT PESTINGER
LLOYD V. ANDERSON
BRUCE MONROE
GREGORY C. TAYLOR
ROD CARMAN
RITA T. ALLEE
GORDON F. SCHAOT
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HARVEY A. LEVIN*
JOSEPH M. CHOMSKI*
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MICHAEL J. O'BRIEN
GERALD D. STOLTZ*
RONALD E. NOEL
PETER A. GALBRAITH
JOSEPH W. EVANS
WINSTON S. BURBANK

733 W. FOURTH AVE., SUITE 208
ANCHORAGE, ALASKA 99501
(907) 279-9403
TELEX 25-386

1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-9501

751 OLD RICHARDSON HWY., SUITE 349
FAIRBANKS, ALASKA 99701
(907) 452-1666

4400 JENIFER ST., N. W., SUITE 300
WASHINGTON, D. C. 20015
(202) 244-4250
TELEX 9-89-2591

* NOT ADMITTED IN ALASKA

MONTHLY STATUS MEMORANDUM

TO: D-2 Steering Council

FROM: Ronald G. Birch of BIRCH, HORTON, BITTNER & MONROE

DATE: January 9, 1978

The Seiberling Subcommittee on General Oversight in Alaska Lands is scheduled to begin markup on January 16. The Subcommittee staff is reported to have a number of additional amendments to offer to its already revised draft of HR-39. It is possible that the large number of amendments will make it necessary to again reprint committee drafts, though at this time there are no plans to re-do the staff draft. There are rumors flying that Committee Chairman Udall is displeased with the constant draft/redraft delays.

Representative Lloyd Meeds's staff is in the process of drafting a new D-2 bill. George Vietsis, the legislative assistant to Meeds, sketched the parameters of this substitute measure. Representative Meeds is committed to immediate transfer of select land to the natives and state. The Meeds bill will also address the issue of transportation and utility corridors in such a way as to be consistent with the existing law. Furthermore, he is not satisfied with the present proposals which fail to address the issue at all. There will be no new national forests in interior Alaska. However, with respect to the management and control of the areas, Meeds envisions the federal government managing the habitat while the state will regulate the resources within each area, including the quantity of wildlife and fish taken from the area.

Representative Meeds has yet to make final decisions with respect to a fifth system, i.e., setting aside land into some kind of holding pattern. In the event that Meeds does attempt to define a fifth system, he will call it "wild lands." Much of this will be treated like wilderness study areas, but exploration would be permitted under special rules during the time in which the area is studied for its suitability for placement in one of the four systems.

MONTHLY STATUS MEMORANDUM

TO: D-2 Steering Council
FROM: Ronald G. Birch, of BIRCH, HORTON, BITTNER & MONROE
DATE: January 9, 1978
PAGE: Two

If Meeds decides to stay with the four conservation systems under the present law, he may designate some of the lands from the mineral management zones or preserves, either of which would be under the jurisdiction of a specific interior agency. In this event, exploration for minerals and oil and gas will be permitted and access would also be guaranteed. In other words, these lands would be wilderness study areas with more uses allowable during study periods than is the norm. Meeds has tentatively selected the areas to be put into the wild lands or wilderness special study category.

It would appear that the Meeds proposal would definitely include less wilderness although the staff is presently considering some areas for the instant wilderness classification.

The Meeds measure will track the Administration's proposal with respect to subsistence. Access for subsistence will be guaranteed. Furthermore, with respect to any in holdings, access will also be guaranteed.

Representative Meeds has yet to take a position on the question of cooperative management of lands, but does favor it for a limited period. He would be willing to identify specific areas for cooperative management and place these areas under the jurisdiction of a commission similar to the Federal-State Land Use Planning Commission. To date, the fate of the Federal-State Land Use Planning Commission is undecided.

Meeds has recently announced his retirement from Congress, effective at the end of this Congress. There is much conjecture as to the effect the retirement will have on his D-2 activities and impact. So far, Meeds has continued to work hard on D-2. Whether his clout with fellow representatives will change remains to be seen.

On the Senate side, public hearings will be held in Washington, D. C., on January 19 and 20. Secretary Cecil Andrus has been scheduled to testify on the 19th, and the 20th has been reserved for state people and other witnesses. We are currently attempting to arrange an invitation for former senator Moss to testify on behalf of the Steering Council.

The D-2 bill will still be considered by the full Committee on Energy and Natural Resources. However, the picture is slightly muddled by the persistent rumors that Senator Metcalfe is not actively pushing his bill (S-499). Similarly, his health is reportedly

MONTHLY STATUS MEMORANDUM

TO: D-2 Steering Council
FROM: Ronald G. Birch, of BIRCH, HORTON, BITTNER & MONROE
DATE: January 9, 1978
PAGE: Three

deteriorating to the point where he may not be able to devote much time to the D-2 issue. Moreover, the continued inability of Senate and House energy conferees to reach a compromise makes all scheduling estimates very speculative.

Bureau of Mines FOIA Requests

Part of the story behind the Interior Department's mineral value coverup will be published January 13th in Jack Anderson's column, which appears in 972 newspapers nationwide. Staff members for the Alaska delegation have been briefed on the coverup and have received all of the supporting documents. It is now up to the Alaska delegation and other sympathetic legislators to keep the issue alive and to require the Administration and Congress to reconsider the D-2 controversy in a more balanced way.

:mh

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

733 W. FOURTH AVE., SUITE 206
ANCHORAGE, ALASKA 99501
(907) 279-9403
TELEX 25-356

1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-9501

4100 JENIFER ST., N. W. - SUITE 300

WASHINGTON, D. C. 20015

(202) 244-4250

TELEX 0-89-2581

754 OLD RICHARDSON HWY., SUITE 340
FAIRBANKS, ALASKA 99707
(907) 452-1008

130 SEWARD STREET, SUITE 304
JUNEAU, ALASKA 99801
(907) 586-2800

MEMORANDUM

To: Ronald G. Birch

Date: November 10, 1977

Subcommittee
on
General Oversight and Alaska Lands
November 1, 1977 Briefing

The staff counsel for the Subcommittee on General Oversight and Alaska Lands continued their briefing of the subcommittee on the staff committee draft of H.R. 39 and the Department of Interior's proposed amendments to H.R. 39. The proposed Lake Clark National Park and Preserve, and the Noatak Preserve were presented. Representatives Udall, Vento, Tsongas, Young, Seiberling, Meeds, Roncalio, McHugh, Santini and Rudd were all present at one time or another.

First, the staff counsel explained their recommendations for the Lake Clark National Park and Preserve, with boundaries for areas of ecological concern. Lake Clark is to be classified as a park and a wilderness area due to its scenic values and its potential for recreation opportunities. Air travel makes it relatively close to Anchorage and its three rivers, the Mulchatnik, Chilikadrodt, and the Tikakila offer recreation opportunities as wild and scenic rivers. The core area of Lake Clark will be classified as wilderness area to protect the biological microcosm of Alaskan wildlife and plant life found there. Biologists estimate that almost every species of the Alaskan plant community in coastal and interior regions in Alaska can be found in this particular area. While there are some native selections within the Lake Clark area, most are in the proposed preserve where sport hunting and subsistence hunting will be permitted.

Ronald G. Birch

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November 10, 1977

Alaska Lands - November 1, 1977 Briefing

The Park Service added its comments and also explained the rationale for areas of ecological concern. Under present law, Interior has no authority to enter into cooperative management agreements with adjacent land owners, and H.R. 39 will give Interior that authority. Congressman Young pointed out that where the adjacent land is owned by the Bureau of Land Management, cooperative management is limited because the adjoining land is subject to the same land use limits as that of the Park or Preserve. One of the major differences between the Carter proposal and the staff proposal is that under Carter's proposal, less of the lake area is wilderness.

The Cook Inlet Regional Corporation Land Exchange Agreement settled most of the conflicting claims and the Cook Inlet Regional Corporation exchanged its claims in the Northern part of the park for townsites on the Kenai Peninsula. Similarly, the State exchanged its land selections for land in Iliamna and other places.

Mineral potential is high South of the Cartabuno Lake. The only patented claim has an appraised value of \$800,000, but there are other unpatented claims in this mineral belt. Where the natives agreed to have their selections included in the park, Interior has promised to permit pre-existing operations and some recreational developments.

Bill Horn, minority counsel for the subcommittee, clarified the areas of disagreement which focus on mineral development. This region which is part of the BLM mineral belt has copper and iron deposits. Representative Seiberling repeated his promise to permit development access. However, he suggested that because the native corporations had drilled in the area and later exchanged this land for other selections, the commercial potential is low. However, Young responded that that was not the case at all, because the Cook Inlet Corporation chose land with oil and gas reserves rather than hardrock potential.

Ronald G. Birch

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The Lake Clark Park proposal which includes state and native selections, raises the question of whether ANCSA precludes the State or natives from selecting d-2 lands. Seiberling believes that the Federal government has priority if the state or native selections are on d-2 lands. However, Young reads that same section to mean that the State and the native corporation can choose d-2 lands, but the final patent is delayed.

Next, the H.R. 39 draft for the Noatak Ecological Preserve was presented with Interior's recommendations. Interior proposes to place 5.9 million acres into an ecological preserve to protect the unusual environment caused by the high altitude and lack of water. It has been declared an international biosphere because of the unique wildlife and plantlife characteristic of the region.

Furthermore, this region is where the Eskimos first migrated from Russia and several archeological sites mark the ancient hunting sites. The Noatak Preserve also includes the largest undisturbed river system in the United States, 80% of which would be part of the preserve. Both sport and subsistence hunting would be permitted, with a preference for subsistence hunting if any species is endangered. The preserve is adjacent to Pet 4 and the Gates of the Arctic National Park, and includes part of the traditional caribou route. It is also a preferred recreation area where at least 10,000 tourists visit the area each year. The more adventurous souls take float trips also. Even though a large number visit each year, most go only for the day since most of the region is inaccessible.

The committee staff's recommendations are identical to the original H.R. 39, which classifies 7.6 million acres as a preserve. The key difference between Interior and the staff is that the latter classifies the Squirrel River drainage area as a wilderness, despite its high mineral potential. H.R. 39 draft does not provide for a transportation corridor along the river, and without one, further exploration into the adjacent areas will be very difficult. The proposed Noatak Preserve includes a mineral zone known as Red Dog, which contains barite, lead, and zinc in the lower end of a mineral belt.

Ronald G. Birch

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Alaska Lands - November 1, 1977 Briefing

The Interior staff explained that they excluded the Squirrel River drainage area because Noatak was first drafted by the Wildlife and Fisheries Division and the Bureau of Land Management, which did not designate national parks. The Red Dog area was excluded for its mineral potential. Seiberling favors inclusion because its scenic beauty should be preserved and further development is essentially prevented because access will not be permitted through the adjacent park and wilderness areas.

Minority Counsel, Bill Horn, presented criticisms of the staff draft for the Noatak Ecological Preserve. Representative Young prefers the Federal-State Land Use Planning Commission's Fifth System classification which would provide for cooperative management, due to the potential for fishing and mineral development and the need for a transportation corridor. The Squirrel River drainage area has been surveyed by the USGS and is believed to have a high potential for copper, lead, gold, zinc, and platinum.

However, an Interior staff member interrupted to say that a recent USGS review team in Alaska believes that the mineral belt is not regionally homogeneous. Thus, even though it is rich in the Bornak and Picnic Creek areas, it is mineral poor farther North, in the Noatak area. Since no drilling has been done, the results are inconclusive. In fact, the only core drilling has been offshore and there have been some Level Two studies in the Brooks range.

The staff pointed out that mineral development is not commercially feasible despite its high potential. In support of the staff's conclusion, Seiberling pointed out that the State had not made any selections in this area. However, Mr. LeResche of the State Division of Natural Resources stated that the State had had other reasons for withdrawing its site selections in the Noatak area.

Constance E. Brooks

Constance E. Brooks

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

733 W. FOURTH AVE., SUITE 206
ANCHORAGE, ALASKA 99501
(907) 279-0403
TELEX 25-356

1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-0501

4400 JENIFER ST., N. W. - SUITE 300

WASHINGTON, D. C. 20015

(202) 244-4250

TELEX 9-89-2591

754 OLD RICHARDSON HWY., SUITE 340
FAIRBANKS, ALASKA 99707
(907) 452-1996

100 SEWARD STREET, SUITE 314
JUNEAU, ALASKA 99901
(907) 586-2800

MEMORANDUM

To: d-2 Steering Council

Date: November 5, 1977

Current Status
of
d-2 Legislation

The House of Representatives recessed on November 4, leaving the d-2 lands legislation in a status that looks far more definite than it really is. On November 3, the Alaska Lands Subcommittee voted to adopt Committee Print #2 of H.R. 39, which is a revision of Committee Print #1 (the first revised H.R. 39), as the mark-up vehicle to be used when the Subcommittee enters into formal mark-up sessions. Subcommittee Chairman Seiberling announced, at the close of the meeting, that he intends mark-up to begin around November 29 and that it will continue until Congress adjourns for the year. It is noteworthy that full Committee Chairman Udall dominated the November 3 meeting.

On the surface, the events described above indicate that the mark-up vehicle and the mark-up schedule have been established and that the decisions are unfavorable to what many view as Alaska's best interests. In fact, both the vehicle and the schedule are subject to change. Congressman Lloyd Meeds (D-Wash.) has recently emerged as the leader of the compromise/middle ground forces in the Subcommittee.

d-2 Steering Council
Page 2
November 5, 1977
Status of d-2 Legislation

Meeds probably has three of four Subcommittee members lined up behind him in his efforts to hammer out a solution that both extreme positions can accept. He has set aside three full days on his own schedule, November 28, 29, and 30, to draft a d-2 lands bill that is intended to incorporate the best features of the Seiberling and Young positions. Meeds has invited input from the Administration, the State of Alaska, Seiberling's staff, and the FSLUPC to help construct his measure. The Steering Council has been specifically requested to submit its proposals to Meeds and his staff during the week of November 21. The Council has also been asked to be available to aid the Congressman in the actual drafting of his measure, if he so desires. We have already begun efforts towards drafting proposals for timely submission to Congressman Meeds and his staff.

It is, of course, always possible for Congressmen to put forth motions in mark-up that would substitute a new bill for the one that is being used as a mark-up vehicle. Significantly, during the November 3 session of the Seiberling Subcommittee, several specific references were made to the prospect of Congressman Meeds' forwarding his bill, when drafted, as a replacement for H.R. 39 Committee Print #2. Clearly, Meeds would not be making the effort that he has scheduled if he did not hold out some realistic hope that his bill would replace H.R. 39 as the foundation for reaching a final measure.

The mark-up schedule is far more uncertain than the mark-up vehicle. At present, the House of Representatives is scheduled to reconvene on November 29 for the purpose of approving the energy legislation that House-Senate conferees are now hammering out. As you all know, there is a world of difference between the House-passed energy bill, which is essentially the Carter energy plan, and the energy bills approved by the Senate. It is impossible to foresee whether the House will stay in session for more than a day or two in December or whether it will stay for several weeks. Furthermore, it is also difficult to assess whether House members will have either the time or inclination to deal with legislative matters other than energy. Finally, it is not certain that a sufficient number of Alaska Lands Subcommittee members will be available to satisfy quorum requirements. Therefore, we would conclude that there is about a 50-50 chance that no substantive mark-up of the d-2 lands bill will occur in December.

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November 5, 1977
Status of d-2 Legislation

If mark-up does not begin in December, the probability is that mark-up will start sometime between January 11 and January 23. Once it begins, it will continue until the Subcommittee reports its final bill to the full House Interior Committee. The general consensus is that mark-up of H.R. 39 or some other d-2 lands vehicle will be a time-consuming process which should last more than a month.

Joseph M. Chomski

TO: TARGET STATES
FROM: TLT
WILL COPY AK

August 7, 1978

THE MATTER OF HIGH PRIORITY MATTER

WASHINGTON, D.C., AUGUST 7. ALTHOUGH NOT THE FIRST TO OFFER THE FORECAST THE COMPTROLLER GENERAL IS, WELL, THE LEAST QUESTIONABLE. HE HAS PUT THE PRESIDENT AND CONGRESS ON NOTICE: THE U.S. "ECONOMY DEMANDS OVER FOUR BILLION TONS OF NEW MINERAL SUPPLIES EACH YEAR--ABOUT 4,000 POUNDS A PERSON. THIS AMOUNT (23 PERCENT OF WORLD DEMAND) IS GROWING BUT DOMESTIC PRODUCTION IS NOT KEEPING PACE."

IN 1976 THE U.S. IMPORTED 50-100 PERCENT OF ITS REQUIREMENTS FOR 23 OF 32 MAJOR MINERALS. THE INTERIOR DEPARTMENT PREDICTS THE U.S. COULD DEPEND ON IMPORTS FOR ONE-HALF OF ALL BASIC RAW MATERIALS BY 1985.

"A MINERAL RESOURCE ASSESSMENT IS A HIGH PRIORITY MATTER," THE COMPTROLLER CONCLUDES.

AS MORE THAN ONE-THIRD OF THE U.S. IS OWNED BY THE FEDERAL GOVERNMENT, "FEDERAL LAND IS AN ESSENTIAL PART OF THE NATIONAL MINERAL BASE." THE UNITED STATES GEOLOGICAL SURVEY PLANS TO MAP MINERALS ON 893 MILLION FEDERAL ACRES, MOSTLY IN ALASKA AND 11 WESTERN STATES. USGS HOPES TO FINISH BY 2030 A.D.

INTERIOR AND AGRICULTURE'S FOREST SERVICE REFUSE TO WAIT. THEIR LAND USE PLANS, BASED ON "IGNORANCE" IN THE COMPTROLLER'S VIEW, "DO NOT CONSIDER MINERALS IMPORTANT ENOUGH IN RELATION TO OTHER LAND VALUES." WHAT INTERIOR AND AGRICULTURE DESCRIBE AS SUCCESSFULLY COMPETING LAND USES, "PARKS, WILDLIFE REFUGES, NATIONAL FORESTS AND WILDERNESS," AMERICAN MINING CONGRESS PRESIDENT J. ALLEN OVERTON, JR. DESCRIBES AS "ENVIRONMENTALISM RUN AMOK."

IF USGS STRIKES IT RICH, COUNTER THE AGENCIES, WE CAN REVERSE THESE DECISIONS. UNLIKELY, SAYS THE COMPTROLLER. "THEY WILL HAVE DIFFICULTY REVERSING LAND USE DECISIONS... BECAUSE LAWSUITS FROM ENVIRONMENTAL GROUPS AND OTHERS COULD RESULT." FURTHER, IT WILL REQUIRE A SPECIAL ACT OF CONGRESS TO WIN A REVERSAL.

BY THEIR OWN RECKONING, SINCE 1975 THE FOREST SERVICE HAS WITHDRAWN OVER TWO MILLION ACRES "WITHOUT ADEQUATE MINERAL RESOURCE STUDIES". ANOTHER 62 MILLION ACRES IS PROPOSED FOR WILDERNESS DESIGNATION UNDER THE "RARE TWO" PROGRAM.

OVER AT INTERIOR, HOPES ARE HIGH THAT CONGRESS WILL AGREE TO A 100 MILLION ACRE-PLUS WITHDRAWAL IN ALASKA. ON THIS, INTERIOR WANTS A DECISION BEFORE CONGRESS ADJOURNS IN OCTOBER; ALTHOUGH USGS ADMITS IT WILL TAKE UNTIL 2015 TO FIND OUT WHAT'S THERE.

western

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(d)/2

OLYMPIC
RESOURCE
MANAGEMENT
INC.

500 Wall Street
Seattle, Washington 98121
Suite ~~402~~ 415

206/682-7973 4260

April 25, 1978

Senator Mike Colletta
Pouch V
Juneau, Alaska 99811

Dear Senator Colletta:

As you know, on March 30, 1978, we presented a proposal for a political public relations campaign before the Steering Council for Alaska Lands meeting in Juneau.

After in depth conversation with many of the members of the Council and Sharon Long, Executive Director of the Council, we were asked to further specifically amplify one area. That area was the formation and operation of a complete News Bureau for the Steering Council.

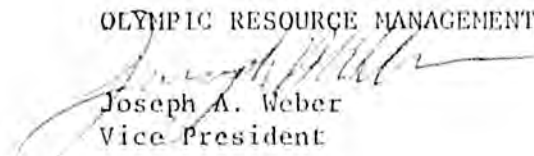
I had a two hour conference with Sharon Long in the Anchorage office on April 18 and discussed the mechanical aspects of the News Bureau and its benefits. She felt that further information would be beneficial to the Council. We have therefore prepared an additional three page synopsis and am enclosing same along with the information contained within the total proposal. Ms. Long indicated that this aspect of our proposal would be included in the agenda of the next meeting.

Also included is a copy of the contract which will be presented to the next Council meeting. If you have any suggestions or recommendations concerning changes in the contract, this may be accomplished at the meeting.

I want to express my thanks to the Council and its staff for the suggestions and opinions concerning our appearance before the Council and our subsequent conversations to date.

Sincerely yours,

OLYMPIC RESOURCE MANAGEMENT, INC.


