

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672  
7599 SENATE RESOURCES

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KETCHIKAN SPORTS & WILDLIFE CLUB  
P.O. Box 5122  
Ketchikan, Alaska 99901

March 8, 1991

Alaska State Legislature  
Juneau, Alaska 99811

Honorable Legislators:

The Board of Directors of the Ketchikan Sports & Wildlife Club, an organization established in 1944, with a membership of over 600, are informing you of our support for endorsing Carl Rosier as Commissioner and Ron Sommerville as Deputy Commissioner of the Department of Fish & Game.

The members of the Ketchikan Sports & Wildlife Club represent literally hundreds of combined years experience, enjoyment and use of Alaska's wild resources. These resources have wrongfully been drawn into the political arena, allowing special interest groups to speak out in an attempt to control the State's fish & game populations.

Governor Hickel has established a task force to settle the subsistence issue. Remember that this is but one serious issue in regard to Alaska's fish and game management problems. Because of this, the state's wildlife has become a pawn in the political arena. The resource should be managed by the Alaska Department of Fish & Game based solely on biological management. It is time to get this department back on track and out of the bureaucracy that entangles our system and return integrity and effectiveness to the department and we feel that Mr. Rosier and Mr. Sommerville, through personal knowledge, possess the expertise necessary to accomplish this.

The Ketchikan Sports & Wildlife Club supports the endorsement of these men to their appointed positions, thereby insuring that all user groups will benefit, including the natural resource who will benefit through biological instead of political management.

Please support and endorse Carl Rosier and Ron Sommerville to their respective positions.

Sincerely,

*Bob DeWitt*  
*ama*

Bob DeWitt, Vice-President  
Ketchikan Sports & Wildlife Club

cc: Honorable Walter J. Hickel  
Mr. Carl Rosier  
Mr. Ron Sommerville  
Alaska Outdoor Council  
Ketchikan Daily News

# AFN NEWSLETTER

FEBRUARY ISSUE

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Volume IX, Number 1

Alaska Federation of Natives

February 1991

## Hickel appoints Fish & Game Commissioner, Somerville remains Deputy

Despite outspoken opposition from the statewide Native community, legislators and a wide range of other interest groups, Ron Somerville will likely remain at the Alaska Department of Fish and Game as Deputy Commissioner.

In a press release issued last week, Governor Walter J. Hickel appointed Carl Rosier, a wildlife biologist and former head of the Department's Commercial Fisheries Division, as Fish and Game Commissioner. In statements made accepting the appointment, Mr. Rosier said he will retain Mr. Somerville as his Deputy.

While some of the public focus on the Commissioner's slot may have been deflected by Mr. Rosier's appointment, the controversy has not diminished for Natives and other rural subsistence users. "AFN and other Native organizations from throughout the state have made their opposition to Mr. Somerville's appointment in *any* policy-making position at Fish and Game abundantly clear," Julie Kitka, president of AFN, said.

"It is our view that Mr. Somerville's strong opinions on the subsistence issue render the Commissioner's office incapable of approaching the issue of allocating fish

and wildlife resources objectively as long as Mr. Somerville remains as Deputy. While we have no basis on which to oppose Mr. Rosier alone, his appointment as one part of a package containing Mr. Somerville is unacceptable."

Governor Hickel originally had asked the joint Boards of Fisheries and Game to recommend Mr. Somerville to head the Department. However, the Boards rejected his choice by a margin of 10 to 4, forcing the Governor to forward another name. Mr. Rosier, his second choice, had been on Governor Hickel's 'short list' of three that was forwarded to the Boards in December.

"Governor Hickel has stated repeatedly that he wishes to solve the subsistence issue without relying on the federal government to handle the problem," Ms. Kitka said. "But by installing people, particularly Mr. Somerville, so closely identified with the anti-subsistence lobby, he is pushing the State farther from a solution.

"Alaskans - both Native and non-Native alike - will likely be subjected to a politically heated, potentially harmful battle to make the Proposition 7 anti-subsistence measure of 1982 pale in comparison."

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# AFN PRESIDENT'S REPORT

## AFN sets agenda for the 1990s

by Julie Kitka

The institutions people create stay effective over time only if they are flexible enough to change along with the needs and circumstances of the community or people they are meant to serve.

Throughout its 25-year history, the Alaska Federation of Natives has evolved to meet the changing needs of Alaska's Native community. As a hurdle was cleared or an objective realized, AFN has always regrouped and collectively said, "Okay, now what?"

AFN now stands at the gate of a new era.

At our Annual Convention last October, delegates from all over the state settled on a new direction for AFN in the 1990s. During the '80s, our most important work was to correct some of the problems and flaws of the historic 1971 Alaska Native Claims Settlement Act (ANCSA).

With the so-called "1991 Amendments" now law, the Native regional and village corporations and their shareholders have the means to provide greater protection for traditional lands, maintain Native ownership and control, and address such concerns as the participation of Natives born after ANCSA.

Because it was a land settlement, ANCSA could not and did not address all of the needs and problems of Alaska Natives. In the same way, many of today's issues are not within the scope of the Native corporations created by ANCSA.

AFN's work in the 1990s focuses more specifically on institutions and issues closer to the everyday lives of people in rural Native villages. While AFN will continue to support efforts to strengthen our Native corporations across the state and create opportunities for economic development, AFN's attention is shifting away from ANCSA. We now turn our attention to issues such as self-government, subsistence, cultural identity and the very real economic, health and social problems of Alaska's Native people.

There is an urgency to this agenda that we haven't seen since the earliest land settlement days. According to A Call for Action, a 1989 report on the status of Alaska Natives, the gap is growing exponentially between non-Natives and Natives in nearly every indicator -

family violence, unemployment, rate of incarceration, academic performance, suicide, substance abuse, domestic violence, life expectancy and infant mortality.

Alaska Natives are fighting for their lives, both literally and as culturally distinct people. Because the causes are complex, the solutions must be far-reaching. Our goals are to protect and enhance the cultural and ethnic identity of the different Native groups; ensure access to and equitable participation in the programs, services and funding accorded to all Alaskans; and to improve the economic, social and physical well-being of all Alaska Natives.

The main elements of AFN's agenda for the 1990s are to:

\*\* Support the efforts of Native villages to achieve maximum self-determination;

\*\* Use all available legal and political means to protect subsistence economies and lifestyles of Alaska Natives;

\*\* Actively support federal and state policies designed to develop a sound economic base in rural villages;

\*\* Support the efforts of individuals, families and communities to reduce the incidence of social and health problems among Alaska Natives; and

\*\* See local governments - whether tribal or state-chartered - operate under the philosophy that self-government carries an obligation. People who choose to govern themselves also must take personal responsibility for their lives, their children and their communities. Political power and personal responsibility go hand-in-hand.

\* \* \* \*

This new political agenda is only the latest reflection of our belief that AFN must constantly re-examine its work and goals to ensure that the needs of Alaska's Native people are addressed. While changes in direction may appear to outsiders as abrupt, they usually begin slowly, and they come from the Native people themselves.

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## AFN seeks suggestions for 1991 Convention

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This year marks the 20th anniversary of the Alaska Native Claims Settlement Act (ANCSA). Not surprisingly, the theme of AFN's Annual Convention in October will be "*ANCSA: 20 Years Later.*"

We'll take a look back at Native efforts to achieve a just land claims settlement - how it happened and why - and celebrate the achievements of the past 20 years. It's easy sometimes to focus just on the problems of this day and age, and to lose sight of the progress that has been made. Therefore, AFN will use this anniversary Convention to recognize and honor those people, organizations and institutions that have contributed to making a better life for Alaska Natives in ways both big and small.

As we take on the challenges of the 1990s - to strengthen and improve the economic, cultural and social health of our communities - it is especially important that we highlight those successes. Our past achievements can and should be a source of strength, inspiration and confidence.