Joseph A. Weber
Vice President

JAW/jh
Enclosures
cc: Sharon Long

**OLYMPIC
RESOURCE
MANAGEMENT
INC.**

500 Wall Street
Seattle, Washington 98121
Suite 402 415

206/682-7075 4260



**COPY FOR YOUR
INFORMATION**

Letter of Agreement

This letter will serve as a contract between Olympic Resource Management, Inc., 500 Wall Street, Suite 415, Seattle, Washington 98121, Goodrich & Snyder, 500 Wall Street, Suite 402, Seattle, Washington 98121 and Communications West Corporation, 2316-2nd Avenue, Seattle, Washington 98121 (hereinafter known as the Consortium) and the Steering Council for Alaska Lands, 1016 West 6th Avenue, Suite B, Anchorage, Alaska 99501 (hereinafter known as the Council).

The Consortium agrees to provide to the Council for a period of _____ through _____ public relations consultation and professional services including but not limited to the formation and operation of a Council News Bureau with the following features:

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

B. To provide the necessary follow-up required to expedite and encourage use of the materials, including written, telephone and personal communication when necessary and appropriate.

C. 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 respond to press inquiries, to furnish additional material and information and to prepare special material for special press requirements.

D. To perform such other services as outlined in the addendum to the original proposal (copy attached as exhibit A to this letter of agreement).

In addition the Consortium will provide trained news professionals including a researcher to supplement the Council's staff by researching regional information to further the goals of the Council. All personnel will be under the direction of a senior account executive.

All material prepared by the Consortium will be approved by the Executive Director of the Council or (his/her) designee.

Letter of Agreement

Page Two

It is understood and agreed that the Consortium will have the confidence, cooperation and support of the Council staff, leadership and other individuals and groups providing services to the Council.

As compensation for these services, the Council agrees to pay a monthly fee, in advance, of ten thousand two hundred fifty dollars (\$10,250.00) to the Consortium. This fee will cover the time of the Consortium personnel involved in conducting the Council News Bureau services.

Upon mutual agreement of the Consortium and the Council, additional services from the Consortium may be requested and the estimated cost of the services shall be stated in writing and agreed to in writing by the leadership of the Council.

It is understood and agreed that the Council will reimburse the Consortium for reasonable travel and out-of-pocket expenses incurred by the Consortium personnel in connection with services provided to the Council. Reimbursement shall be made upon the presentation to the Council of a written itemized list of such expenses in sufficient detail to inform the Council of their purpose and nature.

Also, it is understood and agreed that the Council will reimburse the Consortium for the costs incurred for delivery services, printed materials, postage, materials and supplies, long distance telephone calls and miscellaneous expenses necessary in the execution of services for the Council. No single item shall be contracted for by the Consortium that is in excess of the sum of one hundred dollars (\$100.00) without the written consent of the Council.

Payment for services and expenses shall be made by the Council to the Consortium upon receipt of statements. All checks should be payable to Olympic Resource Management, Inc. and mailed to 500 Wall Street, Suite 415, Seattle, Washington 98121.

It is understood and agreed that this letter of agreement may be cancelled upon thirty (30) days written notice of either party. Upon cancellation notice, written to Olympic Resource Management, Inc., 500 Wall Street, Suite 415, Seattle, Washington, 98121, the Council is obligated to pay fees for such thirty (30) day period beyond the date of notification.

It is further agreed that in the event that legislation is passed by the Congress of the United States which negates the need for services as outlined in this contract, the cancellation clause is hereby waived and this contract is void.

Any modification of this agreement shall be in writing and is valid only when executed by the signators below or their designated agents.

Letter of Agreement
Page Three

Your signature will indicate your approval of this agreement, as will the signature of the authorized representative of the Consortium.

Steve Cowper, Chairman
Steering Council for Alaska Lands

Date _____

The Consortium

Joseph A. Weber, Vice President
Olympic Resource Management, Inc.

Ed Snyder, President
Goodrich & Snyder

Robert Gogerty
Vice President/Marketing
Communications West Corporation

Attachment:
Exhibit A
Consortium/Council Agreement

Exhibit A
Consortium/Council Agreement

"D-2 NEWS CENTRAL" . . . how the news distribution process operates

The "nerve center" of the news distribution process is the computerized listing of over 22,000 printed publications including daily and weekly newspapers, magazines, periodicals and journals listed by classification, city, county, state and region and also including addresses, telephone numbers and individual names of editors and key news department officials.

This vast informational network is so comprehensive that it is literally possible to distribute a news release within minutes to publications serving over 60,000,000 readers, yet so flexible and selective that a single editor of a single publication in a single community anywhere in the U.S. may also be served.

The distribution process is accomplished in one of two ways. For urgent news items, the news may be fed into that portion of the system which involves the use of teletype machines installed in the newsrooms of all major American daily newspapers. For feature or backup news information, a specialized mailing system is utilized.

"D-2 News Central" would be linked to Anchorage headquarters by a telecopier system to permit the instant intercommunication of typewritten copy. "D-2 News Central" also would require installation of an inward/outward WATS telephone wire for the most efficient, least expensive method of two-way telephone communication.

"D-2 News Central" would operate on a round-the-clock basis, staffed by trained news professionals, including researchers, reporters, writers and editors.

Exhibit A
Consortium/Council Agreement (cont.)

"D-2 NEWS CENTRAL" . . .how the news distribution process is utilized

The media strategy decisions and the geo-political considerations are centered in and controlled by the Steering Council on Alaska Lands, (SCAL). The professional preparation and distribution of news and feature information about the issues are the functions of "D-2 News Central."

Here are some examples of how this joint operation can work:

1. SCAL determines that a sudden news development requires immediate distribution of a release. The "raw" information is fed by telecopier to "D-2 News Central" from Anchorage, or from anywhere in the U.S. Within a few minutes, the staff of "D-2 News Central" works up a suggested draft of a professionally-prepared news release and transmits it to SCAL headquarters for review and approval. Corrections, additions or deletions can be made instantly and, upon approval, the dispatch can be on its way to media centers in all or any part of the U.S.

2. SCAL strategy dictates that specially-prepared media news or feature material is urgently needed in the state of Arizona. "D-2 News Central" is assigned to research, write and distribute this information--customized to meet the geo-political requirements of the situation--and, upon approval, this news or feature information is strategically fed to the appropriate news media in that state.

3. Editors of major, influential news magazines or newspapers--Wall Street Journal, Time, Christian Science Monitor, New York Times, etc.--need to be provided with news and background information on the D-2 issue. SCAL assigns "D-2 News Central" to this task and specially-prepared information is furnished to appropriate editors, with follow-up telephone calls made to determine the acceptability and to encourage use of this information.

4. Through a review of its press clipping service, SCAL learns that a particular editor of a particular publication lacks complete information about the D-2 issue or is handicapped by misinformation. "D-2 News Central," alerted to the situation, can respond immediately, personally contact the editor or writer, offer additional information and make the editor aware of SCAL's position on the issues.

5. An editor or writer, preparing an article on D-2, calls "D-2 News Central" on the inward WATS line for further information. SCAL is notified at once, the proper response is determined, and the editor's needs are filled immediately.

6. SCAL decides that a spokesperson for D-2, scheduled to appear before a group, a legislative committee or other forum in Detroit, Michigan, requires a news release and backup materials. "D-2 News Central" provides this information, furnishes the person with names and addresses of key news media personnel in Detroit and, if appropriate, alerts the news media in advance.

Exhibit A
Consortium/Council Agreement (cont.)

"D-2 NEWS CENTRAL"how the news distribution process is utilized

7. Since many national organizations--labor, for instance--have endorsed SCAL's position on the D-2 issue, it is determined that all local, state, regional and national publications reaching labor union members should be utilized for the dissemination of information about the D-2 proposals. "D-2 News Central" prepares customized news releases and background information, written specifically toward the interests of readers of organized labor publications, and distributes this information to the specialized periodicals.

Obviously, the above examples do not cover all of the possible uses of "D-2 News Central," but these should be sufficient to show the capabilities, the flexibility and effectiveness of the system.

"D-2 News Central" has similar lists of names, addresses, and telephone numbers of news directors and special program producers for all radio stations in the U.S. and of news directors, commentators, "talk show" producers and other key personnel of all TV stations in the U.S.

Also noteworthy is the fact that "D-2 News Central," if desirable and appropriate, can call upon the expert services of trained and professional public relations persons in over 60 U.S. cities to provide on-the-spot PR service and representation. This personalized, on-site service is available through our affiliation with an international PR network.

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.....

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

(D)(2)

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
WALTER PARKER
COMM. ROBERT LERESCHE
JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



1018 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

STATEMENT OF REPRESENTATIVE STEVE COWPER

Chairman
Steering Council for Alaska Lands

before the
Committee on Merchant Marine and Fisheries
Subcommittee on Fisheries and Wildlife
and the Environment
House of Representatives

SUBJECT: The Proposed "Alaska National Interest Lands
Conservation Act" - H.R. 39
April 6, 1978

Mr. Chairman: On behalf of the Steering Council for Alaska Lands, I want to thank you for the opportunity to present and discuss the policy and proposed amendments we have adopted concerning H.R. 39. Our testimony will focus on the segments of H.R. 39 over which your Committee has jurisdiction and we will attempt to address the issues specifically designated for discussion in the memorandum provided to us by your Subcommittee Counsel.

Before reaching the substance of my remarks, I would like to describe the Steering Council and its history.

In July, 1977, the Alaska Legislature created the Steering Council for Alaska Lands as a bi-partisan, nonpolitical body to determine and advocate the consensus position of the State of Alaska and the citizens of Alaska on the D-2 lands issue. Our eleven member Council is composed of three Democratic State Legislators, three Republican State Legislators, and representatives from the Governor's office, the Federal State Land Use Planning Commission, the Alaska Miners Association, the Alaskan environmental community, and the Alaska natives. As you can imagine, our meetings are often the scene of active debate.

As is its purpose, the Steering Council has attempted to put forth the interest of the majority of Alaskans consistent with the values important to all Americans. The Council has adopted a series of proposed amendments and resolutions encompassing the policies which it believes must be incorporated in any balanced D-2 legislation. We believe that the D-2 issue is not one simply of development versus the environment. It is a complex series of issues relating to preservation, land selection, land management and access which cannot be determined on a "for" or "against" basis. We have chosen not to oppose or support any specific piece of legislation but rather to focus our attention on the policy issues that are fundamental to this legislation.

In order to make policy choices, we feel that the Congress must have an accurate understanding of who Alaskans are, what they believe in, and how they treat their environment. Steering Council members who have come to Washington to visit with you and explain our concerns have been surprised by some of the misconceptions about Alaskans. There seems to be a sense that Alaskans don't care about their environment, don't care about their wildlife, and intend to rape their land and exploit resources whenever and wherever possible. Nothing could be further from the truth, and an objective assessment of our record proves this.

Our population fishes, hunts, camps, hikes and generally appreciates its outdoors and its natural beauties at least as much as the citizens of any State. I will match the record of our State leaders against those of any other State with regard to environmental and conservation issues. We have set aside nearly 6 million acres of State park and recreational lands - that is an area twice the size of Connecticut - which is quite an achievement when one considers that the State Legislature has had control over only less than 36 million acres of Alaska's lands. Our State has also been accused of being susceptible to industry exploitation pressures. Here the record is even more unim-

peachable. In order to protect fish, shellfish, and habitat, the State has recently cancelled all valid oil and gas leases in Kachemak Bay. This virtually unprecedented act occurred because we balanced the economic values versus the environmental values, and found the environment more important to conserve. I would also cite our oil and gas taxation levels, perhaps the highest oil and gas taxes imposed by any State in the nation, as another example of Alaska's resistance to industry pressures.

The Steering Council for Alaska Lands urges the Committee to adopt the series of proposed amendments that we have submitted with my testimony today. We have provided an explanation of our purposes and policies along with each of our proposals. We believe that each of these proposals would serve both the State and the nation's interest without degrading or threatening the environment of our State.

I would like to highlight a few of the most important amendments.

STATE LAND SELECTIONS

Perhaps the most emotional issue to Alaskans, and the issue that the greatest portion of Alaskans agree on, is the priority of State land selections over D-2 withdrawals. The Steering Council's position is that the 1958 Alaska Statehood Act is a compact between the citizens of the State of Alaska, who ratified it, and the United States Government. As a result, it is constitutionally ineligible for unilateral repeal by the United States Congress. It is the Council's position that the Alaska Statehood Act guarantees that the State should have land selected by it conveyed ahead of D-2 lands set aside by the Congress. While the Merchant Marine and Fisheries Committee is probably not the proper forum for determining the legal status of statehood acts, the Committee can determine rights, title, and use of land currently included within the Wildlife Refuge boundaries specified in H.R. 39.

The Council urges that the boundaries of the National Wildlife Refuges in H.R. 39 be redrawn in order to give the State title to all lands it has selected. If the Committee is unwilling to do so, our next best alternative is to convey certain top priority State selections to Alaska, while

retaining the other areas where State selections conflict with proposed Wildlife Refuge boundaries.

There are approximately 10 million acres where conflicts currently exist between State selections and proposed D-2 land withdrawals. The single most important area of conflict involves the proposed Yukon Flats National Wildlife Refuge. The conflict areas are specified as "Interest Area Nos. 43, 48, and 46" of the State selections. The selections conflict with the eastern and western portions of the Yukon Flats Refuge. If the State is allowed to select these lands, it proposes to use the eastern portion for agricultural development, a transportation corridor, forestry and some mineral development. The western portion is slated primarily for agricultural development by the State. Despite Alaska's size, only about 5% of the State has agriculture potential and 1/3 of these potential lands are in the Yukon Flats area. The Soil Conservation Service and the Cooperative Extension Service has branded these lands the most important crop lands in Alaska. We need them, we have a just claim to them, and we strongly urge you to consent to their conveyance.

The Steering Council has one final suggestion for your consideration. In the event that you decide against allowing the State to select these Yukon Flats areas, you should not forever preclude the possibility of future agricultural development on these lands. If the Committee chooses to reject both of the Steering Council's recommendations, it should, at the very least, initiate a joint study to be undertaken by the Secretary of the Interior and the State of Alaska to determine whether any or all of the uses contemplated by the State for these areas can be conducted without conflicting with the purposes of the Wildlife Refuge System. If the study finds that certain areas can sustain the uses proposed by the State without being incompatible with wildlife management, then the Secretary of the Interior should be empowered to provide special use permits to allow for said uses under environmental safeguards set out in these permits.

WILDERNESS

It is generally conceded that the imposition of a wilderness designation over a Wildlife Refuge can be either favorable or unfavorable to the wildlife populations within that refuge, depending on the individual conditions and characteristics of that Refuge and the prospects for enhance-

ment and management. Therefore, the instant wilderness overlays currently contained in H.R. 39 cannot be reconciled with the principal purposes of the National Wildlife Refuge System, namely, preservation of wildlife populations indigenous to those areas. In order to satisfy the purposes of the Wildlife Refuge Management System, studies must first be conducted to determine whether wilderness overlay will harm or help the wildlife population residing within the Refuges.

The Steering Council for Alaska Lands believes that development of adequate information on all of Alaska's lands is essential. Without it, sound land use planning is not possible. We therefore urge that wilderness overlays in wildlife refuges be limited to certain lands in the Alaska Maritime Wildlife Refuge and in the Kenai Wildlife Refuge that have been studied for wilderness designation. We recommend further that the Secretary of the Interior consider all other proposed D-2 lands in Alaska for designation as wilderness study areas and that once these studies are completed, a final decision can be made by Congress as to whether a wilderness overlay will comport with the purposes of the National Wildlife Refuge System.

ARCTIC NATIONAL WILDLIFE RANGE/REFUGE

The Steering Council is among those who believe that the future of the Arctic National Wildlife Refuge is probably the most difficult D-2 issue to decide. The balance between our nation's urgent need for domestic oil and gas production and the last untouched Arctic environment is a hard one to strike.

At present, H.R. 39 imposes a wilderness designation over the Range. In addition, Sections 905 and 603 provide for an Interior Department study covering 1.2 million acres of the existing Range.

Consistent with our wilderness policy, the Steering Council opposes the designation of the Arctic National Wildlife Refuge/Range as an instant wilderness area because it has not been studied for inclusion in the National Wildlife Preservation System and because a determination cannot be made at this time that said wilderness overlay will be beneficial to the wildlife populations residing in or migrating through the proposed Refuge.

The Steering Council has analyzed the study provision adopted by the House Interior Committee and has unfortunately concluded that a major flaw exists. As presently conceived, the only study allowable for oil and gas potential on the Range would be conducted by the Interior Department - which is already on record as stating that any oil or gas in this area should be the last ever extracted in the United States. Based on this position, giving the Interior Department exclusive study rights is fraught with potential for accusations of purposeful understatement of resources for failure to fully explore. There is little reason to believe that their study will receive the credibility needed for it to be valued as a basis for such an important future decision.

The Steering Council feels that the nation would be better served if a private industry study is also permitted over the same time period as the Interior study, but only if the private industry study is conducted under strict environmental regulations imposed by the Department of Interior. The Steering Council proposes that both studies be individually submitted to Congress upon completion and that the GAO should do an analysis and assessment of the two reports. At that point, a determination can be made by Congress as to whether or not any portion of the Arctic

National Wildlife Range should be open to exploration or extraction. This joint study concept should provide the adequate and unbiased information needed for a final decision and should do so without causing any significant environmental damage to this precious area.

MINERALS POLICY

Attached to our testimony is a summary of the major areas of conflict between mineral deposits and proposed Wildlife Refuges. We trust that you will consider these mineral deposits as one of the competing values to be assessed in reaching final decisions on Refuge boundaries, Refuge access and Refuge use.

We have also submitted a series of amendments concerning minerals study, exploration, development and access. These amendments would allow some exploration by private industry in Wildlife Refuges, incorporate existing mineral leasing law in nonwilderness Refuges, and provide access in Refuges for hardrock minerals. The amendments provide clear authority for the Secretary of Interior to deny entry for exploration, mineral leasing or extraction of hardrock minerals whenever those activities endanger wildlife populations.

The Steering Council supports permitting extraction of leasable minerals in Wildlife Refuges, consistent with existing practice in the continental United States. The most important leasable minerals are, of course, oil and gas. The substantial deposits of oil and gas in Alaska make the exploration or potential development of these areas critical to the national interest. If the bill we are considering is correctly named as a "National Interest Lands" bill, then we need look no farther than our daily oil import demand of approximately 8 million barrels to conclude that the "national interest" requires that, at a minimum, we study the oil and gas potential of these proposed National Wildlife Refuges and provide workable mechanisms for possible future exploration or extraction.

We have been asked to comment on the need to include Titles IX and X of H.R. 39 in final D-2 legislation. There is no simple answer. These sections, with certain improvements, are a necessity if the massive instant wilderness overlays that H.R. 39 still includes are not removed. Existing mineral and access law simply is not equipped to cope with the multitude of problems and exclusions produced by wilderness designations of such magnitude. With more reasonable wilderness designations, the value of Titles IX and X would be reduced. Our inclination is to recommend

the retention of these two Titles and improve them. One of our principal bases for this decision rests with the large amount of D-2 lands that will be designated as wilderness study areas. Although it is impossible to estimate how many of these acres will ultimately be designated as wilderness, there is a clear prospect that much of the D-2 land not designated in H.R. 39 will become wilderness in the next decade. As the result, we feel there is more to be gained by preserving and improving Titles IX and X than by eliminating them.

AQUACULTURE

The State of Alaska has an unparalleled record of devoting time and money to enhancement and protection of its fish resources. The Council has proposed an aquaculture amendment which provides for fish stocking, enhancement activities, and the development of small aquaculture sites in all areas of Alaska. The Council's proposal includes Parks and it includes wilderness. Fish, like waterfowl, pay no attention to the boundaries imposed by man. There are potential aquaculture sites in the Yukon-Kuskokwim Delta, the Alaska Peninsula, Togiak and Cape Newenham National

Wildlife Refuges. In the interest of proper fisheries management and sustained fish populations throughout the State, Alaska should not be precluded from developing these sites on Wildlife Refuges and other D-2 lands in an environmentally sound manner.

It is the opinion of the Steering Council that the authority and jurisdiction for determining fisheries management issues appropriately rests with the Merchant Marine and Fisheries Committee and that the Committee is not restricted solely to Wildlife Refuge lands on this issue.

COOPERATIVE MANAGEMENT

Mr. Chairman, your staff has asked us to comment on a suggestion from our Governor to establish an experimental cooperative management area including the proposed Togiak Refuge and the adjacent State lands in the Wood-Tikchik area. The Steering Council favors cooperative management and hopes it is embraced by your Committee. We endorse the Togiak/Wood-Tikchik experiment and, in fact, hope that cooperative management in some form is attempted in many more areas of the State.

CONCLUSION

Mr. Chairman, it is my hope and the hope of the Steering Council that these remarks have given the Committee a better understanding of the sentiment of Alaskans, their strong feeling of responsibility for their environs, and the changes in H.R. 39 that they and the Council believe are necessary to form legislation that truly serves our nation's interest. We believe that H.R. 39 has come a long way from its original form and hope that your Committee will help make the additional improvements needed to perfect this bill. We look forward to continuing the dialogue we have begun with you and stand ready to lend any assistance that we can.

Thank you very much for your time and consideration.

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
WALTER PARKER
COMM. ROBERT LERESCHE
JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



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ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

PROPOSED AMENDMENTS TO H.R. 39,

WITH EXPLANATIONS

April 6, 1978

Proposed Amendments to Title III

CONFLICTS BETWEEN STATE SELECTED LAND UNDER THE ALASKA STATEHOOD ACT AND PROPOSED WILDLIFE REFUGE AREAS

EXPLANATION

The Steering Council's position is that the Alaska Statehood Act is a compact between the citizens of the State of Alaska and the United States government, thereby making it ineligible for unilateral repeal by the United States Congress. It is the Council's position that the Alaska Statehood Act guarantees that the State should have land selected by it conveyed ahead of d-2 lands specified by Congress.