This celebration is important for our children, too. When children learn about history, successes and achievements, they develop respect for their heritage, pride in their parents and Elders, and confidence in their own ability to meet the challenges ahead.

We're asking people all over Alaska to help us celebrate by giving us suggestions for people and groups to recognize at the Convention. We want to hear about the people who worked to make ANCSA happen, and those who helped make it a success.

Although the Convention's main focus will be on ANCSA, we plan to celebrate all manner of successes over the past 20 years. Step back for a minute and consider some of the progress and achievements of the recent past:

**\*\*Joint ventures and innovative approaches** to the use of Native resources have brought new jobs and generated income. Fully 1/3 of the state's 49 largest corporations are Native corporations.

**\*\*Tribal councils are being strengthened** and are taking responsibility for the well-being of their villages.

**\*\*The grassroots village sobriety movement** is getting stronger every day and an incredible amount of sharing and support is occurring throughout the state.

**\*\*Infectious disease and other health problems** that used to devastate village populations are being brought under control or stopped altogether.

### *Who is behind these achievements?*

AFN wants to hear from you about the successes and achievements in communities all over Alaska. We have much to celebrate and many to honor. Help us make sure that no one is missed. In your letter, tell us who should be recognized and why. Write to AFN at our new address - **1577 "C" Street, Suite 100, Anchorage, AK 99501** - and be sure to include a phone number where we can reach you. We will make sure your ideas are brought to the attention of the AFN Convention Committee.

### **AFN Convention Committee Members:**

*Roy Ewan, Chairman - Ahtna*  
*Trefon Angasan - Bristol Bay Native Corp.*  
*Sherry Spray-Ruberg - Aleut Villages*  
*Ralph Eluska - AFN*  
*Morris Thompson - Doyon*  
*Al Kookesh - Sealaska*

## **native planning retreat: Native leaders meet in Juneau.**

In January, the Alaska Federation of Natives hosted a Board retreat in Juneau to discuss the key political issues in the Alaska Legislature and U.S. Congress that may impact Alaska Natives as we move into the 1990's. The retreat provided an opportunity to assemble the AFN Board, legislators and Native leadership from throughout the state. While discussion focused heavily on the subsistence issue, it also included state and federal funding for health, education and social services, pending state and national legislation of interest to Alaska Natives, and the current political environment in Alaska.

Seventy people from across the state participated in the retreat. Debate was structured through panels focusing on the political situation in Juneau and Washington, the composition of governing bodies of the Alaska Legislature and U.S. Congress, impacts of budget reductions, reapportionment, and the need for increased Native participation in the political process.

One immediate outcome of the retreat was agreement of the group to oppose the appointment of Ron Sommerville in any policy-making position in the Department of Fish

and Game, based on his long history as an anti-subsistence. (See story on page 1.)

During the meeting, it was agreed that raising the education and awareness of the public on what subsistence really means to Alaska Natives is critically important. AFN and other Native organizations need to communicate the importance of voting to urban Native residents, and remind them of how their participation can significantly change the outcome of elections.

Throughout the retreat, participants focused repeatedly on the need for increased Native involvement in the political realm in order to ensure that Alaska Natives' needs are met by our elected representatives. The recommendations of the Reapportionment Board - and its subsequent reorganization by Governor Walter Hickey - could have a very real impact on the 1992 election results and the ability of Native people to elect representatives. While mobilization of the rural vote did impact the 1990 General Election, it is critical that we continue our voter registration effort statewide.

Following the retreat, Native leaders were hosted by Governor Hickel in a reception at the Governor's Mansion.

### **HEARING NOTICE:**

The House Interior Appropriations Committee, chaired by Congressman Sidney Yates (D-Illinois), has scheduled hearings on the proposed FY1992 BIA budget (see page 5) as well as other Bush Administration proposals on March 13-14, 1991, in Washington, D.C. Testimony can be sent to:

Chairman Sidney Yates  
House Interior Appropriations Subcommittee  
House Rayburn Building, Room B-308  
Washington, D.C. 20515

# BIA budget proposals released:

## GENERAL ASSISTANCE FUNDS FACE CUT

The Bureau of Indian Affairs' proposed spending program for fiscal year 1992, which begins in October of this year, was released in Washington, D.C., on February 6th. Initial analysis of the budget reveals that, while the overall BIA budget request is higher than in past years, cuts are being proposed in key areas.

### **BIA GENERAL ASSISTANCE PROGRAM**

Of particular concern to Alaska is the General Assistance program. Efforts last year succeeded in restoring Alaska's participation in the General Assistance program. BIA officials have indicated that Alaska will continue to be eligible for the GA program in the coming fiscal year 1992, although the BIA budget request does not specifically identify funding to make up the shortfall in the GA program in Alaska which is currently estimated to exceed \$10 million.

Furthermore, the BIA has proposed that the overall level of funding for the GA program be reduced by \$11.8 million in FY 1992, from \$57.7 million to \$45.9 million. The Bureau proposes to accomplish this reduction by denying eligibility to all employable adults who do not have children. Instead of GA the Bureau says these individuals will be directed to "appropriate job training, schooling, tribal work programs and other options." However, the BIA does not provide any budget increases in these other programs.

According to Julie Kitka, president of AFN, the proposed cutback will have a devastating effect on the most vulnerable and high risk population in Alaska - childless males in their late teens and early twenties. The data show, for example, that Native males between 20 and 24 years of age are committing suicide at a rate 14 times the national average.

"One of the reasons we fought so hard to get GA reestablished," Ms. Kitka said, "was to provide some income to this population group. The BIA is now proposing

to pull the rug out from under us again." While the BIA has proposed this cutback, the final decision on whether it will be implemented is up to Congress. AFN urges Native organizations to ask Congress to reject the BIA's proposal.

### **OTHER BIA INITIATIVES**

Overall, the BIA budget request submitted to Congress is the largest in the agency's history, and represents an increase in real dollars above the level of funding provided by Congress for fiscal year 1991. The majority of the proposed funding increases would be directed to self-determination and education programs.

In the "self-determination" category, a new BIA \$10 million pilot program of community and economic development grants is proposed to be used for improving community infrastructure, assisting with business development and reducing unemployment. These funds will be made available to a select number of tribes and Native corporations, selected through a competitive process. An additional \$42.8 million has been requested by BIA for the Indian Priority System, which will be distributed to the BIA agency offices to supplement existing programs. The BIA has also requested an additional \$10.6 million for the Indian Child Welfare program.

Finally, the BIA is proposing an increase of \$24.5 million for the BIA education program. Due to the lack of BIA educational facilities in the State, Alaska's ability to take advantage of the education program increases proposed by BIA is likely to be limited.

AFN will continue to analyze the budget proposals to identify areas of concern and opportunity. Native groups in Alaska should work with the Congress to assure that Alaska gets its fair share of the federal government funding made available for Native American programs.

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## Noatak v. Hoffman:

## Sovereignty case goes before U.S. Supreme Court

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Tuesday, February 19, 1991, may well be remembered as a landmark date in the history of Alaska Native politics.

On that day, the United States Supreme Court will hear oral arguments in the case of Noatak v. Hoffman, the most important pending case which addresses the tribal status and rights of Alaska Native villages. If decided in favor of the villages, it will have a significant effect in advancing the cause of Alaska Native sovereignty.

The original suit arose in response to the State of Alaska's refusal to distribute revenue sharing funds legislatively directed to Native village governments unless such funds were shared with other unincorporated non-tribal communities in Alaska. Although this resulted in reduced funding for tribes, the State insisted that to limit funding to tribes would amount to racial discrimination. Noatak's suit claimed that the State could, indeed, fund IRA's and traditional councils without including other unincorporated communities as well because the council's are political governments, not racially-defined groups.