The Merchant Marine and Fisheries Committee is probably not the proper forum for determining the legal status of statehood acts, but the Committee can determine rights, title, and use of land included within Wildlife Refuge boundaries specified in H.R. 39.

The Steering Council would prefer that the boundaries of the National Wildlife Refuges be redrawn in order to give the State title to lands it has selected. The next best alternative is to retain the boundaries within H.R. 39 and include special use provisions in certain wildlife refuges, if specified uses desired by and benefitting the State can be allowed without harming wildlife populations residing in or migrating through the wildlife refuge in question.

PREFERRED AMENDMENT

Section 305. All valid State of Alaska land selections heretofore made pursuant to the Alaska Statehood Act are hereby confirmed, subject only to valid existing rights, conveyances made pursuant to lawful selections filed by native village corporations on or before December 18, 1974 pursuant to section 12(a) or 12(b) of the Alaska Native Claims Settlement Act, 85 Stat. 688 (1971), as amended, and tentative approval and patent pursuant to Section 6(g) of the Alaska Statehood Act, where such selections conflict with National Wildlife Refuge boundaries specified in this section.

(1) Future valid State of Alaska land selection, when filed, shall be treated in the same manner as those existing State land selections specified in this subsection.

CONFLICT AREAS: STATE LAND SELECTIONS AND NATIONAL WILDLIFE REFUGE BOUNDARIES

Yukon Flats:

State land selections are in the Yukon and Charley River Valleys. The lowlands have agricultural potential and could serve as a transportation corridor. The mountainous terrain above the valleys are important for forestry resources and wildlife. Additional State selections are in the Circle-yukon Flats area and abut a State selection area on the western border. The area includes an important road corridor to the east central part of the State and is extremely valuable due to its high resource ratings and its intensive human use. State lands in this area have already been scheduled for homesite disposal.

Becharof:

Areas of high priority included in the refuge area are located to the south of Becharof Lake and to the southeast of Becharof Lake. The lands to the south of Becharof Lake were selected to provide access for fish and game purposes and are top land settlement and development capability lands. Southeast of Becharof Lake are two top priority townships designated for a fish hatchery site.

Nowitna:

Lands along the Yukon River, west of Fairbanks, are of primary interest for obtaining access to the Yukon River. Lands selected are in close proximity to State lands both north and south of the Yukon River and have been identified as agricultural and forestry potential lands.

Alaska Peninsula:

The State has identified 23 areas for selection. It is the recommendation of the State that the Alaska Peninsula be set aside as a special study area for future study to determine the most efficient and manageable land ownership patterns. If the State's recommendation is not included within the d-2 bill, then the State will continue to solicit information on specific land selection possibilities.

SPECIAL USE POSSIBILITIES

The two conflict areas between State selections and Wildlife Refuge boundaries that are of highest priority to the State include one area on the eastern side of the Yukon Flats Wildlife Refuge and another area on the western side. In the event these areas are retained in the Wildlife Refuge, the Steering Council suggests that, at the very least, a section be added to H.R. 39 providing the following:

1. For State selected lands designated as area No. 43 of approximately 1.5 million acres along the Steese Highway in the eastern portion of the Yukon Flats Refuge, a joint study be undertaken by the Secretary of Interior and the State of Alaska to determine whether any or all of the uses contemplated by the State (which include a transportation corridor, agricultural development, forestry and some mineral development) can be conducted in all or any part of this area without conflicting with the National Wildlife Refuge system's purposes. This study should have a time limit of no more than five and probably three years. The study should be required to specify areas in which any of these particular uses would be compatible with refuge management, what the damage (if any) would be to the refuge or the wildlife population in the event that such use were permitted, and the guidelines and restrictions that would necessarily be imposed in order for such use to avoid causing any damage to the refuge. In the event that study finds that certain uses are compatible with the refuge, then the Secretary of Interior would be empowered to provide special use permits to allow for said use under environmental regulations set out in the permit.

2. A study of the area designated as No. 48 on the western side of the Yukon Flats Refuge be initiated. In this area, the values sought by the State are primarily agricultural and would coincide with a likely agricultural development on native lands contiguous to the State selection. Here, the potential for an agricultural center (comprised of native and State and/or Federal lands) compatible with the wildlife populations in the area should be the focus of the study. The study should, as above, be limited to three to five years and special use permit authority should be provided if the study proves the area to be suitable for agricultural development without refuge damage.

March 29, 1978

Proposed Amendments to Title VI
WILDERNESS

DESIGNATION OF WILDERNESS AREAS
WITHIN THE
NATIONAL WILDLIFE REFUGE SYSTEM

Section 603. In furtherance of the purposes of the Wilderness Act (78 Stat. 892) and subject to valid existing rights, the following lands are hereby designated as wilderness and, therefore, as components as the National Wilderness Preservation System:

(1) Certain lands in the Alaska Maritime National Wildlife Refuge, Alaska, which comprise approximately two million four hundred and seventy thousand acres, as generally depicted on a map entitled "Alaska Maritime National Wildlife Refuge", dated September, 1977, and which shall be known as Aleutian Islands Wilderness (approximately one million three hundred thousand acres), Unimak Wilderness (approximately nine hundred and thirteen thousand nine hundred and seventy-five acres), and Semidi Wilderness (approximately two hundred and fifty-one thousand eight hundred and sixty acres).

(2) Certain lands in the Kenai National Wildlife Range, Alaska, which comprise approximately one million three hundred ninety thousand acres, as generally depicted on a map entitled "Kenai National Wildlife Range", dated September, 1977, and which shall be known as Kenai Wilderness.

(This ends Section 603)

WILDERNESS REVIEWS
WITHIN UNITS OF THE
NATIONAL WILDLIFE REFUGE SYSTEM

Section 604

(Section 604 may remain unchanged from the standpoint of its wording, but it will encompass far more acreage as a result of the change in Section 603. As presently written, Section 604 provides that all Wildlife Refuge land in Alaska not designated wilderness in Section 603 shall be studied for suitability as wilderness within the next three to seven years. As a result of our proposed amendment to Section 603, approximately twenty-nine million acres of unstudied wildlife refuges -- 13.4 million of those acres coming from the Arctic Wildlife Range -- would be transferred from instant wilderness in 603 to wilderness study in 604.)

EXPLANATION

The principle behind this proposed amendment to H.R. 39 is that imposition of a wilderness designation over a Wildlife Refuge can be either favorable or unfavorable for the wildlife populations within that refuge, depending on the individual conditions and characteristics of that refuge and the prospects for enhancement and management. As a result, instant wilderness overlays cannot be reconciled with the principal purposes of National Wildlife Refuges, *i.e.*, preservation of wildlife populations indigenous to those areas. In order for the purposes of wildlife refuge management to be satisfied, studies must first be conducted to determine whether wilderness overlays will be harmful or helpful to the wildlife populations residing within the refuges.

The two wilderness designations within National Wildlife Refuges that we retain are areas that have been studied pursuant to the Wilderness Act of 1964 and appear to be suitable for wilderness designation in compliance with the principles governing National Wildlife Refuge management.

Title III and Title VI

ARCTIC NATIONAL WILDLIFE RANGE/REFUGE

As stated in our proposed wilderness amendments, the Steering Council opposes the designation of the Arctic National Wildlife Refuge/Range as a wilderness area because it has not been studied for inclusion in the National Wilderness Preservation System and because it cannot be determined that said wilderness overlay will be beneficial to wildlife populations without such a study.

Sections 905 and 603 of H.R. 39 provide for an Interior Department study over five years of 1.2 million acres of the existing Arctic National Wildlife Range for oil and gas potential. At the end of the study, this area of the range may be added to the land available for possible "unlock" pursuant to procedures set up in Title IX. The Steering Council feels that this study concept is flawed because the only study allowable for oil and gas potential on the Range would be conducted by the Interior Department -- which is already on record as stating that any oil or gas in this area should be the last ever extracted in the United States. Based on this Interior Department position, giving them exclusive study rights is fraught with potential for accusations of purposeful understatement of resources or failure to fully explore.

The Steering Council feels that the nation would be better served if a private industry study, under strict environmental regulation by the Department of Interior, is permitted over the same time frame as the Interior study and that both studies shall individually be submitted to Congress upon completion. At that point, a determination can be made as to whether or not any portion of the Arctic National Wildlife Range should be opened to exploration or extraction. (The House Interior Committee has failed to furnish us with a copy of their language covering the Arctic National Wildlife Range study, therefore we cannot yet propose specific amendatory language covering the proposal described above.)

AQUACULTURE AMENDMENT

SEC. 607 (c) In accord with principles of sound fisheries management, the appropriate Secretary [of Agriculture] is authorized to permit fish stocking [activities], enhancement and development activities and development of small aquaculture sites within [national forest] wilderness areas and wilderness study areas designated by this Act, as he determines to be necessary and desirable to restore, augment, or sustain native fish populations. Structures for any such aquaculture site shall involve no permanent housing for personnel or equipment and only minimal facilities essential to the aquacultural operations and shall be constructed at such locations in such manner as to blend into the natural character of the area. In constructing such structures no alteration to the natural contours of the terrain shall be permitted.

Explanation. The purpose of this amendment is to allow for fish stocking, enhancement, and development activities and the development of small aquaculture sites in wilderness areas in Alaska. The Secretary of Interior or Secretary of Agriculture, depending on the wilderness area affected, is authorized to allow for such activities.

The bill reported out by the House Interior and Insular Affairs Committee allows for fish stocking and the development of small aquaculture sites only, in National Forest Wilderness areas. The potential for aquaculture sites should not be limited only to National Forest Wilderness areas. There are potential aquaculture sites in the following proposed National Wildlife Refuges, Yukon-Kuskokwim Delta, the Alaska Peninsula, Togiak and Cape Newenham.

In the interest of proper fisheries management and sustained fish populations throughout Alaska, the State should not be precluded from developing these sites in Wildlife Refuges or on other (d)(2) lands in an environmentally sound manner.

The proposed amendment refers to all wilderness areas, not just Wildlife Refuges. It is the opinion of the Steering Council that the authority and jurisdiction for determining fisheries management issues appropriately rests with the Merchant Marine and Fisheries Committee and is not restricted solely to Wildlife Refuge lands.

Steering Council for Alaska Lands
MINERAL AND REFUGE CONFLICTS

1. Arctic Wildlife Range:

Oil and Gas - North flank of the Range, including Marsh Creek anticline.

Minerals - Demonstrated mineral values are phosphate along north flank of Brooks Range (south of the oil and gas conflict); uranium, tin, and molybdenum deposits in the Mt. Michelson area, and copper occurrences associated with Cambrian volcanics are found east of Mt. Michelson.

Most of area is assured to have potential for stratiform (bedded) types of sedimentary or volcanic deposits based on the discovery of such deposits in the area west of the Range in Alaska and east of the Range in the Northwest Territories. Metals and non-metals likely to exist are lead, zinc, barite, and fluorite.

Analysis - The area has high mineral potential for a variety of materials; it is also one of the 3-4 highest preservation priorities in Alaska. The part of the Range which is most likely to be explored for oil and gas is the "North Slope". It makes sense for this appraisal to be made in the fairly near future - including drilling - so that the future of the pipeline can be planned.

2. Arctic Wildlife Range, Additions:

Potential ranges from moderate to very high.

3. Selawik:

Oil and Gas - Little conflict except in the southwest corner.

Hard Minerals - The main conflict is in southern 1/3 where rocks of Hogatza plutonic belt, favorable for uranium and thorium deposits, cross the refuge. There is some favorability for gold and other deposits.

Access - Selawik controls the southeast-west access out of the Ambler River mineral belt (the main mineral belt in the southern Brooks Range). In House Committee, about 160,000 acres were deleted for a corridor (Roncalio), but Fish and Wildlife will push for its reinstatement because of a conflict with the caribou wintering range.

Possibly a solution suitable to both FWS, the State and mineral companies can be worked out.

Analyses - The most important current problem is access in the next most important is the uranium potential in the southern portion of the refuge.

4. Kanuti:

Oil and Gas - essentially in conflict.

Minerals - Refuge straddles 2 geologic boundaries separately, the Koyokuk Basin, (from hardrock terrain) and Hodzana-Kokvine Hills. The terrain on southeast side of this boundary has potential for tin, tungsten, and uranium deposits. Lesser potential for chromium near geologic boundary and for a variety of metals northwest of boundary.

Analysis - Possibly significant tin-tungsten area (BP located claims - unknowingly in d-2 lands - in 1977). Possible case for continued exploration.

5. Koyukuk:

Oil and Gas - Speculative possibility (Bureau of Mines rates low).

Minerals - Considered less favorable. Probably some claim conflicts.

6. Innoko and Clarence Rhode - Kuskokwim Yukon Additions:

Oil and Gas - No conflicts in Innoko; important oil and gas potential in Clarence Rhode.

Minerals - Innoko is mostly low land and has been poorly explored. The southwest side of the refuge is favorable and most likely metal is gold; also there is some potential for platinum and other metals; probably some claim conflicts. Most of the refuge (northwest part) has some favorability - but is essentially unknown.

7. Yukon Flats:

Oil and Gas - Core area of at least moderate potential.

Minerals - Except for uranium, which has speculative possibility in the basinal areas, conflicts are minor. The real conflict is in the southern part approaching the White Mountain area and the northwest part approaching the Chandalar area.

8. Togiak-Cape Newenham Additions:

Oil and Gas - Important conflict with oil and gas native oil and gas interests in the extreme southeast part of the area, northwest of Nushagak Bay.

Hard minerals - There are significant conflicts with gold, platinum metals, and possibly uranium in the northeasterly trending belt through the area; includes so-called Kenektok area.

9. Alaska Peninsula - Alaska Maritime:

Oil and Gas - Important potential extends through all the refuges on the southeast side of the Alaska Peninsula.

Minerals - Very high potential for porphyry type deposits of gold, copper and molybdenum on the southeast side of the Peninsula. These deposits run the length of the proposed refuge system.

Summary:

Oil and Gas - Major conflicts occurs in northern Arctic Wildlife Range, moderate potential for conflict occurs in the Clarence Rhode extension and the Alaska Peninsula. Small areas of serious conflict on the southeast side of the Togiak-Newenham.

Minerals - Partial conflicts with several areas because of highland terrain. The main conflict in terms of mineral potential and highest preservation values are in Arctic Wildlife Range.

High mineral potential is found in southern Selawik, the southern most region Yukon Flats, Kanuti, Togiak, and on the Alaska Peninsula. In other areas there is at least speculative potential.

The Steering Council for Alaska Lands
Summary of Proposed Amendments
to
Title IX (Minerals)

These proposed amendments to Title IX, Minerals, would accomplish the following:

1. Keep nonwilderness wildlife refuges open for mineral exploration, subject to reasonable regulation to protect the integrity of the refuge;
2. Continue the application of the Mineral Leasing Laws in wildlife refuges;
3. Establish a modified patent location system whereby claimant takes patent to the subsurface mineral rights and acquires surface-use rights;
4. Enable the Secretary of Interior to regulate all entry into the Refuge, and deny entry whenever that would endanger wildlife.

The development of sound mineral information on all of Alaska's lands is one of the primary goals of the Steering Council. Without adequate mineral information, sound land use planning is not possible. Therefore, the Steering Council supports mineral exploration by both public and private entities in nonwilderness Refuges and Forests. Proposed Amendment #3 provides for a right of entry to explore for minerals subject to reasonable regulation by the Secretary. Proposed Amendment #4 specifies the scope of the Secretary's regulatory authority.

Secondly, the Steering Council supports permitting environmentally safeguarded extraction of leasable minerals in Wildlife Refuges. This is consistent with existing practice in the Lower 48. Leasable minerals include oil and gas and uranium. The substantial deposits of oil and gas in Alaska make exploration and potential development of these areas critical to the national interest.

Thirdly, the Secretary's authority to permit access into Wildlife Refuges for purposes of extracting hardrock minerals is classified. Under existing law, Wildlife Refuges are subject to both the Mining Law of 1872 and the Mineral Leasing Laws, but no hardrock mining has been done to date in refuges. The Steering Council supports a modified patent location system for hardrock mineral deposits whereby the entryman takes patent to the mineral deposit but the title to the land and all surface resources remains in the United States.

Other amendments insure compliance with existing environmental law, define the Secretary's authority to regulate access into Wildlife Refuges, and require those entering Wildlife Refuges to repair the land and to post a bond.

PROPOSED AMENDMENT NUMBER 1
to
TITLE IX OF H.R. 39

Add the following paragraphs to Section 902:

(3) "Leasable Minerals" shall mean all leasable minerals including but not limited to oil, gas, uranium, and coal, which are subject to the Mineral Leasing Laws;

(4) "Locatable Minerals" shall include all other mineral resources which are not deemed leasable minerals under the Mineral Leasing Laws;

(5) "Valuable Mineral Deposit" as used in this Act shall mean one which would justify a person of ordinary prudence in performing work or making expenditures on or for the benefit of the claim or claims containing such deposits with reasonable expectation of developing a profitable mining operation;

(6) "Mineral Leasing Laws" shall mean the Act of October 20, 1914; the Act of February 25, 1920; the Act of April 17, 1926; the Act of February 7, 1927; and all Acts heretofore enacted which are amendatory of or are supplementary to any of the foregoing Acts.

PROPOSED AMENDMENT NUMBER 2

to

TITLE IX OF H.R. 39

Existing Mining Claims and Mineral Leasing
Rights in Wildlife Refuges

Section 904(a)(1). Delete in its entirety and insert in lieu thereof:

Section 904(a). Any person who is the holder on the effective date of this Act, of a valid existing mineral claim or lease on public lands located within the boundaries of any wildlife refuge/range in Alaska may carry out activities related to the exercise of the right under such claim or lease in accordance with the regulations promulgated by the Secretary that are in effect upon the effective date of this Act.

Section 904(a)(2). Delete in its entirety.

Explanation:

The present language in Section 904(a)(1) and (2) of H.R. 39 permits the Secretary to promulgate new regulations which would apply to existing mineral claims and leases. Consequently, the commercial value of the lease or claim could be eliminated or decreased by such regulations. The present language also makes Section 1202(c) guaranteeing access to all inholdings less valuable because that right of access is worthless if the claims' commercial potential can be reduced or eliminated.

This amendment does not just give the appearance of being a grandfather clause, rather it truly grandfathers all existing mineral claims and leases by insuring that present regulations will apply to their operations.

The above amendment also carries out the basic d-2 policy of the House Interior Committee and the Department of Interior that allows existing holders (i.e., homesteaders, trappers, hunters, miners) to maintain their lifestyle or holdings. It is future generations who are precluded from acquiring such rights on these lands.

PROPOSED AMENDMENT NUMBER 3
to
TITLE IX OF H.R. 39

Limitation of Judicial Remedy

Section 907(c). On Page _____, Line 19, delete the following language:

"which shall be awarded if the Court finds that such loss constitutes a taking of property compensable under the Constitution."

Explanation:

This amendment deletes the above language because said language unjustly limits the judicial remedy available to the holder of a valid mineral claim or lease.

PROPOSED AMENDMENT NUMBER 4

to

TITLE IX OF H.R. 39

Wildlife Refuges Not Subject to
§§905, 906, 907, 908, 909, 910, and 911
of this Act

Section 905(2). Delete in its entirety and renumber
Section 905(3) to Section 905(2).

Explanation:

This amendment will take nonwilderness Wildlife Refuges out of the Minerals Access Process which is established in Sections 905 through 911. Instead access to nonwilderness wildlife refuges will be controlled by our proposed Sections 912-918.

PROPOSED AMENDMENT NUMBER 5

to

TITLE IX OF H.R. 39

Exploration Entry

Section 912(a). The Secretary of the Interior may permit entry into wildlife refuges for the purpose of mineral exploration. The Secretary shall regulate such entry to insure that any disturbance caused by the mineral exploration activities to the surface of the wildlife refuge or to the wildlife in that wildlife refuge is minimized.

Section 912(b). Any party entering the wildlife refuge for mineral exploration purposes shall transmit the following information in duplicate to the refuge manager in Alaska and the Secretary of Interior at least 120 calendar days before the proposed entry:

- (1) The name and address of the entryman;
- (2) The acres proposed to explore;
- (3) The specific means and form of entry to be used;
- (4) The general methods of exploration;
- (5) Location of camps;
- (6) How surface disturbance will be minimized; and
- (7) How any surface disturbance will be repaired to the maximum extent practicable.

Section 912(c). Within 60 calendar days from the receipt of an application for exploration entry, the refuge manager shall advise the applicant whether the proposed entry in its original or reasonably modified form can be carried out without harming the wildlife refuge. If entry is deemed acceptable, the wildlife refuge manager may specify an acceptable plan or enter into negotiations with the entryman. Where the wildlife refuge manager determines entry is not possible, the applicant may appeal to the Secretary of the Interior.

Section 912(d). Where entry is made pursuant to Subsection (b) of this Section, the Secretary can also require the applicant to post a bond in the amount determined by the Secretary.