*Lare Ashenbrenner (middle) & Bob Anderson (right) of NARF have worked extensively on the Noatak case. They are shown here with Willie Kasayulie of AVCP.*

In separate decisions in 1989 and in 1990 the Ninth Circuit Court of Appeals ruled in favor of the village on three critical issues:

1. That a federal issue was at stake in the case (the right to be treated as a tribe instead of a racial group);
2. That all ANCSA villages and IRA villages like Noatak are recognized tribes which are therefore qualified to bring lawsuits under a special federal statute limited to tribes; and
3. That the 11th amendment to the United States Constitution (which generally bars suits in federal court which seeks money damages against states) does not apply to suits brought by Indian tribes against states.

Arguments before the U.S. Supreme Court on February 19 will be provided by Rex Lee, an attorney hired specially to represent the State, and Lare Ashenbrenner, a staff attorney with the Native American Rights Fund. The Alaska Federation of Natives, joined by the Northwest Arctic Borough, the Central Council of Tlingit and Haida Indian Tribes of Alaska, the Council of Athabascan Tribal Governments, the Association of American Indian Affairs and 94 of the tribal villages identified in the Alaska Native Claims Settlement Act have submitted an amicus curiae, or friend of the court, brief in support of Noatak and Circle.

The final decision in this case will have an enormous historical impact on the question of tribal sovereignty in our state. The U.S. Supreme Court could hand down its decision as early as May, but it must come before July 1 when the Court ends its current session.

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## SUBSISTENCE

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### John v. United States of America

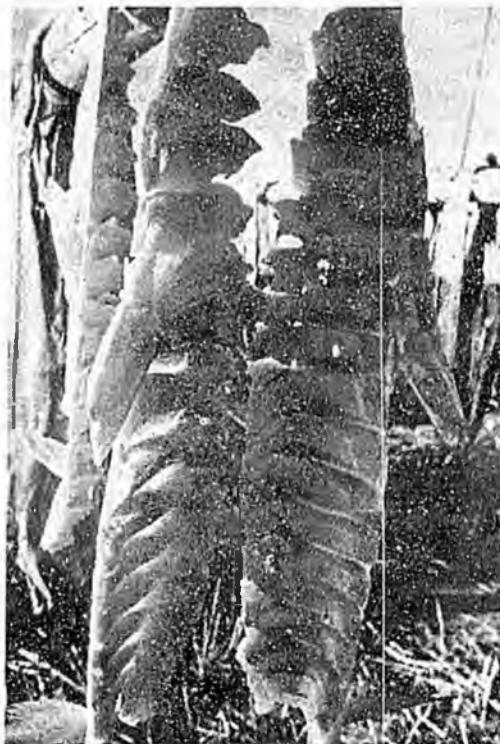
In July, 1990, following the failure of the Alaska Legislature to adopt a constitutional amendment on subsistence, the United States government took over management of fish and game on all "public lands." On these federal lands (more than 60 percent of the entire state), fish and game are now under the jurisdiction of a five-member board of representatives from the Departments of Interior and Agriculture. Fish and game on non-federal (State and private) lands remain under the jurisdiction of the Alaska Legislature and the Board of Fish and Game.

This awkward system, which requires two separate governments to manage highly mobile animal species according to static patterns of land ownership, will cause serious difficulties for the managing agencies and all user groups.

Significant problems arise for Native users in each system. On the federal side, the operational regulations published by the Department of the Interior are seriously flawed. For example, they provide inadequate geographical jurisdiction over highly mobile game populations, give the board no power to close just non-subsistence hunting and fishing on public lands, and do not provide adequate roles and powers for existing Regional councils.

But the most serious deficiency in the federal system is the question of fish, primarily salmon. Informed observers of ANILCA have always assumed that, in the event of a federal takeover, fish in navigable waters would become a federal responsibility. That would provide a rural subsistence priority in the taking of most species of salmon in most rivers of the State.

However, as the regulations came out, waters were excluded from the definition of "public lands" and so fish were left to the State, which now has no subsistence priority for rural residents. But the most important implication of leaving fish to the State is that it violates congressional intent in Title VIII of ANILCA, and that is a question which can only be settled in court.