Explanation:

This amendment continues the current practice of permitting entry into wildlife refuges for purposes of mineral exploration. Section 902 of Title IX effectively delegates all mineral exploration to the Department of Interior, by authorizing it to continue mineral assessment on all d-2 lands, while any other mineral exploration requires an affirmative vote from Congress within 120 days in the form of a joint resolution subsequent to an affirmative recommendation by Interior.

Under the terms of this amendment, anyone satisfying Interior's regulations can enter a Wildlife Refuge to explore for minerals. The Secretary monitors the environmental impact of such entry by reviewing exploration plans and requiring those entering the wildlife refuge to post a bond.

PROPOSED AMENDMENT NUMBER 6
to
TITLE IX OF H.R. 39

Authority of Secretary to Promulgate
Regulations Concerning
Entry for Mineral Exploration

Section 912(e). The Secretary is authorized to promulgate regulations to implement this Section. These regulations shall specify:

- (1) The duration of entry and the time of year;
- (2) Set the terms and conditions of entry to implement the minimum standards of environmental protection; and
- (3) Impose any further stipulations to insure that all activities connected with the exploration of minerals are consistent with the purposes for which the wildlife refuge is established.

Explanation:

This subsection gives the Secretary the administrative discretion to regulate entry into the wildlife refuges for mineral exploration. For instance, the Secretary can prohibit entry when caribou are calving.

PROPOSED AMENDMENT NUMBER 7
to
TITLE IX OF H.R. 39

Continued Application of Mineral
Leasing Laws to Wildlife Refuges

Section 913(a). Notwithstanding any other provision of this Act, all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to all public lands in Alaska which are withdrawn for the National Wildlife Refuge Conservation System.

Section 913(b). Mineral leases, permits, and licenses covering lands within wildlife refuges shall contain such reasonable stipulations imposed by the Secretary to protect the wildlife and to insure that the mineral extraction activities do not interfere with the purposes for which the wildlife refuge was established.

Section 913(c). Entry into the wildlife refuge under a mineral development lease issued by the Secretary shall be subject to Sections 916 and 917 of this Act, which provide for land reclamation and bonding.

Explanation:

This amendment continues the Secretary's authority to issue a mineral development lease, under the Mineral Leasing Laws. Leasable minerals, the most important of which are oil and gas, also include coal, uranium, phosphates, sodium, and oil shale. Extraction of leasable minerals is done in Lower 48 Wildlife Refuges only when extraction is consistent with the purposes for which the wildlife refuge was established.

PROPOSED AMENDMENT NUMBER 8
to
TITLE IX OF H.R. 39

Extraction of Hardrock
Minerals in Wildlife Refuges

Section 914(a). The Secretary may permit entry into all nonwilderness wildlife refuges in Alaska to extract mineral resources which are not subject to the Mineral Leasing Laws.

Section 914(b). The entryman making the discovery must stake the area in such a way as to give all others notice and must file a description and survey in the appropriate land office. Copies of the description and survey must be forwarded to the Secretary and to the wildlife refuge manager.

Section 914(c). The claimant must apply for permission to enter the refuge for the purpose of extracting the mineral deposit claimed. The application shall include the following information:

- (1) Evidence which indicates the presence of a valuable mineral deposit as defined in Section 902(5) of this Act;
- (2) Plans of exploration and extraction which will minimize surface disturbance and disruption of the wildlife;
- (3) Reclamation plan which will leave the wildlife refuge in substantially the same condition that it was in prior to the mineral extraction entry; and
- (4) Any additional information which the Secretary finds is necessary.

Section 914(d). The United States reserves all right, title and interest to the surface and the surface resources of wildlife refuge units.

Section 914(e). The party desiring to extract the locatable mineral deposit may also lease a right-of-way from the Secretary in order to enter the refuge and to develop the mineral deposit claim.

Section 914(f). Entry into the wildlife refuge for the purpose of mineral exploration and extraction as provided for in this Act shall be subject to the provisions of section 916, (Reclamation) and Section 917, (Bonding).

Explanation:

This amendment creates a patent location claim system which is similar to the Ruppe Bill, H.R. 5831, amending the present hardrock mining law. Under the Steering Council proposal, anyone can file a claim on a mineral deposit he discovers but the claimant will only receive patent to the subsurface rights. Presently a mineral deposit claimholder takes patent to both the surface and subsurface rights. The Secretary will regulate entry into the wildlife refuge to extract minerals. The party entering the refuge is subject to reclamation and bonding provisions.

PROPOSED AMENDMENT NUMBER 9

to

TITLE IX OF H. R. 39

Preference Rights

Section 915(a). If the mineral exploration conducted in the wildlife refuge results in the discovery of potentially valuable mineral deposits of oil and gas or other leasable minerals in an area not previously designated as having mineral character, a private party may apply for a preference right lease under existing law.

Section 915(b). If a potentially commercial deposit of oil and gas or other leasable mineral is discovered in an area designated as having mineral character, then the mineral development lease will be let pursuant to competitive bidding.

Section 915(c). If mineral exploration indicates the presence of a valuable locatable mineral deposit, the claimholder or patentholder may have preference in obtaining the rights-of-way necessary to develop the locatable mineral deposit. Granting of such rights-of-way is subject to the Secretary's approval of the claimholder's or patentholder's application for entry under Section 914 of this Act.

Explanation:

This amendment retains the existing law for obtaining a mineral development lease. If the area is not determined beforehand as having high mineral potential, then the party making the discovery is entitled to a preference right lease. Whenever a leasable mineral deposit is discovered in a mineralized area, then competitive bidding will determine acquisition of the mineral lease.

The process is slightly different for hardrock minerals. The holder of a mineral claim or patent will be given preference for a right-of-way into the wildlife refuge in order to extract the hardrock minerals. The right-of-way will include the land area necessary to build temporary structures.

PROPOSED AMENDMENT NUMBER 10
to
TITLE IX OF H.R. 39

Reclamation and Environmental
Protection

Section 916(a). The Secretary shall promulgate regulations respecting entry into the wildlife refuges for purposes of mineral exploration, extraction of leasable minerals or extraction of locatable minerals. These regulations shall:

- (1) Insure compliance with applicable Federal, State and local laws and regulations relating to the protection of the environment;
- (2) Require use of all practical means and measures to prevent or control erosion and flooding; the release of toxic substances; accidental rock slides and subsidence of land; underground, outcrops, and refuse bank fires; damage to fish or wildlife and their habitat; damage to public or private property; waste; hazards to public health and safety; and other activities likely to cause significant disturbance to the environment;
- (3) Require that the permit or lease area be reclaimed in accordance with the methods and standards described in the plan of exploration or development which was approved by the Secretary;
- (4) Require the posting of a bond as provided in Section 917.

Section 916(b). The Secretary is further authorized to establish any other terms and conditions which will protect the wildlife of the wildlife refuge from undue disturbance.

Section 916(c). The Secretary may reasonably deny permission to enter the wildlife refuge for any purpose whenever it is determined that such entry is detrimental to the wildlife or contrary to the purposes for which the wildlife refuge was established.

Explanation:

This amendment gives the Secretary of the Interior authority to regulate entry into Wildlife Refuges for exploration and extraction and explicitly incorporates all existing environmental laws. Where proposed exploration or extraction in Wildlife Refuges will cause significant disturbance, the Secretary can deny entry or require the entryman to post a bond with the Secretary of Interior prior to the commencement of the proposed operation.

PROPOSED AMENDMENT NUMBER 11
to
TITLE IX OF H.R. 39

Reclamation Bond

Section 917(a). The Secretary of the Interior shall have the authority to require any party entering the wildlife refuge for purposes of mineral extraction of a leasable or locatable mineral resource, or exploration to post a bond prior to entry. The amount of this bond shall reasonably reflect the costs of repairing any damage to the land which might occur as a result of that entry.

Section 917(b). If the entryman fails to comply with entry regulations or fails to repair the land as required, and the surface is disturbed or the wildlife is harrassed, then the bond posted will be forfeited to pay for the cost of reclaiming the land or other damage. If the damage done is greater than the amount of the bond required, then the entryman may be held liable for any additional costs.

Explanation:

This amendment continues the existing practice of requiring the entryman to post a bond which will be forfeited if the entryman fails to reclaim the land as promised when permission to enter was granted. The entryman is also liable for any additional damage.

PROPOSED AMENDMENT NUMBER 12
to
TITLE IX OF H.R. 39

Confidentiality of Mineral
Information

Section 918. Any mineral information which is provided to the Secretary of Interior pursuant to any application made for entry into the wildlife refuge pursuant to a mineral lease, or to development of a locatable mineral claim, as provided in Section 195 shall not be considered a public record under the Freedom of Information Act, 5 U.S.C. §§552(b)(4) and (b)(9).

Explanation:

Mineral information is traditionally confidential and it is particularly critical to keep this information confidential until a mineral lease is signed or a mineral claim is recorded.

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

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

Steering Council For Alaska Funds

(d) (2)
memo

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DAVE CLINE



1018 WEST 8TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2419/16

[POUCH V. JUNEAU, ALASKA 99811]

MEMORANDUM

TO: ALL COUNCIL MEMBERS
FROM: SHARON LONG
DATE: March 2, 1978
Re: March 15, 1978 Council Meeting

ENCLOSED is a copy of Title VII (Subsistence) from Committee Print #3 and some background material. We will be taking up subsistence provisions at our next meeting along with the proposed co-operative management language originally delivered to you on February 17, 1978 and included in your February 28th meeting packet. Mr. Hawley has requested that Wilderness also be an agenda item at our March 15th meeting. We have established that the meeting will be held in the House Natural Resource Committee Room #118 at the Capitol Building, on the 15th day of March, 1978, at 1:30 p.m.

ENCLOSURES: TITLE VII
FSLUPC SUBSISTENCE REALITIES
COMMENTS BY ROBERT E. PRICE
WILDLIFE MANAGEMENT/HUNTING/SUBSISTENCE

WILDLIFE MANAGEMENT/HUNTING/SUBSISTENCE

1. Statement of Issue

What should be the Federal-State relationship with respect to the management of resident fish and game species in the 17(d)(2) areas? Should hunting be permitted within units of the National Park System? What provisions should be made for subsistence?

2. Background

The existing Federal-State relationship concerning resident fish and wildlife management is extremely complex. The State has the responsibility for managing resident fish and wildlife except where preempted by Federal law (e.g. McKinley National Park and the Marine Mammal Protection Act). Recent executive orders, regulations, laws (e.g. the Endangered Species Act) and court rulings have thrust other agencies like the U.S. Fish and Wildlife Service into more active managerial and frequently overlap with State and other Federal roles. The Bureau of Land Management and the U.S. Forest Service have, on the other hand, adhered to a strict policy of retaining habitat management authority while recognizing the State as the exclusive resident species manager. Recent legislation, like the Sikes Act Extension (P.L. 93-452), have further clarified this cooperative relationship.

Saltwater fisheries and marine mammal management authority is intricately distributed under the Halibut Commission, the North Pacific Council, the U.S. Departments of Commerce and Interior and the State of Alaska. A few d-2 decisions will affect these management programs by controlling access to some fisheries, rehabilitation sites and to marine mammal populations.

The question is whether or not the proposed d-2 areas should automatically fall under existing Federal management frameworks or whether some attempt should be made to alter the fish and wildlife management systems by recognizing Alaska's unique fish and wildlife problems and values.

Despite the large size of the d-2 areas, they cannot be considered complete ecosystems. Migratory habits of many species such as anadromous fish, moose and caribou plus the large range requirements of others precludes sensible management on less than a population or herd basis. In most cases, statewide programs are essential for long-term maintenance of the species and the human lifestyles dependent on them. Fragmented management can be averted by providing for statewide coordinated resource management.

One of the most sensitive issues involves subsistence. The State of Alaska Constitution allows for preferential treatment of beneficial uses but not on an ethnic basis. The State has given priority to

subsistence uses through legislation, regulations and administrative policies. Many of the subsistence user demands, however, may exceed the limits of the Alaska Constitution.

There is no universally acceptable definition of subsistence, although there is a State law defining it and several Federal and State policies recognizing it. It is apparent that a rigid interpretation of Alaskan subsistence needs will only alienate many of the users and demonstrate the usual bureaucratic insensitivity. Certainly, there are noticeable human use differences geographically and between species.

There will be considerable pressures on Congress to provide for subsistence uses in the d-2 legislation. Although the Alaska Native Claims Settlement Act specifically extinguished all aboriginal titles, there seems to be some question concerning future Federal responsibilities to provide for Native subsistence uses. The legislative history of ANCSA takes cognizance of subsistence but shows some unwillingness by Congress to create preferential rights for Natives. The conference report implies that, pursuant to the Act, the Secretary of the Interior could promulgate regulations preferring subsistence uses by those who depend upon subsistence for their livelihood. Whether the Secretary could promulgate regulations preferring one ethnic group over another is open to conjecture.

For subsistence users, the questions of tenure, flexibility, access and local input are important. Each system should be examined for its adaptability and responsiveness to these points. Similarly, management for subsistence can be complicated and expensive. Demands by the various users, including subsistence users, are increasing, requiring substantially more effort in wildlife research programs, population assessments and enforcement. Subsistence may require more intense management such as predator control, population manipulation, enhancement, rehabilitation programs, and strict enforcement to minimize social impacts resulting from violent fish and wildlife population fluctuations. Further subdivisions of the land base coupled with exclusive use provisions will require even more precise management.

There are proposals to establish national parks with provisions for subsistence and/or recreational fishing, hunting, and trapping. Even with mandatory review procedures and innovative administrative mechanisms, the issue is expected to generate considerable controversy. The controversy will center on whether or not fishing, hunting, and trapping should be allowed in parks at all, if these uses are allowed under what constraints, whether only subsistence users should be allowed and whether or not many of the prime fish and wildlife areas should be under the Park System.

Regardless of what approach is taken in establishing the Federal-State fish and wildlife management relationship on Federal lands, the system to which the land is assigned and specific boundaries must be carefully selected. Mechanisms for time and area zoning could be considered.

3. Policy Alternatives

a. Wildlife Management

- (1) Each of the proposed systems could adopt the existing management frameworks peculiar to each agency. Under this option Congress would likely treat exceptions (i.e. hunting in parks, subsistence provisions, etc.) individually in the organic legislation.
- (2) Congress could develop some co-equal fish and wildlife management scheme between State and Federal agencies, especially for those systems where extensive or intensive management of the fish and wildlife or their habitat is warranted and desirable.
- (3) Congress could consolidate statewide resident species management under the State with guaranteed participation of Federal agencies. Continued trespass and habitat management authority would rest with the Federal land managing agency.
- (4) Congress could completely preempt the traditional management role of the State over all d-2 lands. This could also be considered individually for each system or area.

b. Subsistence

(1) Management

- (a) Leave subsistence under State authority to be treated through its normal administration, regulatory and legislative processes.
- (b) Provide for specific subsistence uses by area under each Federal agency's authority.
- (c) Provide for secretarial discretion by area or for all d-2 areas.
- (d) Provide policy direction by establishing relative priority of subsistence use.

(2) User

(a) Provide specific criteria for determining subsistence users by:

- economic
- residency
- past use
- race

(b) Leave user definition to administrative discretion of regulating agency.

c. Hunting in National Parks

- (1) Congress could choose to make no special use exceptions for parks.
- (2) Congress could make special case-by-case exceptions allowing any combination of hunting, fishing and trapping uses.
- (3) Congress could assign key parcels to the National Park System under special categories (i.e. National Preserves or National Recreation Areas) which traditionally allow for these types of uses under cooperative management programs.

Subsistence

COMMENTS ON PROPOSED LEGISLATION
DEALING WITH ALASKA NATIVE SUBSISTENCE
HUNTING AND FISHING RIGHTS

ROBERT E. PRICE

November, 1977

INTRODUCTION

The purpose of this memorandum is to discuss several of the questions raised by the proposed enactment by Congress of legislation relating to "d 2" lands insofar as they affect subsistence hunting and fishing by Alaska Natives. In the course of the preparation of this memorandum I have reviewed several papers on this subject. They are the following:

(1) The Alaska Natives and Their Subsistence Rights: A Discussion of the Constitutional Questions, by Stewart L. Udall, July, 1977. (2) Legal Issues in Federal Protection for Subsistence on the Proposed National Interest Lands, by Dennis D. Kelso, December, 1976. (3) Testimony of Donald C. Mitchell, Alaska Legal Services Corporation before the Subcommittee on General Oversight and Alaska Lands, Committee on Interior and Insular Affairs, U. S. House of Representatives, July, 1977.

I.

DO THE ALASKA NATIVES HAVE SUBSISTENCE HUNTING AND FISHING RIGHTS UNDER FEDERAL LAW SINCE THE ENACTMENT OF THE ALASKA NATIVE CLAIMS SETTLEMENT ACT?

The question has been raised whether or not there are Alaska Native subsistence hunting and fishing rights under Federal law since the enactment of ANSCA. I have not seen a legal analysis of the position that there are such rights, and, therefore, I must speculate on the precise nature of such an argument. The Udall memorandum assumes that such rights have been extinguished and, at page 8, proposes

"that there can be no subsistence program worth the paper it is written on unless the Congress uses its power under the U. S. Constitution and grants such rights to the Alaska Natives." (emphasis added). The Kelso memorandum, at page 9, takes the same position: "Second, I assume that ANCSA effectively extinguished Native rights to hunt, fish, or gather on lands not granted to regional or village corporations where such right is based on aboriginal use or occupancy." Footnote 23 to this conclusion refers to What Can be Done to Salvage Subsistence Hunting and Fishing in Rural Alaska After the Alaska Native Claims Settlement Act? by D. Getches, 1975, as suggesting an argument for federally recognized property rights in hunting and fishing that survived ANCSA's purported extinguishment of aboriginal rights. Kelso comments on the Getches position as follows: "No Court has adopted such a position, however, and both historical background and judicial decisions indicate that Congress could validly extinguish such rights."

The language of ANCSA is quite clear on the question of extinguishment of aboriginal hunting and fishing rights. Section 4 of ANCSA, 43 U.S.C. 1603(b) provides: "All aboriginal titles, if any, and claims of aboriginal title in Alaska based on use and occupancy, including submerged land underneath all water areas, both inland and offshore, and including any aboriginal hunting or fishing rights that may exist,

are hereby extinguished." (emphasis added)

The legislative history of ANCSA also supports the clear extinguishment language. The Conference Committee Report, Report No. 92-746, at page 37, stated that "all Native interests in subsistence resource lands can and will be protected by the Secretary through the exercise of his existing withdrawal authority.... The Conference Committee expects both the Secretary and the State to take any action necessary to protect the subsistence needs of the Natives." (emphasis added) This congressional directive to the executive branch of government by the Conference Committee was made because section 4 had extinguished any aboriginal hunting and fishing rights and because the Conference Committee had not accepted the Senate provisions on subsistence resources. Section 21 of S.35, 92d Congress, 1st Session, directed the Secretary of the Interior to classify certain public lands for subsistence use by local residents. The Conference Committee Report did not discuss the question in terms of "rights" but instead used the language of "interests" and "needs". If the Conference Committee had accepted the Senate version on subsistence, there would have been "rights" created by statute but, even in that case, S. 35 dealt with "residents" and not "Alaska Natives".

United States of America v. Atlantic Richfield Company,
No. A 75-215 Civil, U. S. District Court, District of Alaska

(1977) held that ANCSA extinguished any trespass claims which Alaska Natives may have had against third parties. Although aboriginal hunting and fishing rights were not the question to be decided in that action, the court, at p. 43, stated: "The former, including claims of traditional fishing rights, were extinguished." One of the bases of the court's conclusion, which would be pertinent in a discussion of subsistence rights which might have survived ANCSA, is set out at p. 49, as follows: "Thus, Congress has expressly directed that the language of the Settlement Act be broadly construed to effectuate a comprehensive settlement of all Native claims based on aboriginal use and occupancy of land in Alaska and to bar any litigation based on such claims." (emphasis added) Accordingly, United States of America v. Atlantic Richfield Company supports the conclusion that subsistence hunting and fishing rights of the Alaska Natives were extinguished by ANCSA.

II.

MAY CONGRESS ESTABLISH PREFERENTIAL SUBSISTENCE HUNTING AND FISHING RIGHTS FOR ALASKA NATIVES?

I would like to emphasize at the outset of this discussion that there is no definitive holding of the U. S. Supreme Court based on hunting and fishing of American Indians that is squarely in point on this question. I emphasize this point because the proponents of the protection of the subsistence

rights for Alaska Natives have broadly construed the decisions of the U. S. Supreme Court to support their position. I do not mean that the U. S. Supreme Court might not uphold federal legislation establishing preferential subsistence hunting and fishing rights for Alaska Natives, but that the Supreme Court decisions are not wholly clear on the question. The recent decisions of the U. S. Supreme Court on American Indian decisions have been tightly worded decisions. "At the outset, we reject -- as did the state court -- the broad assertion that the Federal Government has exclusive jurisdiction over the Tribe for all purposes and that the State is therefore prohibited from enforcing its revenue laws against any tribal enterprise 'whether the enterprise is located on or off tribal land.' The conceptual clarity of Mr. Chief Justice Marshall's view in Worcester v. Georgia, 6 Pet 515, 556-561, 8 L Ed 483 (1832) has given way to more individualized treatment of particular treaties and specific federal statutes, including statehood enabling legislation, as they, taken together, affect the respective rights of States, Indians, and the Federal Government." Mescalero Apache Tribe v. Jones, 411 U.S. 145, 36 L Ed 2d 114, 119 (1973).

Morton v. Mancari, 417 U. S. 535, 41 L Ed 290 (1974) deals with the authority of the U. S. Congress to legislate on matters dealing with American Indians. In that case, the court upheld the Indian employment preference provisions within the Bureau of Indian Affairs contained in section 12

of the Indian Reorganization Act, 25 U.S.C. 472. It held that the preference was not racial discrimination in violation of the Due Process Clause of the Fifth Amendment. The court, at 552,301, noted that the authority of the Congress under Article I, sec. 8, cl. 3 of the Constitution to "regulate Commerce... with the Indian Tribes" "singles Indians out as a proper subject for separate legislation." The crux of the court decision is set out at 554-555, 302-303: "Contrary to the characterization made by appellees, this preference does not constitute 'racial discrimination': Indeed, it is not even a 'racial' preference.²⁴ (24. The preference is not directed towards a 'racial' group consisting of 'Indians'; instead, it applies only to members of 'federally recognized' tribes. This operates to exclude many individuals who are racially to be classified as 'Indians'. In this sense, the preference is political rather than racial in nature....) Rather, it is an employment criterion reasonably designed to further the cause of Indian self-government and to make the BIA more responsive to the needs of its constituent groups.... The preference, as applied, is granted to Indians not as a discrete racial group, but, rather as members of quasi-sovereign tribal entities whose lives and activities are governed by the BIA in a unique fashion.... The preference does not cover any other Government agency or activity, and we need not consider the obviously more difficult question that would be presented

by a blanket exemption for Indians from all civil service examinations.... As long as the special treatment can be tied rationally to the fulfillment of Congress' unique obligation toward the Indians, such legislative judgment will not be disturbed. Here, where the preference is reasonable and rationally designed to further Indian self-government, we cannot say that Congress' classification violates due process." (emphasis added) The Mancari decision stands for the following proposition. Congress may enact special legislation for Indians when this legislation deals with matters relating to Indian tribal self-government within the context of the Bureau of Indian Affairs. The Court wrote a very narrow opinion for the obvious reason that it was concerned with the question of racial discrimination. There is general language, of course, which may be cited to uphold such special legislation as federal subsistence rights for Alaska Native but the citation of such general language should be exercised with caution. The Court did not even suggest the outer parameters of "special treatment" which "can be tied rationally to the fulfillment of Congress' unique obligation toward the Indians." United States v. Antelope, 45 L.W. 4361 (1977) upheld the constitutionality of the Major Crimes Act insofar as it applies to enrolled members of an Indian tribe on an Indian reservation. The court, at 4363, noted that it was not dealing with "tribal self-regulation" but with "federal regulation of criminal

conduct within Indian country implicating Indian interests." The Court also cited Mancari in support of its approach. The Court restricted its holding to enrolled tribal members and stated at 4363 that "respondents were not subjected to federal criminal jurisdiction because they are of the Indian race but because they were enrolled members of the Coeur d'Alene Tribe." Subsistence hunting and fishing is not directly related to self-government of the Alaska Natives, or to Indian country, and it will be necessary for the advocates of such legislation to argue from the general language of the Mancari decision rather than rely upon the specific holding itself.

Morton v. Ruiz, 415 U.S. 199, 39 L Ed2d 270 (1974) is another instance of the current tendency of the Supreme Court to write a narrow opinion on American Indian questions. The decision required the BIA to extend its general assistance benefits to Indians living not only on reservations but off, although near, reservations. The Court based its decision on a particular construction of federal legislation and declined to discuss the constitutional question. "We emphasize that our holding does not... make general assistance available to all Indians 'throughout the country'." At .237, .295.

Mescalero Apache Tribe v. Jones, 411 U.S. 145, 36 L 2d 114 (1973) is of special interest in an attempt to

conjecture the attitude of the Supreme Court in American Indian cases. The six justices represented by the majority opinion are still on the Court whereas one of the dissenters, Justice Douglas, has been replaced on the Court. The Court upheld the authority of New Mexico to collect a gross receipts tax on a ski resort operated by the Mescalero Apache Tribe off reservation lands but developed pursuant to the Indian Reorganization Act. The basis of the decision was that the Indian Reorganization Act did not extend tax immunity to "off reservation" activities. The dissent construed the Indian Reorganization Act favorably to the Indians and would have exempted the tribe from the tax. It refused to find the "off reservation" distinction of the majority significant. "There is no magic in the word 'reservation'." At p. 161, p. 127.

I believe that the recent decisions of the Supreme Court suggest that exclusively Alaska Native subsistence hunting and fishing legislation enacted by the Congress may encounter constitutional problems. The Court does not want to broaden the concept of distinctive American Indian rights beyond the traditional ones of tribal self-government, reservations and treaty rights. The Court has carefully looked for ways to avoid the constitutional question of racial discrimination through statutory construction, and, in the decisions which dealt with that question, it stated that it was not "racial discrimination"

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that was being dealt with in the opinions. It may be that the Bakke decision may have language in it that will be of guidance in an evaluation of the subsistence question because the Court, even though it is dealing with the affairs of the American Indians under the Indian commerce clause of the Constitution, will not allow racial discrimination in the conduct of American Indian activities.

A possible distinguishing factor in proposed legislation dealing with Alaska Native subsistence hunting and fishing rights is its association with ANCSA. The constitutionality of the land grant provisions of ANCSA would be upheld as a reasonable classification permissible under the Fifth Amendment because of the extinguishment provisions contained in ANCSA. There was a quid pro quo. The aboriginal rights, or the claim of such rights, which were extinguished were held only by Alaska Natives. Therefore, the land grant provisions may be restricted to Alaska Natives. It would seem that other rights, such as preferential subsistence hunting and fishing rights, might also fall within the permissible classification since aboriginal hunting and fishing rights were also extinguished by ANCSA. Section 17(d) (2) of ANCSA is the provision which is the impetus for the present "d 2" legislation, part of which is to deal

with subsistence rights. A grant of Alaska Native subsistence rights which is closely tied to ANCSA, by legislative history and perhaps by phrasing such a grant as an amendment to ANCSA, would appear to stand a better chance of meeting constitutional objections.

There is one further question which relates to the federal grant of subsistence rights on federal lands which is not a Fifth Amendment question but which should perhaps be noted in a discussion of the subject. This is the authority of Congress to legislate on matters relating to resident fish and wildlife on federal lands within a state. The question was resolved in Kleppe v. New Mexico, 49 L Ed 2d 34 (1976), which upheld the authority of Congress to regulate and protect wildlife on federal lands under the Property Clause and the Supremacy Clause of the Constitution.

Federal-State
Land Use Planning Commission
For Alaska

PRELIMINARY
Subject to Correction

SUBSISTENCE REALITIES

Walter B. Parker
August 15, 1977

The discussion about subsistence in regard to the 17(d)(2) lands issue has unfortunately lost contact with the realities of subsistence use in Alaska. Due to the situation with the Arctic caribou herd, it has for much of the public been taken to be a problem in the management of big game and the rights of Alaska Natives to hunt and fish on Federal lands and has assumed a posture out of all context with the benefits that this would bring. The facts are that language, such as is presently contained in the ill famed H.R. 39 would affect only 5 percent of subsistence by Alaska's Native peoples and even if this were extended to all Federal lands in the State, it would affect only 20 percent of total subsistence use in the State. Thus, the answer to subsistence rights cannot be found in Federal control unless we are willing to overturn all existing fisheries and water control programs in the 17(d)(2) legislation in addition to designating new Federal land managers.

As Table A shows, 42 percent of subsistence use in Alaska is tied to salmon runs. These runs are managed by the State of Alaska in interior waters where subsistence salmon fishing is undertaken. Congress has just passed comprehensive joint management legislation in the Fisheries Management and Protection Act of 1976 which could be jeopardized by any actions in (d)(2) legislation that interjected another level of Federal control.

About 18.5 percent of subsistence use is in other fisheries, primarily, halibut, crab, tom cod, whitefish, and many other species. About 5 percent of this total subsistence take is on Federal lands with less than 1 percent on (d)(2) lands.

Marine mammals are under the Marine Mammals Act and the Federal government is returning control of many species to the State. This process would be severely impacted by language that was too far reaching in the (d)(2) legislation, and this already confused and complicated situation would become hopelessly tangled in a legal and bureaucratic morass.

Birds account for 7.5 percent of subsistence take and most of these are birds covered by Federal treaties or under Federal protection. Priority use granted in H.R. 39 would little affect the existing situation in which some promise may be forthcoming for greater use under newly negotiated treaties.

The (d)(2) question is, thus, primarily one of big game management. Big game accounts for about 23.6 percent of the total subsistence use. Of

this total, 8.8 percent will be taken on State and Native owned lands and about 14.8 percent on Federal lands. Only 4.5 percent of this big game would be taken on existing (d) (2) withdrawals.

In essence, the language in H.R. 39 would institute a permanent fission ~~on racial lines~~ in fish and game management in Alaska in exchange for only the most limited gains.

TABLE A

Subsistence Use by Alaska Natives

Region	Population	Percentage & Number of Units*				
		Salmon % Units	Other Fish % Units	Sea Mammal % Units	Big Game % Units	Birds % Units
Tlingit/Haida	11,000	6-66	3-33		1-11	
Eyak/Koniag	5,000	5-25	3-15		2-10	
Aleut	2,000	5-10	3-6	1-2		1-2
Bristol Bay	5,000	5-25	2-10		3-15	
Delta	14,000	5-70	1-14	1-14	1-14	2-28
Norton Sound	5,000	2-10	1-5	3-15	3-15	1-5
Kobuk	5,000	2-10	2-10	2-10	4-20	
Arctic Coast	3,000		2-6	3-9	4-12	1-3
Cook Inlet	2,000	5-10	2-4		3-6	
Lower Yukon	4,000	4-16	1-4		4-16	1-4
Upper Tanana/Yukon	3,000	2-6	1-3		6-18	1-3
Kuskokwim	1,000	4-4	1-1		5-5	
Total Units	60,000**	252	111	50	142	45
		42%	18.5%	8.4%	23.6%	7.5%

* Units are determined by measuring thousands of population times percentage of use times 10 or 11,000 X .6 X 10 = 66 units.

** Does not include urban based Alaska Natives not utilizing subsistence estimated at 5,000 in number.

TABLE B

State/Federal Relationships to Subsistence Resources

Region	Salmon		Other Fish		Sea Mammals		Big Game		Birds	
	State	Fed.	State	Fed.	State	Fed.	State	Fed.	State	Fed.
Tlingit/Haida	66		30	3				11		
Eyak/Koniag	25		13	2			2	8		
Aleut	10		6			2			1	1
Bristol Bay	25		8	2(1)			9	6(3)		
Delta	70		8	6(2)	9	5	8	6(3)	2	26
Norton Sound	10		3	2	8	7	6	9(3)	1	4
Kobuk	10		4	6(1)	3	7	6	14(8)		
Arctic Coast			2	4	2	7	3	9		3
Cook Inlet	10		3	1			3	3		
Lower Yukon	16		2	2			4	12(5)		4
Upper Tanana/Yukon	6		1	2			8	10(5)		3
Kuskokwim	4		1				4	1		
Total Units	252		81	30	22	28	53	89	4	41

() Units taken on (d) (2) lands.

TITLE VII—SUBSISTENCE

FINDINGS

1
2
3 SEC. 701. The Congress finds and declares that—

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

8 (2) the continuation of subsistence uses by some
9 other residents of the State of Alaska on the public
10 lands is essential to their physical, economic, and tra-
11 ditional existence.

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

17 (4) continuation of subsistence uses of resources on
18 public and other lands in Alaska is threatened by the
19 increasing population of Alaska, with resultant pressure
20 on subsistence resources, by sudden decline in the popu-
21 lations of some wildlife species which are crucial sub-
22 sistence resources, and by increased accessibility of re-
23 mote areas containing subsistence resources.

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

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

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

17 POLICY

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

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

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

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

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

1

DEFINITION

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

9

STATE REGULATION

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

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

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

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

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

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

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

7 (3) A State law or regulation which—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 ENFORCEMENT DUTIES OF SECRETARY OF THE INTERIOR.

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

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

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

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

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

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

21 COOPERATIVE ARRANGEMENTS

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

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

3 **SUBSISTENCE AND LAND USE DECISIONS**

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

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

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

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

24 **ACCESS**

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

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

3 SNOWMOBILES AND MOTORBOATS

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

12 RESEARCH

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

22 PERIODIC REPORTS

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

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

5 The report shall include at least the following:

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

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

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

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

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

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

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

1

REGULATIONS

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

6

OTHER LAWS

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

19

LIMITATIONS

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

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

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

3 REIMBURSEMENT TO THE STATE

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

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

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

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

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

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

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

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

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

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

20 CONVEYANCE OF CORE TOWNSHIP LANDS

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

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

(D)(2)

Steering Council For Alaska Lands

REP. STEVE COWPER
CHAIRMAN
REP. ALVIN OSTERBACK
REP. JOE L. HAYES
SEN. CHANCY CROFT
SEN. M KE COLLETTA
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C. C. HAWLEY
DAVE CLINE



1018 WEST 8TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

MEMORANDUM

TO: ALL COUNCIL MEMBERS
FROM: SHARON LONG
Re: ALASKA OPINION RESEARCH
DATE: February 21, 1978

ENCLOSED is the Data Narrative from the Rowan Group Survey.
A more lengthy report with analysis and description on methodology will
be distributed at our next meeting.

PRELIMINARY FINDINGS

Data Narrative Report

-of all questions as asked, and all
responses by percentage, as recorded-

on

Rowan Group Survey
for the
Steering Council for Alaska Lards

February 1978

01. Are you a resident of Alaska?

99.8% Yes
0.2 No

02. How long have you lived in Alaska?

17.6% Lifetime (born in Alaska)
11.6 25 years or more
26.8 10 - 25 years
35.0 2 - 10 years
9.0 Less than 2 years

03. (If "NOT BORN IN ALASKA") Why did you come to Alaska?

17.8% Not applicable
35.6 Job/work opportunities (transferred; in service;
husband's job)
17.6 Moved with family (came up with parents, relatives)
8.4 Lure of Alaska lifestyle (wilderness; adventure;
the outdoors; scenery; hunting and fishing; the
last frontier, etc.)
4.7 To get away from Lower 48 (away from rat race, steel
and concrete, big cities, pollution; better
quality of life here, etc.)
3.4 Visited Alaska--decided to move
4.7 Always wanted to/just wanted to
6.0 Other
1.7 No opinion

Other comments in numbers; not percents: Health reasons; Own property; It was first point North on the money I had; Just like it here (2); To investigate the country; Immigrated from Denmark; Immigrated from Europe; To go to school; Because of religious beliefs (2); Born here, decided to come back; Was getting a divorce; Good schools.

04. What do you like about Alaska -- in other words -- why do you live here rather than someplace else?

- 11.0% Natural surroundings (scenery; wilderness; beauty; the land; geography; ruggedness; openness)
 - 9.7 Outdoor life (hunting; fishing; camping; opportunity to enjoy the land)
 - 4.1 Climate
 - 5.4 Work/job
 - 6.0 More opportunities (business; economic; job)
 - 4.9 Good wages/money
 - 8.8 Less crowded (Not so many people)
 - 9.5 Quality of life (casual; slower; no pressure; not as developed; less congested; quieter; lack of social problems; allure of the last frontier)
 - 5.2 The freedom
 - 7.7 The people
 - 11.6 It's home (have roots here; born/raised here; been nowhere else)
 - 5.2 Everything; just like it
 - 1.9 Family reasons (husband/wife likes it; married someone from here, etc.)
 - 6.0 Other
 - 3.0 No opinion
- Other comments in numbers; not percents: The Lord wants us here; Don't like it--we're moving out of state (2); God has put me here. It is the geographical will of God that I stay here; No snakes or insects; I like anywhere the Lord sends me; Don't got money enough to get out of here; Have some input in the government; Still going to school; Health reasons (2).

05. In Alaska there are about 20 communities of a few thousand people or more. Of these major places, how many have you visited?

- 15.5% All or almost all
- 14.8 Three-fourths
- 20.8 About half
- 20.2 About one-fourth
- 28.1 Only a few
- 0.6 No opinion

06. In Alaska there are also about 300 communities of a few hundred people each, or less. Of these places, how many have you visited?

1.5% All or almost all
2.6 Three-fourths
9.7 About half
17.6 About one-fourth
44.2 Only a few
23.8 Virtually none
0.6 No opinion

07. Do Alaska's 300 small communities desire to be part of the state's surface transportation system?

32.4% Yes
35.4 No
28.5 No opinion/don't know
3.6 Some do, some don't

08. Do you feel that existing access to Alaska's 300 small communities is adequate to meet their community needs?

39.3% Yes
28.2 No
20.8 No opinion/don't know
1.7 In some cases

09. Do Alaska's 300 small communities desire visits by large numbers of recreationists and sightseers?

14.6 Yes
61.6 No
18.0 No opinion/don't know
5.8 Some do, some don't

10. In all, there are 365 million acres of land in Alaska, most of it accessible only by plane, boat, or off-road vehicle, and some by road. Of it all, what would you estimate as the amount you have been able to experience?

1.1% All or almost all
6.0 Three-fourths
8.6 About half
17.4 About one-fourth
13.7 Less than one-fourth
50.4 A few percent or less
2.8 No opinion

11. Have you ever taken a one week trip inside Alaska for recreation purposes?

71.7% Yes
28.3 No

12. (If "YES") The last time you did that, how far did you go? (Estimate in miles).

27.8% Not applicable
20.7 250 miles or less
15.3 251 - 500 miles
7.1 501 - 750 miles
12.3 751 - 1000 miles
3.0 1001 - 1250 miles
4.3 1251 - 1500 miles
0.9 1501 - 1750 miles
3.9 1751 - 2000 miles
0.2 2001 - 2250 miles
0.6 2251 - 2500 miles
0.2 2501 - 2750 miles
1.1 2751 - 3000 miles
1.5 Over 3000 miles
1.1 No answer

13. (For those who answered Question 12) ...And how did you travel?

9.7% Air
6.0 Water
35.6 Surface/road/railroad
27.7 Combinations in numbers; not percents:
 Air-surface (17); Air-water (13); Surface-water (51);
 All (13).
Not applicable

14. Do you feel satisfied with how much of Alaska you have so far actually seen and experienced, or are you interested in experiencing much more of it?

12.2% Feels satisfied
65.5 Satisfied, but wants to experience more
22.3 Wants to experience more, is unsatisfied

15. What would be your favored means of traveling to remote areas of Alaska in the future?

28.4% Air
6.9 Water
21.9 Surface/road/railroad
42.8 Combinations in numbers; not percents:
 Air-surface (36); Air-water (52); Surface-water (36);
 All (66)

16. Do you feel certain public lands in Alaska deserve receiving permanent protection as national parks or wildlife refuges even though you may not be able to visit all of them?

- 61.0% Yes, deserve permanent protection
- 20.8 No
- 7.7 No opinion/unsure
- 10.5 Yes, though not in amounts reported

Here are a number of National Park lands either existing or proposed in Alaska, and this is where they are. Tell me in each case if you have already been to each park, and if so, if you intend to go back sometime, and if not, if you ever intend to go.

	<u>Intend to return</u>	<u>Won't return</u>	<u>Intend to go</u>	<u>Won't go</u>	<u>No Opinion</u>
17. Denali National Park (Mt. McKinley)	59.3%	4.9%	28.3%	4.3%	3.2%
18. Glacier Bay National Park	22.3%	3.2%	49.7%	18.8%	6.0%
19. Kobuk Valley National Park	5.4%	1.7%	53.7%	29.1%	10.1%
20. Lake Clark National Park	12.2%	0.9%	53.1%	21.6%	12.2%
21. Gates of the Arctic National Park	7.1%	1.7%	54.0%	28.3%	9.0%
22. Katmai National Park	12.4%	1.7%	63.0%	14.6%	8.4%
23. Wrangell-St. Elias National Park	17.1%	3.4%	54.0%	16.3%	9.2%
24. Do you believe roads, railroads or some other form of surface transportation should be built to these parks to provide asy access to large numbers of people?					
	30.5%	Yes, to all parks			
	47.9	Yes, to some parks			
	20.6	No parks			
	1.1	Depends (on which parks, etc)			

25. Tell me the name of any national wildlife refuge you visited for recreational purposes since you have lived in Alaska?

- 41.5% None
- 25.8 Mt. McKinley (Denali National Park)
- 14.8 Kenai Moose Range (or named Kenai, Kenai area, etc)
- 1.9 Potter Marsh/Flats
- 3.7 Glacier Bay
- 1.9 Chugach area
- 0.9 Katmai
- 1.3 Mendenhall Penninsula/Flats
- 8.2 Other

Other comments in numbers; not percents:

66 Mile Steese (2); St. Lazurus Bird Refuge (3); Kodiak (3); Admiralty Island (2); Wrangells; Afognek (3); Katchemak Bay; Fonreslerr Island; Portage; Prince William Sound; Aleutions; Arctic Wildlife Refuge (2); Eklutna; Copper River Water Foul Refuge (2); St. Paul's; Susitna Flats; Chukchi (2); Tongass (2); Sheep Mountain (2); Kualinie Wildlife Refuge; By Tustimeena Lake; Tanana Flats; Kobuk area; Minto Flats.

26. (If a wildlife refuge is named) What was your main reason for visiting the refuge?