On December 5, 1990, suit was filed in the United States District Court by the Native American Rights Fund on behalf of Katie John, Doris Charles and the Mentasta Village Council on just this issue. The plaintiffs are suing the United States and the Secretaries of the Interior and Agriculture, challenging their refusal to adopt regulations authorizing subsistence fishing on the Copper River at Batzulnetas, an ancient AHTNA village site traditionally used as a summer fish camp. The case has been assigned to Judge Russell Holland in Anchorage.

While the judgment which the plaintiffs seek addresses just this one location, the rule of law which is likely to emerge will affect virtually all Alaska Natives and other rural resident who depend on fish stocks for subsistence. If the case is decided for the plaintiffs and upheld on appeal, a significant transfer of jurisdictional authority could affect fish in Alaskan waters statewide.

The Alaska Federation of Natives' Legislative Committee recently recommended to the full Board that AFN participate in the Katie John suit in support of the plaintiffs as an amicus curiae. If this recommendation is accepted by the full Board at its February 19-20 meeting in Juneau, preparation of an amicus brief will be filed with the court.

## ANCSA Technical Amendments introduced

On January 30, 1991, Congressman Don Young introduced H.R. 757, entitled "Alaska Land Status Technical Corrections Act of 1991." The bill, introduced in House Interior and Insular Affairs, focuses on technical changes to the Alaska Native Claims Settlement Act of 1971 (ANCSA).

The bill is intended to settle certain claims under ANCSA and resolve non-controversial issues relative to Native allotments, transfer of stock, land conveyance and conservation system units.

There are 13 specific amendments in the package. They are as follows:

**Section 2. Fort Davis Native Allotments** - amends the Alaska National Interest Lands Conservation Act (ANILCA) to allow relief for named recipients of allotments to obtain approval of land parcels at Fort Davis, Alaska.

Fort Davis, south of Nome, was reserved for the use of the War Department for military purposes in 1900. In 1921, jurisdiction of the military reservation at Fort Davis was transferred to the Secretary of the Interior for disposal, but no disposal took place. After the Bureau of Land Management indicated the land was available, 18 Alaska Natives applied for allotments at the site. Since then, these allotments have been used and occupied but, unless the allotments can be approved legislatively, title cannot be granted.

This amendment constitutes legislative approval of the 18 Fort Davis allotment applications.

**Section 3. Native Allotment Relocation** - amends ANCSA to allow an allotment applicant whose application was pending before the Department of Interior before December 18, 1971, to amend the land description of the application to describe land other than that originally intended. Applications qualify only if: 1) it describes land selected by, tentatively approved to, or patented to the State of Alaska; 2) it substitutes approximate equal acreage; and, 3) the Commissioner of the Alaska Department of Natural Resources agrees to the exchange.

This amendment will allow allottees whose land was mistakenly conveyed to the State to relocate their allotments on other State land.

**Section 4. Ratification of Certain Land Transfers** - relieves the Secretary of the Interior's obligation to fulfill entitlements under ANCSA to Montana Creek Native Association and Coswell Native Association. It ratifies a 1976 Cook Inlet Region, Inc., agreement with the two Native groups in which CIRI conveyed 11,520 acres of land to each group to satisfy their entitlement. The land was conveyed by CIRI in 1982.

**Section 5. Gift of Stock to Siblings** - amends ANCSA to allow an adult shareholder to transfer settlement stock to his or her brothers and sisters. Amendments passed in 1988 allowed a holder of restricted settlement common stock to transfer the stock during his/her lifetime to his/her child, grandchild, great-grandchild, niece or nephew. This amendment adds brothers and sisters to the list.

**Section 6. Shareholder Homesite** - amends ANCSA to allow Native corporations to establish a shareholder homesite program after December 18, 1991, so long as the alienability of the corporations' settlement common stock has not been terminated. Current law requires a shareholder homesite program be completed by December 18, 1991.