- 42.8% Not applicable
- 16.1 Recreation/vacation (to get away; fun; something to do; an outing)
- 15.7 Sightseeing (scenery; taking visitors; to visit; see what was there; to check it out)
- 6.9 Fishing and/or hunting
- 4.5 Camping
- 6.9 To see wildlife (animals; birds; flora and fauna; nature)
- 2.6 Passing through area
- 1.7 Other specific sport (backpacking, hiking, canoeing, etc)
- 1.7 Other
- 1.1 No response

Other comments in numbers; not percents: Closest and most convenient (2); On the job information (3).

27. How far from this home do you have to go to be in a real wilderness experience?

61.3% 25 miles or less
13.3 26 - 50 miles
3.4 51 - 75 miles
8.2 76 - 100 miles
0.2 101 - 125 miles
1.5 126 - 150 miles
2.6 151 - 200 miles
2.6 Over 200 miles
6.9 Don't know

28. Have you visited any of Alaska's national forests since living in Alaska? (And if yes) Which one?

41.1% Yes, have visited Chugach National Forest
11.1 Yes, have visited Tongass National Forest
24.2 Yes, have visited both
23.6 No

29. Have you ever flown into the Alaskan wilderness?

62.3% Yes
37.7 No

30. Have you ever taken a trip down an Alaskan river?

51.4% Yes
48.6 No

31. (If "NO" to either Q. 29 or Q. 31) Have you ever wanted to do such a thing?

36.0% Yes
14.8 No
2.4 Unsure
46.9 Not applicable

32. (If "YES" to Q. 31) Why haven't you?

63.8% Not applicable
21.4 Not enough time and/or money
3.4 Never had opportunity
3.0 Small children
1.9 No equipment
1.3 Inaccessibility
1.5 Just haven't
2.8 Other
0.9 No response

Other comments in numbers; not percents: Usually go outside for vacations (2); Other priorities; Didn't think of it until now; Not enough knowledge (2); Haven't been here long enough (2); Plans didn't work out right; Never got it together; Too cold; Too chicken to go alone; Husband doesn't want to.

33. Are there parks, refuges or other scenic areas of Alaska you would like to visit, but which are generally inaccessible to you because of the cost of getting there?

61.9% Yes
32.8 No
5.4 Unsure

34. How important is the scenic beauty and frontier ruggedness Alaska to you, in terms of living here as opposed to another state?

80.3% Very important
16.3 Somewhat important
2.6 Unimportant
0.9 No opinion

35. Here are two statements about Alaska's role. Tell me which one comes closest to your view, or if you feel these statements can be combined without contradiction.

15.6% Alaska is America's energy breadbasket, and its major purpose is to supply the nation with oil, gas, minerals, timber and other resources, without despoiling its natural environment.

26.3% Alaska is America's last wilderness, and its major purpose is as a habitat for undisturbed nature, the protection of migratory wildlife, recreation, and scenic values, and without despoiling its economy.

46.5% Feels statements can be combined without contradiction

8.4 Other comments
3.2 No opinion/unsure

Other comments in numbers; not percents: We don't have that much oil here and we need to preserve the wildlife more. We need industry for the people already here; Wilderness is more important than minerals; Leave it the way it used to be before pipeline; We should preserve as much as possible-slow down progress; It is America's last frontier-don't wreck it; Alaska should exist as wilderness area-renewable should be developed; I feel if properly done, energy resources can be used while leaving nature to renew itself. It doesn't need to spoil the environment; There can be a compromise of wilderness interests and commercial interests with major interest in wildlife preservation and limited exploration; There will have to be a trade-off between the two standards; Our purpose is not to supply the nation's oil and you can't leave the whole state as wilderness. You have to have a happy medium; (Con't next page).

Question 35, continued -- Other comments.

Alaska is a "state of mind", not a "breadbasket" for the gluttonous American economy, nor a "park" for the affluent society. We need to approach our own lives with frugality and emphasize the rewards of spirit rather than things; Statements could be combined, but I don't think they will. Disagree with first statement -- should not exist for the Lower 48; Keep as close to nature as possible and get what is needed; Alaska is America's largest renewable and non-renewable resource state. The development of all the resources would have a small environmental impact on the state, but it is inevitable that the resources will be drawn from the state and the best that can be hoped for is that the amount of destruction to the property is controlled. Also the wilderness should be left for hunting, fishing and use of renewable resources and recreation; Why do they think we have to have a role in this game? Why can't we be free to develop our resources without any burden of bureaucracy; Alaska is my home and whosoever desires anything should contact us too, along with the state; If Alaskans were allowed to, they could develop their own resources better than the federal government; Feds should leave Alaska along -- some development, some preservation; Some areas of Alaska should remain undisturbed. Also feel the resources should be used; I feel Alaska has already shared its resources without benefit. Any in the future should be determined by Alaskans; Feel we should make judicious use of renewable resources and wise use of our non-renewable resources; If we can't use the resources of Alaska we should give it back to Russia; Neither statement -- Alaska need not be raped to supply the rest of American and need not be locked up for birdwatchers; What was the agreement between Russia and U.S. when Alaska was purchased by U.S. Isn't one going a little far off at times?; Don't agree with either -- you have to have roads to build any sort of state; Statements must be combined -- and there is contradiction. Moderation is advised; They are beating a dead horse by getting progress up here. Save it for later; We should be able to drive to all places in Alaska. We need more roads. We also need the oil. I'm against more parks; Oil rigs and exploration might ramrod into wilds without proper planning -- D-2 bill is not a danger -- U.S. will use resources if necessary; States do not have purposes. People here are obligated to supply energy. Do it without screwing up our state; Should be available for use by people; Both a bunch of malarky; Someplace in the middle -- both statements are too extreme (2); It is not possible to have either one without contradiction (3).

36. Are you:

- 64.9% Employed
- 9.2 Unemployed
- 15.6 Houseperson
- 7.7 Retired
- 2.6 Student

37. Into which of the following categories does your total family income for a year here fall:

- 8.8% Under \$7,500
- 18.6 \$7,500 - \$15,000
- 25.1 \$15,000 - \$25,000
- 39.2 Over \$25,000
- 8.4 Refused

38. How much of your total family support is made up of subsistence income, such as fishing, hunting (not for sport), and so on?

- 26.3% Less than 10%
- 7.9 10% - 50%
- 2.8 Over 50%
- 63.0 None

39. Race

- 10.9% Alaska Native
- 85.7 Caucasian
- 3.4 Oriental, Black, others

40. Sex

- 49.9% Male
- 50.1 Female

41. Age

- 34.5% 18 - 29 years
- 39.6 30 - 45 years
- 25.9 46 years or older

42. Location

- 60.6% Southcentral (Anchorage/Palmer/Wasilla/Kenai/Homer Seward/Kodiak)
- 18.6 Interior (Fairbanks)
- 17.1 Southeastern (Juneau/Ketchikan/Wrangell/Sitka)
- 3.6 North and far West

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

COMPARISON AND ASSESSMENT
OF
STEERING COUNCIL POSITIONS
VERSUS
H.R. 39 AS REPORTED
OUT OF
SUBCOMMITTEE ON FEBRUARY 7, 1978

RECEIVED

JAN 10 P.M.

**STEERING COUNCIL
FOR ALASKA LANDS**

Minerals

The position of the Steering Council is that in National Parks there be no mining except on existing claims; lands identified as having mineral potential should not be included in parks. Within National Park Preserves, oil and gas leasing and hardrock mineral exploration and development permitted, subject to reasonable regulation promulgated within 180 days from the date the Act takes effect. Lands in a Fifth System open for mining unless specifically closed by the Land Use Commission. Regulations and requirements for mining on these lands should be similar to the BLM Organic Act. Valid existing rights are upheld in all systems and reasonable access should be guaranteed. If a particular access route is more expensive but more environmentally sound, the in-holder should be compensated for any excess costs provided that the original access route was feasible and applied for in good faith.

The Subcommittee adopted a new Title IV which contains the following principles:

1. The Secretary shall continue mineral assessment programs in the State in order to expand the data base with respect to the mineral potential of all public lands.
2. Areas subject to the minerals access process are national preserves and national wildlife refuges and ranges, except for those portions designated wilderness. (Which, of course, in the Subcommittee's bill is the vast majority of the acreage; and may be all of it depending on wilderness study designations.)
3. Mineral exploration, development and extraction may be carried out on public lands within the exterior boundaries of a conservation system unit "subject to the process provided in this title only in accordance with this title." The "process": before recommending exploration, development or extraction within a unit, the Secretary must find that there is, or is projected to be, within the ensuing 15 years a serious national need for additional sources of such mineral; that the national need outweighs the potential adverse effects of the unit; and that the need for such mineral cannot be

met from commercially viable resources elsewhere in the U.S. (using current technology, current conservation or recycling methods), foreign sources, feasible diversion of exports, or the use of known practical alternative materials or processes. Within one year after receiving an application, the Secretary shall make a recommendation. If he approves, he shall transmit the application to Congress, along with an environmental impact statement. The recommendation shall take effect only upon the enactment of a joint resolution of Congress within the first period of 120 calendar days of continuous session. If Congress approves the application, then the exploration, development and extraction of a mineral which is subject to the Mineral Leasing Act of 1920 or the Alaska Coal Leasing Act of 1914 shall be carried out in accordance with the applicable provisions of that Act, plus the National Wildlife Refuge System Administration Act, the Migratory Bird Conservation Act, with the regulations promulgated by the Secretary and other provisions of law applicable to such mineral.

4. The Secretary shall promulgate regulations requiring exploration permits for the exploration for minerals in areas within units opened for exploration under the process provided in the title; permits shall be for five years and may be extended for one additional five year period.
5. Holders of valid existing mineral claims or leases located within the boundaries of a unit may continue to carry out activities related to the exercise of their rights and in accordance with regulations promulgated by the Secretary to insure to the maximum extent possible the activities are compatible with the unit. Except for mining claims on lands subject to the Mining in the Parks Act, all mining claims on public lands within the boundaries of a unit are subject to the provisions of Section 314 of the Federal Land Policy Management Act of 1976.

Comparison

As in Title X, (Transportation and Utility System Corridors), the process for reviewing applications has been shortened. According to the Committee Print of October 28, 1977, once an application had received final approval, the Secretary would promulgate regulations to provide for the exploration, extraction and development of the mineral. Now under the new title, once the application has received final approval, the exploration, extraction and development is to be carried out in accordance with the applicable provisions of numerous Acts and with regulations promulgated by the Secretary. Other differences between the Committee Print of October 28, 1977 and the bill reported out include: mining claims no longer have to be recorded with the Secretary and the reference to transfer of Federal lands has been deleted.

The Subcommittee's bill coincides with the Council's position as to honoring valid existing claims (although in-holding access is not equal to the Council's stance). The only other areas where the Subcommittee and the Steering Council agree regarding mineral exploration, extraction and development are in National Forests and National Parks.

The remainder of the Seiberling minerals provision is totally contradictory in both concept and impact to that of the Steering Council. In short, the Council tolerates the possibility of reasonable oil, gas and hardrock exploration and extraction (subject to environmental safeguards) in d-2 lands outside parks, whereas Seiberling's bill effectively eliminates the opportunity for exploration or extraction in all d-2 lands.

Access, Transportation and Utility System Corridors

The Steering Council proposed that existing law control access into National Forests; access into other conservation system units could be obtained by making a request to Land Use Commission, or by this Commission making a recommendation to either or both the Interior or Transportation Secretaries. If the application for an access permit is denied by the Commission, the applicant can appeal to the Secretary and if the Secretary fails to veto the application within 120 days then the permit shall be issued. The party requesting the access permit has a right of appeal to the Secretary if the Commission rejects the application.

The Steering Council further recommends that the access provision use the same criteria found in the Federal Aid to Highways Act for transportation system decisions. Furthermore, the Council recommends that existing procedures for permits for electrical transmission lines not be changed. However, other utility access will be obtained through the permit system discussed in the above paragraph.

According to the Subcommittee's reported bill, the provisions of law generally applicable to conservation system units (including wilderness preservation) regarding easements, rights-of-way, use permits, leases and licenses shall apply to units in Alaska. Applications for rights-of-way on public lands within a conservation system unit for which the Secretary has no authority under provisions of the law generally applicable to such system shall be considered by the Secretary and processed in the following manner:

1. He shall weigh the local, regional, State and national interest involved, determine whether there is a feasible and prudent alternative and whether it can be constructed in a manner compatible with the conservation system unit;
2. within one year of receipt, the Secretary shall submit a recommendation to Congress along with an environmental impact statement, a report from the Council on Environmental Quality and the conditions and stipulations under which the use of a right-of-way will be permitted, if Congress approves, and the extent and duration of the right-of-way.

Any recommendation to Congress shall take effect only on enactment of a joint resolution within the first period of 120 calendar days of continuous session. If Congress approves the right-of-way for a transportation system or utility transmission system, no permit shall be granted unless the permittee pays to the U.S. an amount equal to the fair market value of the right-of-way subject to such permit.

COMPARISON

This new title is not as restrictive as the title which appeared in the Committee Print of October 28, 1977. In the latter it took two years plus approvals by the Secretary, the President and Congress before a permit could be granted. Another major difference between the new title and the title which appeared in the Committee Print of October 28, 1977 is that reference to transfer of Federal lands has been deleted.

The new title does not involve the Secretary of Transportation in the application process as the Steering Council proposes nor does it involve a Land Use Commission. (Seiberling's Subcommittee has rejected the Council's Land Use Commission concept. The Subcommittee's transportation and utility corridor access provision, although slightly better than the October 28th print, still is worlds apart from the Steering Council's position.

Fishing, Aquaculture, and Wilderness

No difference between the bill that the Subcommittee reported out and the Committee Print of October 28, 1977. (See comparison memo)

Wildlife Management

There is no difference in the bill the Subcommittee reported out and the Committee Print of October 28, 1977 with respect to lands and management within the National Park System. The Subcommittee bill does clarify that taking of fish and wildlife in all other conservation system units be subject to applicable Federal and State law. The Council's position is that taking of fish and wildlife on all lands subject to the Act be regulated by the State.

Yukon-Porcupine National Forest

No difference between the bill the Subcommittee reported out and the Committee Print of October 28, 1977. (See comparison memo)

Fifth Systems and Land Use Commission

The bill reported by the Subcommittee did not vary from the Committee Print of October 28, 1977 except that reference to the Chairman of the Subsistence Council being a member of the Alaska Advisory Coordinating Council is deleted because there is no longer a Subsistence Council.

Access: In-Holdings

The Subcommittee Print adopted the Steering Council's position. Title XII, Section 1202(c) basically states where State, privately or native owned lands, valid mining claims or other valid occupancy is effectively surrounded by public lands within one or more conservation system units, the Secretary shall give the occupier such rights as may be necessary to assure adequate access. (This has been called the Cowper-Colletta amendment by Representative Seiberling and represents the Council's most substantial individual contribution to improving H.R. 39, to date.)

State and Native Selections

The Steering Council proposal extends the State's time limit on land selections to January 3, 1994. Subject to valid existing rights and to conveyances made pursuant to Sections 21(a) and (b) of ANCSA, the Council proposes all tentative approvals of State land selections be satisfied and confirmed. Further, the Council would conform and treat as valid State selections all State applications for selection of Federal lands which were or are not on the date of application vacant, unappropriated, unreserved Federal lands.

The bill reported out of the Subcommittee conforms with some of the recommendations of the Steering Council. The bill grants to the State, subject to Native selection rights and valid existing rights, most lands which have been selected by the State and selections which have been tentatively approved. The Subcommittee did not feel the State needed an extension on land selections and provides a process whereby the State will receive land selections expeditiously. The reported bill still does not give the State its full Statehood entitlement. Alaska d(2) areas conflict - there appear to be about 6-10 million of high priority State selections in conflict - these lands will go into d(2) Federal areas and not go to Alaska.

Before the Subcommittee began mark-up on this title, Congressman Seiberling stated that if there was anything in the title which was not acceptable to the State or natives, then it would not be included. It can be assumed that this will be the case when this title is brought before the full Committee.

ANCSA Amendments

The Steering Council proposed deleting Section 22(e) of ANCSA which states that if a village corporation selects lands within a National Wildlife Refuge, then the Secretary shall add other public lands in the State to that refuge to replace those which the village corporation has selected.

In the recent Subcommittee Print, there is no reference to deleting this provision. On February 2, Mr. Udall proposed an amendment, which was adopted on February 3, to the substituted Title VIII, Section 805 which states:

"Any other provision of the law to the contrary notwithstanding, all lands withdrawn pursuant to Section 17(d)(1) of the Alaska Native Claims Settlement Act which are not included within the boundaries of conservation system unit and which are not selected by or conveyed to native corporations shall be added to the units within which such lands are located and shall be administered accordingly." [At this time d-1 withdrawals total approximately 103 million acres.]

The intent behind the Udall amendment is to prevent "checker boarding". According to the House Interior Committee staff, any present State d-1 land selections would be honored. From the Udall amendment it appears that the Subcommittee has acted the opposite of what the Council proposes, in that the Subcommittee provides for additional lands to be added to conservation system units; the amendment appears to strengthen Section 22(e) of ANCSA.

Subsistence

The Council's position is that the State be authorized, except where provided by Federal law on this section, to manage and regulate the taking of fish and game on Federal lands. In carrying out this responsibility, the Council proposes that within 18 months of enactment of the Act, the State establish a program to permit subsistence uses of fish and wildlife resources within designated subsistence management zones. The program shall include a definition of subsistence use, conditions under which subsistence uses may be permitted, factors for determining who is qualified for subsistence uses within zones, creation of regional and local advisors to assist the State in carrying out its responsibilities under the section, and giving subsistence uses preference over any other competing consumptive uses within zones. The Council advocates that the Secretary who has authority over a conservation system unit designate subsistence management zones within 18 months after enactment of the Act.

After consultation with the State, the appropriate Secretary may close zones or portions thereof for reasons of public safety, protection and management of the lands and habitat which support living resources, administration, or public use enjoyment of the area. If the Secretary determines that the State has failed to comply with the requirements of the section, he must give the State a reasonable period, but not less than 120 days, to correct the purported deficiency. If the State refuses to do so, then the Secretary must initiate a hearing in order to ascertain the propriety of the State's actions. If the State refuses the regulatory responsibility, then the appropriate Secretary shall carry out the functions assigned to the State.

The Council further proposes that snowmobiles, motorboats and other means of transportation traditionally used for subsistence purposes be permitted.

The Subcommittee adopted a new subsistence title which states that during an interim period of 18 months beginning on the date of enactment of the Act, the State is authorized to regulate the taking of fish and wildlife for subsistence uses on public lands. At the end of the interim period, the State will be given authority, if it so desires, to regulate

the taking of fish and game for subsistence purposes on public lands. Within 18 months after the date of enactment of the Act, the State shall submit to the Secretary a program which shall include the following: A management plan which has as its central elements the maintenance of the continued viability of the populations of fish and wildlife species and a system capable of monitoring subsistence and other consumptive uses of such species; the establishment of not less than 5 or more than 12 fish and game management regions; a State law or regulation which gives priority for subsistence uses over other consumptive uses; and a system of local and regional fish and game councils within each management region. If the Secretary finds that the State does not comply with the requirements of the section, he shall notify the State and give the State an opportunity to modify its program. The new title provides that the State, in consultation with the Secretary, natives and other interested and affected parties or determine the number and boundaries of management zones. If the State fails to accept the regulatory responsibility then the Secretary of Interior shall carry out the functions assigned to the State.

Snowmobiles, motorboats, and other means of surface transportation traditionally used shall be permitted.

To assist the State in developing and implementing the program the Federal Government shall reimburse the State up to 50% of the costs of the program.

COMPARISON

This new subsistence title is more reasonable than the one which appeared in the Committee print of October 28, 1977. The new title gives the State the authority to regulate the taking of fish and game and set up local and regional fish and game councils.

The differences between the Subcommittee and the Steering Council are minor. The Council proposes that if the State refuses regulatory responsibility then the appropriate Secretary assumes the responsibilities while the Subcommittee would give the responsibilities to the Secretary of Interior. Additionally, the Council proposes the appropriate Secretary designate subsistence management zones while the Subcommittee gives the State, after consultation, this responsibility.

There is a noteworthy problem with the Subcommittee's subsistence structure. The Subcommittee may delegate too much authority to local and regional councils as opposed to state. The bill stipulates that regional councils be assigned adequate and necessary staff to carry out their responsibilities, but if a regional council's recommendation is rejected by the State agency, the regional council has direct access to the Secretary of Interior who can overturn if the State is not in compliance with the State program or the requirements, purposes or policies of the Act.

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

JAMES R. CALLOWAY

WARREN G. CHRISTENSEN, WASH.
JOHN C. STONGE, MISS.
ROBERT C. BYRD, W. VA.
WILLIAM PROSSER, WYO.
SAMUEL H. CRUVE, MARIAN
ERNEST F. HOLLERS, S.C.
RICHARD BAYH, IND.
THOMAS F. SHELTON, MD.
LAWTON CHILES, FLA.
J. BENNETT JOHNSON, LA.
WALTER D. HUBLESTON, KY.
GABRIEL N. BURDEK, N. CAR.
PATRICK J. LEAHY, VT.
JAMES H. HASTON, TENN.
DENNIS DE CONCI, ARIZ.

MELVIN L. VANCE, N. CAR.
CLIFFORD P. CASE, N.J.
EDWARD W. BRODER, MASS.
MARK O. MATFIELD, MISS.
TED STEVENS, ALASKA
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.
HENRY BELLMON, OKLA.
LOWELL P. WICKER, JR., CONN.

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, D.C. 20510

January 23, 1978

JAMES R. CALLOWAY
CHIEF COUNSEL AND STAFF DIRECTOR

Ms. Sharon Long
Steering Committee for Alaska Lands
1016 West 6th Avenue, Suite B
Anchorage, Alaska 99501

Dear Sharon:

This letter will confirm my support for a State Legislative appropriation to bring Members of the Senate to Alaska this year to allow them to see some of the proposed d-2 lands. I originally suggested this last year and still think it is an idea which should be acted upon.

It is important that as many Senators and Congressmen as possible come to Alaska prior to voting on d-2 legislation. The Committee with jurisdiction over d-2 lands has the budget to authorize trips for the Members, but other Members of Congress have no way to come to Alaska. Any money spent by the State Legislature to bring Members of Congress to Alaska would be repaid in the understanding of these Members of Alaska's unique problems.

Please let me know if I can be of any further support in any efforts the Steering Committee makes to obtain Legislative funding for such a proposal.

With best wishes,

Cordially,



TED STEVENS
United States Senator

TITLE I. - ALASKA LANDS SYSTEM

Section 101:

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

ADDITIONAL FEDERAL LANDS

Section 102:

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

STATE LANDS

Section 103:

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

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

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

PRIVATE LANDS

Section 104:

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

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

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

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

ADMINISTRATION

Section 105:

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

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

March 1, 1978

ROWAN GROUP INC.

Hon. Steve Cowper, Chairman
d(2) Steering Council
for Alaska Lands
1016 W. 6th Av., Suite B
Anchorage, Alaska

Dear Steve,

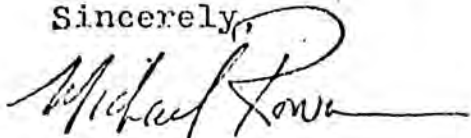
This is to outline a proposed agreement between the Steering Council and this firm which provides for my professional services to the Council during the year 1978.

I propose that I be retained by the Council to provide communications counsel, media strategy in Washington D.C., and general planning and program concepts to the Council; that these services be performed upon the request of the Council or its management staff; that all work be subject to the review of the Council; and that the agreement be terminated upon notice by either party for any reason either party believes appropriate.

In consideration for this work, the Council will remit to Rowan Group Inc. not more than \$12,000 in 1978 for the professional time of Michael Rowan of this firm, such time to be detailed precisely with monthly invoices indicating the nature, location and date of work performed. In addition, the Council will reimburse Rowan Group Inc. for travel and expenses incurred by Michael Rowan in pursuit of his work commissioned by the Council. These expenses shall be indicated with vouchers attached to the invoices.


If this agreement is acceptable to you please sign below and send me a copy for my files.

Sincerely,



Michael Rowan
1007 Melaleuca
Mill Valley, California 94941

AGREED:



Rep. Steve Cowper, Chairman

Date: 4/13/78

AGREEMENT

IN THIS AGREEMENT, dated April 13, 1978, between the (d) (2) Steering Council for Alaska Lands and H.A. "Red" Boucher & Associates, an industrial and governmental liaison, research and public relations firm, H.A. Boucher agrees to promote the state's interest in (d) (2) legislation during an intensive in-person tour through Western and other key states, specific times and places to be flexible, contingent upon Congressional events surrounding (d) (2) legislation and approval of schedule by the (d) (2) Steering Council.

THE TOUR WILL BE a bi-partisen state effort, under leadership of the (d) (2) Steering Council, during which H.A. Boucher, in a five-month period commencing April 15th, 1978, will contact influential newspaper editors, publishers and television talk show hosts and others in the media and in civic and community organizations who can be most advantageous to the state's position on the (d) (2) legislation; he will also, upon request, make arrangements for those Alaska state legislators who wish to espouse the state's position on television talk shows in various key localities.

H.A. Boucher agrees to report to the executive director of the (d) (2) Steering Council monthly with a written report on his efforts.

FOR THESE EFFORTS, H.A. Boucher will arrange for an assistant to gather, research and delineate and chart pertinent (d) (2) information and maps to be presented to publishers, editors and TV personalities, such information subject to approval by the (d) (2) Steering Council and available for other Steering Council public relations efforts if desired.

FOR THESE SERVICES, the (d) (2) Steering Council agrees to pay H.A. Boucher an amount not to exceed SIXTY THOUSAND DOLLARS (\$60,000.00) for the five-month period:

\$6,000.00	Per month consulting fees and administrative services for the full time service of H.A. Boucher.
\$6,000.00	An amount not to exceed \$6,000.00 per month for transportation, lodging, related travel expenses, communications, (including telephone, telegraph and reproduction costs) and an 8% contingency for unseen costs & expenses.

RETAINER AGREEMENT

This agreement, dated this 3rd day of January, 1978, by and between the party of the first part, BIRCH, HORTON, BITTNER & MONROE, a professional corporation, hereinafter referred to as "Attorneys" and the party of the second part, THE STEERING COUNCIL FOR ALASKA LANDS, hereinafter referred to as "Council:"

W I T N E S S E T H:

The Attorneys hereby agree to represent the State of Alaska, through the Steering Council, in all matters to which they are assigned, both in Alaska and Washington, D. C., on matters relating to pending legislation affecting public lands in Alaska, with particular emphasis on land to be withdrawn under Section 17(d)(2) of the Alaska Native Land Claims Settlement Act.

The Council agrees to compensate Attorneys in the total amount of One Hundred Fifty Thousand (\$150,000.00) Dollars for services rendered, inclusive of all costs except Xeroxing and reproduction. It is contemplated that payments will be made on the basis of Seventy-Five (\$75.00) Dollars per hour for shareholders' time and Seventy (\$70.00) Dollars per hour for associates' time. It is further contemplated payments will average Twelve Thousand Five Hundred (\$12,500.00) Dollars per month but will exceed that sum during the early months of 1978. In any event, total compensation to the Attorneys shall not exceed One Hundred Fifty Thousand (\$150,000.00) Dollars for calendar year 1978. Additionally, Attorneys shall submit separate invoices for Xeroxing and reproduction of document costs, along with any supporting data required by the Council. These Xeroxing and reproduction costs shall be directly reimbursed to Attorneys exclusive of the retainer agreement contained herein.

Attorneys shall submit monthly invoices to the Executive Director of the Council or its Chairman for approval. Said invoices shall be paid within fifteen (15) days of submission and approval.

This contract is intended to replace, clarify, and supercede any previous contract entered into between the Council and Attorneys for services to be rendered during calendar year 1978.

BIRCH, HORTON, BITTNER & MONROE
A Professional Corporation

By: W. Bruce Monroe
W. Bruce Monroe

THE STEERING COUNCIL OF ALASKA LANDS

By: Stephen C. Cowper
Stephen C. Cowper, Chairman

RETAINER AGREEMENT

This agreement, dated this 15th day of December, 1977, by and between the party of the first part, MOSS, FRINK & FRANKLIN, hereinafter referred to as "Attorneys", and the party of the second part, THE STEERING COUNCIL FOR ALASKA LANDS, hereinafter referred to as "Council":

W I T N E S S E T H:

The Attorneys hereby agree to represent the Council in all matters to which they are assigned, in Washington, D.C., on matters relating to pending legislation affecting public lands in Alaska pursuant to the Alaska Native Land Claims Settlement Act, with particular emphasis on land to be withdrawn under §17(d)(2) of said Act.

The Council agrees to compensate Attorneys up to the total amount of FIFTY THOUSAND DOLLARS (\$50,000.00) for services rendered, inclusive of all costs. It is contemplated that payments will be made on the basis of SEVEN THOUSAND ONE HUNDRED FIFTY DOLLARS (\$7,150.00) per month, but will exceed that sum during the early months of 1978. In any event, total compensation to the Attorneys shall not exceed FIFTY THOUSAND DOLLARS (\$50,000.00) for services rendered, pursuant to this agreement.

Attorneys shall submit monthly invoices to the law firm of BIRCH, HORTON, BITTNER & MONROE, with the understanding that said invoices shall be forwarded to the Executive Director of the Council.

The duration of this agreement shall be for a period of seven (7) months.

If it is necessary to extend this agreement, both parties agree that the agreement shall be extended under the same terms and conditions for a period of three (3) months at a rate of compensation of SEVEN THOUSAND ONE HUNDRED DOLLARS (\$7,100.00) per month.

MOSS, FRINK & FRANKLIN

By: 

Gary Frink

STEERING COUNCIL FOR ALASKA LANDS

By: 

Stephen C. Cowper, Chairman

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
WALTER PARKER
COMM. ROBERT LERESCHE
JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



1016 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

MEMORANDUM

TO: LEGISLATIVE AFFAIRS
ATT: PAT COSTELLO
FROM: SHARON LONG
RE: MEDIA GROUP EXPENSES BEYOND \$74,500.00 CONTRACT
DATE: MARCH 29, 1978

On December 10th, at an informal meeting of the (d)(2) Steering Council for Alaska Lands in the Anchorage office at 1016 West 6th Avenue, Suite B, Anchorage, Alaska, the Council reviewed a nearly final print of the (d)(2) film and discussed activities to be executed in Washington, D.C. during the period of January 30, 1978, through February 3, 1978.

A quorum was present: Steve Cowper, Chuck Hawley, Mike Colletta, Dave Cline, Bob LeResche, Joe Hayes. Chancy Croft was present for a short time and departed.

The January 30th through February 3rd activities were presented as an intensive media communication and congressional visits program that would cost approximately \$37,000.00. This was to include time purchase for radio, space purchase for newspaper, consultant, and advertising and marketing agency fees, production costs, etc.

Media Group representatives were present and discussed with the Council the scope of the January 30th through February 3rd activities and their ability to aid in the co-ordination and execution of the project in conjunction with the Council's Washington D.C. and Alaska offices.

Chairman Cowper stated his authority to approve the activity and ask if there were any objections. Hearing none he directed the effort to be carried out within the stated cost estimates.

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
WALTER PARKER
COMM. ROBERT LERESCHE
JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



1018 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/18
[POUCH V, JUNEAU, ALASKA 99811]

December 16, 1977

Mr. Eli F. Bleich
Media Group
111 Vallejo Street
San Francisco, California 94111

Re: Contract Amendment

Dear Eli:

Pursuant to discussions with yourself and vice-chairman Orsini, this council is entering into an agreement to amend the Media Group contract as signed by chairman Cowper September 27, 1977.

Items III and IV as described in the program budget, and three of the twelve radio spots described in item VI, will be delivered January 15, 1977. Upon receipt of these materials the state Legislative Affairs Agency will be notified of delivery and initiate issuance of final payment check in the amount of \$24,500.

Items V and VII, and the remainder of the radio spots in item VI will be approved, produced, and delivered upon direction of the council or no later than June 30, 1978.

In the event of default on the part of Media Group, Media Group will refund the council for the undelivered materials in the amounts listed in the program budget on page 16 of "Memorandum and Proposal re: the Information Program on (d)(2) Alaska Lands."

Please sign and return a copy of this letter as agreement to the contract amendment.

Sincerely,

Sharon J. Long
Sharon J. Long
Executive Director

SJL:ss

cc: Steve Cowper
Joseph L. Orsini

ACKNOWLEDGED AND AGREED:

MEDIA GROUP

By *G. B. Buel*

Date: 12/20/77

MEMORANDUM AND PROPOSAL

To: D-2 STEERING COUNCIL FOR ALASKA LANDS
1016 W. 6th Avenue
Suite B
Anchorage, Alaska 99501

From: MEDIA GROUP
111 Vallejo Street
San Francisco, California 94111

Re: INFORMATION PROGRAM ON D-2
ALASKA LANDS

INTRODUCTION

This proposal comes after a series of discussions with the Committee, its staff, its Washington D.C. attorneys, and other Alaskans vitally interested in the D-2 issue. The proposal outlines a program for information directed by the committee and responsive to its needs. It involves both the process of survey research and media production, integrated so that the problems identified in the surveys are met squarely by the media to be produced.

The program is designed to maximize the effect of the information coming from the Committee with the government leaders who will be making the final decisions on the classification of Alaska's D-2 lands.

PHASES TO THE PROGRAM

We see two phases to the program. Phase I is the development of strategy, collection of research data, design of media materials, production of the media, and presentation of a plan for their use.

Phase II is the actual application of the materials, the placement of media, the delivery of information, and related activities.

These two phases overlap in time, and in many cases occur simultaneously. This proposal, however, involves only Phase I. It commences immediately upon agreement and is completed in all parts by January 1, 1978. Earlier completion is anticipated; the notion being to complete phase one as soon as possible.

Should this proposal be accepted, Media Group will immediately prepare another proposal

for Phase II. Many activities in Phase II can be performed by staff of the Committee; others must be contracted out (e.g., strategic placement in Washington D.C. media). Much of Phase II will be determined by the strategy evolving out of the first 30 days of work under Phase I, so little can be said of it now except that it exists, and it must be planned out carefully and soon.

OUR APPROACH TO THE PROBLEM

The D-2 issue is extraordinarily complex, involving attitudes deeply imbedded in Alaskans (as they view themselves, the lower 48, and Washington D.C.) and all Americans (as they view the country's last frontier). Out of all this, however, we believe there is an Alaskan consensus on the issue, and that the Committee is the place where that consensus must be found.

Through survey research (and other means for intelligence), we expect to be able to define the best arguments, and find the missing information pieces, which the nation's leadership needs to hear before making a final decision. We will then be in a position to produce materials maximizing the Committee's effect, and increasing the likelihood

of the acceptance of its consensus. Nothing is done without a reason or a purpose.

This company includes professionals skilled in both research and media strategy and production because of this approach to communications' problems. Our proposal for the information program based upon this thinking now follows.

PROGRAM ELEMENTS

I. U.S. Senate and U.S. House Survey Research

Approximately twenty United States Senators and forty United States Representatives, selected on the basis of appropriate, relevant Committee assignment, would be interviewed. The individual interviewed would be the Member or the individual in the Congressional office assigned the responsibility to prepare a position and make decisions for the Member on the D-2 issue.

The questionnaire and data-processing of this information will be prepared and conducted by Rowan Group Inc. (Michael Rowan); Rowan Group Inc. recently completed a study of one hundred Senate and House Members on the Administration energy

proposals, the report published in Washington D.C. on August 11. (Mr. Rowan is also a director of Media Group.)

Assuming approval of this agreement, that questionnaire is under preparation now. (We will provide it to the Committee no matter what is decided about this proposal.)

We have a working understanding with the Washington D.C. law firm headed by Ron Birch, that they would select the Senators and Congressmen for the sample, and conduct the interviewing with their staff assigned to the task. We have total confidence in that firm in designing and completing this work. (Our budget does not include payment of legal staff for this interviewing; a separate arrangement with the law firm can be arranged, or additional funds provided to us for this purpose.)

II. Alaska Public Opinion Research

We propose an extensive public opinion research survey be conducted to collect representative data from the Alaska public on all issues raised by D-2 lands classification. This survey will communicate with impact and precision exactly how Alaskans think and feel about the values, policies, and

issues related to D-2. Because of the Congressional hearings process in Alaska, there is some question about Alaskan intentions in this area, which the published survey can put to rest.

This survey would be conducted in conjunction with the Office of the Governor (Department of Planning, Development, etc.) and the Committee; and by Rowan Group Inc. of Anchorage, as part of the Citizen Feedback System surveys established by the Governor's office. Both the Committee and the Governor's office would have input to the questionnaire and access to the findings; the two entities would divide the cost of the survey equally.

Rowan Group Inc. will design the questionnaire to the satisfaction of the Governor's office and the Committee, independently; conduct 500 personal interviews statewide, code and electronically data-process the finds, and deliver a report to both entities. At a mutually agreeable time, the report in toto will be published in Alaska and Washington D.C.

In view of the fact that such a report could become a controversial issue in Washington D.C., Rowan Group Inc. will conduct the survey as a

collaborative effort with Dr. W. Jack Peterson, who heads the Sociology Department at the University of Alaska (Anchorage), and who has worked in tandem with Rowan Group Inc. on many government (state and federal) studies in the past.

(The questionnaire for this survey is under preparation now and should be circulated to the Committee in one week's time.)

III. Film Production

Media Group will design, produce, and deliver a short film of approximately ten minutes in duration, stating the Committee's position on the D-2 issue. This film piece will involve a presentation of the context of D-2 decisions, from the Alaskan point of view. It will also raise issues in a factual, no-nonsense way, and deliver information with impact to viewers.

This film is being produced with one essential purpose in mind -- to affect an audience of decision-makers in Washington D.C. It is a tool used to lay out the Alaska position by Committee members, the Congressional delegation, or others in agreement with the direction and content of the presentation.

It can also be used for the same purpose with state legislators and local government leaders around the nation.

This film will also show people who have never been to Alaska the land that is being classified, its magnitude, grandeur, and mystery. Information about economic development, potential uses, resources, conflicting values for classification, conflicts in claim, human presence, potential human access or use, and so on, will all be covered. We will work directly with the Committee to determine the content of this film.

We are hopeful that Lowell Thomas Sr. will narrate this film for us (and the Committee) as a pro bono gift; in the event that is not possible, we will seek an individual with equal credibility for speaking the Alaskan case (as those in D.C. view it).

IV. Film Clips for "Live" TV Presentation

While the film will be available for TV presentation nationally, the most likely use of film material is as background for a "live" interview of an Alaskan personality in a television talk show, (e.g., the TODAY show). We will prepare a 60" and a 90" version for such a show (film

pieces in talk shows rarely go beyond ninety seconds). Along with it, we will have a suggested script for the personality, speaking off camera as the silent clip is viewed.

This material can be of great assistance in getting to the point immediately, especially if the show is in local media (e.g., Detroit) and where there is more time to develop the subject. We believe that the Alaska land issue is interesting enough to attract the attention of such shows if a plan is developed to do so (we will propose how in Phase II), and quality materials are at hand for the interview. For such shows, everything must be packaged professionally and be spirited, bright, to the point, and fast.

V. Television "News" and TV Commercials

We envision the production of two or three television news releases or commercials (if time must be purchased) aimed at local publics, which inform them that Alaskans appreciate the support of their Congressman or Senator. These would be delivered to Congressional District media outlets in cases where it was decided the Member could use home support to maintain his position.

These spots would feature "typical Alaskans" (e.g., a homesteader, an Alaskan Native, etc.) talking straight to the people of the lower 48. They should be quite effective, since the Alaskans we select will fit the American dream of what a real frontier Alaskan is all about.

Members of Congress can be shown these spots and asked if they would like them played in their districts.

We recommend against playing any media in any Congressional District which attacks the local Congressman or attempts to force him to the Committee position. These we feel would be counterproductive, and weak (ineffective), perhaps producing a boomerang effect. Neutral or contrary Congressmen must be met face-on in Washington D.C., with Alaska's strongest arguments.

VI. Radio "Editorials"

We propose the production of from six to twelve sixty-second radio "editorials" for airing in carefully selected Washington D.C. stations.

Radio is a hidden medium in D.C. and previous campaigns there influence our recommendation here:

D.C. leaders are "news hounds" and spend from 30 to 60 minutes in the morning, and the same at night (although in a more diffuse pattern) in their cars listening to radio, mostly news. A time-buy intended to reach only this elite group can be devised. Editorials can be written (and narrated by Lowell Thomas Sr. again, hopefully) going to each of the significant points determined by the Senate/House research.

This information would have a very low profile (only a small percentage of the D.C. audience would hear it, but a large percentage of the government leaders would), yet it would have a powerful effect.

The power of information is often underrated in D.C. Elected leaders often vote with little information; the addition of one key argument sometimes sways a vote. There is too much paperwork in Washington D.C., and it is difficult to reach powerful people only with a letter or brochure.

Thus we have devised this radio editorial campaign. Previous experience with this method has been highly successful, and Rowan Group Inc. has survey research which proves it. It is also a method rarely if ever employed in an information

campaign in D.C., making it even more valuable.

We recommend it highly to the Committee.

VII. Print Materials

We anticipate using several pieces of print to help communicate the Committee's story. In each case, we will provide the strategy, design, copy, graphics and layout for the print piece. (Since each of these pieces must be approved by the Committee as a part of the developing strategy, it is impossible to say at this point whether each piece will be used, or in what quantity; the printing costs are left for Phase II as a result.)

The basic pieces we anticipate using are:

a. Two or three newspaper advertisements in Washington D.C., complementing the radio editorial campaign, and run in the Washington Post and Star.

b. One advertisement meant for newspapers in Congressional Districts where we wish to support the local Congressman's understanding of the D-2 issue. This can be used in conjunction with, or in replacement of, the television spots for the same purpose. Some Congressional Districts cover 3 or 4 unevenly spaced television media districts (e.g., the "Quad" cities in Iowa/Illinois); or are

buried beneath gigantic media systems (dozens of Congressional Districts are under the New York City media umbrella). We see the newspaper ad having more application in these areas than the TV spot, which would have a prohibitive cost.

c. A four-page brochure summarizing the major findings of the Alaskan Citizen Feedback System survey, and distributed to the entire Congress and key Administration officials, about 1,000 people.

Here again, we would bring this to the layout stage for a decision by the Committee. Phase II would cover its printing and distribution.

d. A direct mail campaign to the entire Congress and key Administration officials, informing them of the Committee's findings, positions, testimony, and so on.

We can propose copy for this series of letters which would be mailed from Alaska. It is important that the Members and Administration executives know of the Committee's existence if other material directed toward them is to be effective. The direct mail is intended to announce the Committee's existence, and identify it before the Washington D.C. leadership.

VIII. Miscellaneous Materials

a. Still Photography. For illustration in all media, some still photography will be useful.

b. Targeting of support Congressmen. This is a process which we propose be done by the law firm of Ron Birch.

c. Identification of 1,000 important people in D.C. who may affect the outcome of the D-2 issue (including, of course, all Members of Congress), for direct mail purposes. This we propose be done in conjunction with the law firm of Ron Birch. This is our direct mail list.

PROGRAM BUDGET

I.	U.S. Senate/House survey. Questionnaire, data-processing, report, plus all related expenses, exclusive of interviewing	\$ 1,500
II.	Alaska Citizen Feedback System survey, including all design, interviewing, sample, electronic data processing, preparation of report, and incidental expenses; total budget \$15,000 shared 50% with Office of Governor, thus	7,500
III.	15 film Film production. Approximately ten minute film. Sound and color. For use at meetings and on television. Three copies. 1 16 min 2 8min	27,000
IV.	15 film Film clips. One 60" and one 90" silent film clip for talk shows nationally. video tape	2,500
V.	TV spot package, two or three spots either 30" or 60", as described.	17,000
VI.	Radio spot package, from six to twelve radio spots, mostly 60" for airing in D.C. (3)	6,000
VII.	Print materials. For all newspaper ads, brochures, or mail: copy fee to writers \$2,500 graphics & layout 3,500	6,000
VIII.	Still photography	1,500
IX.	Expenses a. Travel, hotel, etc. \$3,000 b. Overhead Media Group 2,500	5,500
	PROGRAM BUDGET TOTAL	\$74,500

Budget figures for all electronic media (III. Film; IV. Film Clips; V. TV Spot Package; and VI. Radio Spot Package) have been planned as a coordinated budget; removing an item from the package affects the cost of the remaining three. Should the Committee do so, the production costs of remaining items must be recalculated. All other budget figures are "line items" unrelated to other expenditures, with the exception of IX. Expenses, a fixed cost.

PAYMENT SCHEDULE

Assuming the approval of all or most of this ten-item budget, we propose a payment schedule as follows:

- (1) A payment of \$25,000 upon agreement. This will cover items I and II (immediate research), and start-up costs on all production materials.
- (2) A payment of \$25,000 immediately after principal filming is completed. We estimate this by November 1.
- (3) A payment of the remainder (\$24,500) upon the completion of all work and delivery

of all product to the Committee. We estimate this for sometime in December, and by January 1, 1978 at the latest.

SUMMARY

Media Group will provide top professionals and skilled artists and specialists for each activity assigned by this proposal. Research will be conducted by Rowan Group Inc. and communications strategy and counsel will be forthcoming from Michael Rowan, who is associated with Media Group as well. All electronic media production will be directed by Eli Bleich. Print media will be designed by Phyllice Bradner of Anchorage, and still photography by Baron Wolman of San Francisco. All these key individuals have extensive experience in Alaska communications campaigns, and collectively, one or the other has been involved in most of the remaining states for similar purposes. Mr. Rowan has designed and implemented a series of information campaigns in Washington D.C., and it is based upon that experience that this proposal comes forth.

Summaries of the background and experience of the principals can be supplied at the request of

mediagroup

111 VALLEJO STREET / SAN FRANCISCO, CALIFORNIA 94111 / (415) 789-3034

We look forward to engaging in this work and moving as rapidly as possible to get the job done, to the satisfaction of the Committee and the people of Alaska.

AGREEMENT

This is the agreement between Media Group and the D-2 Steering Council For Alaska Lands, 1016 W. 6th Avenue, Suite B, Anchorage, Alaska 99501.

That all work as outlined in the attached memorandum (dated 16 September 1977) from Media Group to the Committee will be performed commencing immediately, and completed as rapidly as possible but no later than January 1, 1978. In payment for these services, the Committee will pay Media Group according to the following schedule:

\$25,000 upon agreement

\$25,000 by November 1

\$24,500 upon delivery of materials

Changes in work can be made by the Committee during the life of this agreement, and the Committee can cancel this agreement at will, reimbursing Media Group for work performed up to that point in a reasonable manner.

Media Group will work closely with the Committee and its

staff, gaining approvals prior to the production of materials, and satisfying the proposal objectives as outlined in the memorandum (attached).

AGREED THIS DAY

9/16/77
(date)

9/27/77
(date)


BETWEEN

Eli F. Bleich
Eli F. Bleich

for MEDIA GROUP

for D-2 STEERING COUNCIL
FOR ALASKA LANDS

STEERING COUNCIL FOR ALASKA LANDS (d)(2)
 Rep. Steve Cowper, Chairman
 31-92-1-783

100 - PERSONAL SERVICES

<u>STAFF</u>	<u>SALARY</u>	<u>ENCUMBRANCES</u>	<u>TOTAL</u>
Sharon Long	\$ 27,667.25	\$ 3,676.22 ^(3/16-4/15/79)	\$ 31,343.47
Sharon Stoops	10,992.80		10,992.80
Becky Tischer	4,267.30	1,489.83 ^(3/16-4/15/78)	5,757.13
Alephe Morris	474.74		474.74
Dennis Ryan	1,315.92		1,315.92
	<hr/>	<hr/>	<hr/>
TOTAL	\$ 44,718.01	\$ 5,166.05	\$ 49,884.06

STEERING COUNCIL FOR ALASKA LANDS (d)(2)
 Rep. Steve Cowper, Chairman
 31-92-1-783

TRAVEL

	<u>TRAVEL</u>	<u>PER DIEM</u>	<u>ENCUMBRANCES</u>
Rep. Steve Cowper	\$ 3,816.06	\$ 1,852.48	\$
Senator Joe Orsini	1,504.83	931.80	
Senator Mike Colletta	1,543.38	535.00	
Senator Chancy Croft	616.10	70.00	
Rep. Joe L. Hayes	595.86	415.00	
Rep. Al Osterback	2,155.28	670.00	
Chuck Hawley	1,506.97	1,299.75	
D. Cline	1,562.33	529.00	50.00 (Outstanding field warrant)
W. Parker	2,209.20	852.25	
J. Hoffman	283.47	150.00	
Sharon Long	2,746.06	2,604.70	209.67
Sharon Stoops	489.50	443.47	
Jack Chenoweth	1,796.12	1,012.05	
Diann Nelson	1,103.23	532.30	
George Utermohle	316.56	45.20	
J. Kowalsky	97.26	35.00	
Becky Tischer	1,265.62	621.10	163.02
Dick Bishop	615.92	363.40	
John Shively	670.26	175.00	
Carl Jack	311.84		311.84
Troy Air Charter	1,447.20		
	<hr/>	<hr/>	<hr/>
TOTAL	\$26,653.05	+ \$13,137.50	+ \$ 734.53 = \$40,525.08

STEERING COUNCIL FOR ALASKA LANDS (d) (2)
 Rep. Steve Cowper, Chairman
 31-92-1-783

CONTRACTUAL

	<u>EXPENDITURES</u>	<u>ENCUMBRANCES</u>	
Suburban Land (Rent)	\$ 7,344.00	\$ 892.50	
Alaska Advocate	25.00		
Fairbanks Daily News-Miner	31.00		
Yukon Office Supply (Furniture rental)	1,672.69		
LAA - Supplies (initial set up)	957.71		
Congressional Quarterly	215.00		
Sharon Long - Registration Fee	100.00		
Sharon Long - OMB Dinner	311.90		
Municipality of Anchorage - Long distance tolls	1,747.19		
Municipality of Anchorage - Service	918.81		
Anchorage Information Office - Postage	85.00		
Media Group	98,026.00	7,690.60 <i>Sharon Long</i>	
Professional Business Service	539.50		
1- Birch, Horton, Bittner & Monroe	37,849.65	67,938.10 <i>(Jan + Feb Service)</i>	
2- Moss, Frink & Franklin	35,334.55	14,665.45	
Michie Company	306.42		
Southeastern Empire	69.00		
Chuck Imig	100.00		
Color Art Printing	195.35		
Senator Orsini	40.00		
3- Rowan Group	4,231.55	1,600.00 <i>Sharon Long</i>	
Press Release - Parker	50.00		
R & R Deposition	645.25		
Anchorage Messenger Service	70.00		
Exspeedite Services, Inc.	410.00		
LAA - Typewriter rental	270.00		
TOTAL	\$191,545.57	\$ 92,786.65	= \$284,332.22

1 150,000.00

2 Same

3 12,000.00

4 W.A. Boreland 60,000.00

STEERING COUNCIL FOR ALASKA LANDS (d)(2)
 Rep. Steve Cowper, Chairman
 31-92-1-783

COMMODITIES

	<u>EXPENDITURES</u>		<u>ENCUMBRANCES</u>	
Stoops/Tischer (Petty Cash)	\$ 487.73		\$	
Yukon Office Supply	719.63			
Alaska Stationers	91.53			
Color Art Printing	273.25			
Barrett Office Supply	107.32		(53.66)	
LAA - Supplies	93.84			
Polar Reproduction & Supply	102.50			
Anchorage Information Office (Opinion)	17.50			
Printers Workshop	21.50			
	<hr/>		<hr/>	
TOTAL	\$ 1,914.80	+	\$ (53.66)	= \$1,861.14

(d)(2)

3/22/78

MEMORANDUM

To: STEVE COWPER
Chairman
Finance Committee

From: SHARON LONG
Administrative Assistant
(d) (2) Steering Council Budget

Date: February 22, 1978

Re: (d) (2) STEERING COUNCIL BUDGET

\$ 85,722.00 STAFF AND OPERATIONS

-Rent and furnishings for offices at
1016 West 6th Avenue, Suite B
Anchorage, Alaska 99501

-Plus salaries for staff

\$ 12,000.00 PLANNING AND COUNCILING

-Media advice, national and regional

\$102,500.00 TRAVEL/SPEAKERS BUREAU

-Includes \$70,000.00 for "Speakers Bureau"
which would cover Alaska representatives
personally contacting every other State
Legislature. And, Council members and
staff travel for \$32,500.00

\$ 40,000.00 COMMUNICATIONS INTERNAL

-Telephone, telegraph, telex

\$150,000.00 LEGAL REPRESENTATION

-Includes firms with Washington offices with
entree to both minority and majority.

+50,000.

\$ 11,500.00

MATERIALS REPRODUCTION

-Copying of slides, maps, film segments, xeroxing of briefing books, legal opinions, memoranda, and legislation.

\$ 13,000.00

PRINTING

-Brochures and other mail out materials.

\$ 4,000.00

GRAPHICS DESIGN

-Brochure and report work

\$ 6,000.00

RADIO PRODUCTION

-For productions of radio pieces for use in Congressional communications and key congressional districts in the lower 48.

\$140,000.00

TV and for FILM PRODUCTION & BROADCAST TIME PURCHASE

-TV: Studio production time for information programs.

-FILM PRODUCTION: Possible expansion of existing film piece or production of new piece depending on conditions in Congress and the U.S.

-BROADCAST TIME PURCHASE: Radio or TV time purchase to air materials.

\$ 50,000.00

SPACE PURCHASE

-For purchase of newspaper space in key regions.

\$ 10,000.00

DIRECT MAIL

-Information dissemination to Congress, other legislatures, Alaska public.

\$ 25,000.00

SURVEY RESEARCH

-For survey of Congressional attitudes and buying a couple questions in an existing Gallup or Harris type poll.

\$ 13,000.00

SPECIAL CONSULTANTS

-Hire of individuals on short term basis with special knowledge or areas of influence in a specific issue area.

\$ 12,500.00

EVALUATIONS AND REPORTS

-Reports concerning regionalized knowledge and evaluations such as in "Coalition of Western States" type programs.

\$ 12,000.00

MISCELLANEOUS EXPENSES

-Such as Projector or video tape machine rentals, messenger service, publication subscriptions, transcriptions, paper, pencils, paper clips, push pins, typewriter ribbons, 3 ring binders, scotch tape, rubber bands, map pins, dictionary, phone message pads, etc.

\$ 70,000.00

USA NEWS MEDIA CAMPAIGN

-An individual with nation wide entree to major editors and newspaper to conduct a 5 month nationwide newspaper visiting program.

\$ 75,000.00

USA NEWS FEED OPERATION

-To set up and execute a system of feeding (d) (2) related News into the various states and regions. This would require relating "our" news to the pertinent issues of a specific state or region.

\$831,222.00

TOTAL

+ 15. Seminar/Work Session
on Corp Mgmt.

Red Banker
50,000

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

(d)(2)
3/22/78

NATIONAL D-2 INFLUENCE PROGRAM

	<u>Alternative I (Radio plus nat'l newspapers)</u>	<u>Alternative II (Local plus nat'l newspapers)</u>	<u>Alternative III (Combination of I and II)</u>
Planning & Budgeting	3,500	3,500	3,500
Benchmark Survey	15,000	15,000	15,000
Plan Implementation	750,000	727,000	1,353,100
Follow-up Survey	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>
Subtotal	773,500	761,100	1,386,600
CSHB 652 am Reduction	<u>(81,000)</u>	<u>(81,000)</u>	<u>(81,000)</u>
TOTAL	692,500	680,100	1,305,600



murray, kraft & rockey, inc.
advertising & public relations

3925 Reka Drive, Anchorage, Alaska 99504, (907) 279-3516

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

Prepared for

Senator Joseph L. Orsini

by

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

February 27, 1978

I INTRODUCTION

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

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

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

II THE SITUATION

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

III OBJECTIVES

- A. To reach a substantial portion of the constituents of those United States Senators and Representatives most subject to influence, with sufficient explanatory information, and enough frequency, to win them to Alaska's position.

- B. To measure results, both before and after, in order to provide proof positive to these members of Congress that a vote favorable to Alaska's position will not harm them politically with their constituents, and in fact may be of positive benefit.

IV STRATEGY

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

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

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

MEDIA PLAN

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

Alabama - Birmingham Metro, Mobile, Montgomery,
Huntsville

Arizona - Phoenix Metro, Tucson

Arkansas - Little Rock, Fort Smith, Texarkana

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

Colorado - Denver-Boulder, Colorado Springs, Pueblo

Connecticut - Hartford, Stamford-Norwalk

Delaware - New Castle, Wilmington

Florida - Dade County Metro, Orlando, Tampa,
Tallahassee

Georgia - Atlanta Metro, Augusta, Columbus,
Savannah

Hawaii - Honolulu

Idaho - Boise City, Pocatello-Idaho Falls

Illinois - Chicago, Arlington, Madison, Rock Island

Indiana - South Bend, Evansville, Indianapolis

Iowa - Davenport, Des Moines, Cedar Rapids

Kentucky - Louisville, Ashland, Lexington

Louisiana - New Orleans, Baton Rouge, Jefferson,
Shreveport

Maine - Portland, Augusta

Massachusetts - Boston, Springfield, New Bedford

Michigan - Lansing, Detroit, Grand Rapids, Flint

Minnesota - Minneapolis-St. Paul, Duluth

Mississippi - Jackson, Biloxi, Columbus, Greenville

Nebraska - Omaha, Grand Island, North Platte, Lincoln

Nevada - Las Vegas, Reno

New Hampshire - Manchester, Portsmouth-Exeter

New Jersey - Newark, Trenton, Camden, Patterson

New Mexico - Albuquerque Metro, Las Cruces

New York - New York, Buffalo, Albany

North Carolina - Raleigh-Durham, Charlotte,
Greensboro

North Dakota - Fargo-Moorhead, Grand Forks, Minot

Ohio - Cleveland, Columbus, Cincinnati

Oklahoma - Oklahoma City, Tulsa

Oregon - Portland, Salem

Rhode Island - Warwick, Pawtucket

South Carolina - Spartanburg, Greenville, Charleston

Tennessee - Memphis, Nashville, Knoxville, Chattanooga

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

Utah - Ogden, Salt Lake

Virginia - Newport News-Norfolk-Portsmouth, Richmond

Washington - Seattle-Tacoma, Olympia, Spokane

Washington, D. C.

West Virginia - Charleston, Huntington, Wheeling

Wyoming - Cheyenne, Casper

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

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

National Newspapers

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

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

Summary. In one three-week period, Americans receive 323,623,288 impressions urging their support of a reasonable d-2 legislation, under Plan No. 1.

2. Plan No. 2 - Local Newspaper Program.

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

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

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

VI BUDGET

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

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

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

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

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

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

VII CONCLUSION

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

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

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AS A UNIT IN THE ORIGINAL DOCUMENT.

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".....

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

206 682-~~5638~~ 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.



Communications West Corporation

2316 2ND AVENUE, SEATTLE, WA 98121 • (206) 623-4051

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 usage; 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.

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

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
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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
WALTER PARKER
COMM. ROBERT LERESCHE
JAMES HOFFMAN
C. C. HAWLEY
DAVE CLINE



1016 WEST 6TH AVENUE, SUITE B
ANCHORAGE, ALASKA 99501
(907) 277-2415/16
[POUCH V. JUNEAU, ALASKA 99811]

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

4400 JENIFER ST., N. W. - SUITE 300

WASHINGTON, D. C. 20015

(202) 244-4250

TELEX 9-89-2591

788 W. FOURTH AVE., SUITE 208
ANCHORAGE, ALASKA 99501
(907) 279-8403
TELEX 25-356

1200 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-0601

751 OLD RICHARDSON HWY., SUITE 340
FAIRBANKS, ALASKA 99707
(907) 482-1888

130 SEWARD STREET, SUITE 314
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.

Sharon Long
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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

LAW OFFICES

BIRCH, HORTON, BITTNER AND MONROE

783 W. FOURTH AVE., SUITE 208
ANCHORAGE, ALASKA 99501
(907) 279-9403
TELEX 25-356

1800 AIRPORT HEIGHTS DRIVE
ANCHORAGE, ALASKA 99504
(907) 279-9501

4400 JENIPER ST., N. W. - SUITE 300

WASHINGTON, D. C. 20015

(202) 244-4250

TELEX 9-89-2501

751 OLD RICHARDSON HWY., SUITE 340
FAIRBANKS, ALASKA 99707
(907) 452-1888

130 SEWARD STREET, SUITE 314
JUNEAU, ALASKA 99801
(907) 586-2800

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

JAMES M. JEFFORDS, GARY HART, *Co-Chairmen* • MIKE McCABE, *Staff Director*
ROBERT W. EDGAR, H. JOHN HEINZ III, *Co-Vice Chairmen* • KEN MURPHY, *Editor*

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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 of 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	<u>.400</u>	<u>.495</u>	<u>.500</u>
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	<u>.900</u>	<u>.360</u>	<u>.540</u>
Wilderness	.900	-0-	-0-
Gates of the Arctic			
National Park	13.600	8.120	8.060
National Preserve	-0-	-0-	.600
Total	<u>13.600</u>	<u>8.120</u>	<u>8.120</u>
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	<u>1.900</u>	<u>1.670</u>	<u>1.670</u>
Wilderness	1.900	-0-	1.140
Lake Clark			
National Park	7.500	2.429	2.280
National Preserve	-0-	.711	1.220
Total	<u>7.500</u>	<u>3.140</u>	<u>3.500</u>
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	<u>15.800</u>	<u>12.051</u>	<u>12.050</u>
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	<u>4.700</u>	<u>3.853</u>	<u>3.750</u>
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	<u>2.600</u>	<u>1.100</u>	<u>1.340</u>
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
Kanutl			
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	The Wilderness Society
Stan Senner	The Wilderness Society
Mary Ellen Cuthbertson	Alaska Coalition
Rich Gordon - Ben Shaine	Alaska Center for the Environment
Dr. C. Hawley	Alaska Miners' Association
Terry Brady	Alaska Professional Hunters
Don Finney	Alaska Loggers' Association
Tom Scarborough	Alaska Wildlife Federation

Corporations

Roger Huntington	Galena Corp./Doyon
Jack Moores	Bristol Bay Corp.
Bert Griest	NANA Corp. (Wed. only)

State

George Hollett	Department of Natural Resources
Richard Logan	Habitat/Alaska Dept. of Fish & Game
Richard Bishop	Game/Alaska Dept. of Fish & Game
Ron Regnart	Com. Fish/Alaska Dept. of Fish & Game

Federal

Paul Fritz
Roger Contor
G. Bryan Harry

NPS

National Park Service
National Park Service

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

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



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.

*Includes all
lands BLM
DI etc* (4)

STATE LANDS

Section 103:

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

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

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

PRIVATE LANDS

Section 104:

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

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

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

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

ADMINISTRATION

Section 105:

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

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

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

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

TITLE II - ALASKA LAND COMMISSION

Section 201:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TITLE III

MANAGEMENT AND ADMINISTRATION

Section 301 - Wildlife Management:

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

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

MINERAL DEVELOPMENT

Section 302:

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

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

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

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

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

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

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

(e) In holdings:

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

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

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

Section 303:

ACCESS FOR TRANSPORTATION AND UTILITY PURPOSES

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

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

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

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

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

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

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

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

(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} wilderness areas designated by this Act, as he determines to be necessary and desirable to study, manage, protect, augment, or sustain indigenous fish populations.

Substantive 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 accommodate 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~~^{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.