### HEARING NOTICE:

As soon as a public hearing is scheduled in the U.S. House of Representatives on H.R. 757, AFN will publicize the date(s) to ensure that Native people across the state can inform the Congress of their views. To date, no hearing date has been scheduled. Copies of H.R. 757 can be obtained through Congressman Don Young's offices, or by call AFN at 274-3611.

cont. on page 9

## ANCSA Technical Amendments (cont.)

**Section 7. Beaver Airport** - clears title to airport land at Beaver in the Arctic Slope Region to allow it to be given to individuals occupying portions of the area who are in administrative trespass. The amendment would also allow the State, through the Municipal Lands Trust Program, to administer land used for municipal purposes.

**Section 8. Chugach National Forest Boundary Change** - modifies the boundary of the Chugach National Forest to include 9,300 acres of lowlands currently managed by the BLM. The amendment does not change the status of existing rights-of-way, easements, leases, licenses or permits on the lands transferred to Forest Service administration.

**Section 9. Rabbit Creek Lions Club** - provides relief for this group by authorizing and directing the Secretary of the Interior, under certain conditions, to convey .93 acres of land to the club.

**Section 10. Issuance of New Stock to After-borns** - adds language to include descendants of Natives born after December 18, 1971, in allowing ANCSA corporations to issue up to 100 shares of settlement common stock to all children of its original shareholders.

**Section 11. Klukwan Native Corporation Land Selection** - provides Klukwan, Inc., an opportunity to select public land in Haines, Alaska, which were declared surplus by the General Services Administration. Klukwan, Inc., would

have six months from the passage of this bill to select those public lands in Haines. If selected, the land would become part of the corporation's 23,040-acre entitlement under ANCSA.

**Section 12. Iliamna Native Corporation** - includes Iliamna Natives, Ltd. lands as being considered outside Lake Clark National Park and Preserve, permits the Secretary of Interior to acquire Iliamna Natives, Ltd., land for addition to the Preserve if the landowner consents, and allows certain land uses be granted to Iliamna Natives, Ltd., on the land.

**Section 18. Sitkalidak Island** - transfers Sitkalidak Island from the Alaska Maritime National Wildlife Refuge to the Kodiak National Wildlife Refuge.

**Section 14. Chugach Alaska Corporation Nellie Juan** - legislatively approves land selections by Chugach Alaska Corporation within the Nellie Juan Lake and River Power Site classificat

These proposed amendments have been agreed upon and are supported by the Alaska Federation of Natives, the U.S. Department of the Interior, Bureau of Land Management and the State of Alaska. They are technical in nature and serve to clarify existing law. Additional amendments may be proposed as H.R.757 goes through the legislative process.

Committee hearings on H.R.757 have not been scheduled as of this date. AFN will provide committee hearing information when it becomes available. Copies of H.R.757 can be obtained by contacting AFN at 274-3611.

### **AFN creates Non-profit Committee:**

As their December 12, 1990, Board meeting, AFN's Board of Directors established a committee comprised of the non-profit members of the Board. The committee will advise the full Board on issues concerning health, social services, 638 contracting and other areas to be identified at the Board's February 19-20 meeting in Juneau.

AFN uses the committee structure in providing advice and direction to the full Board on the increasing number of issues facing the Native community. Committees active between regular Board meetings are the Legislative, Planning, Budget and Audit and Education committees.

### **COMMITTEE MEMBERS ARE:**

Dimitri Philemonof, APIA  
William P. Johnson, BBNA  
Esther Combs, CITC  
George Edwardson, ICAS  
Joe Llaros, KANA  
Dick Rolland, NPR  
Myron Naneng, AVCP  
Gordon L. Jackson, Tlingit-Haida  
Evelyn Beeter, CRNA  
Gary Longley, KAWERAK  
Marie Greene, MANILAQ  
Anne Walker, ANHB

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## Federal legislation impacting Native Americans

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The following is an analysis of legislation enacted by Congress in 1990 that is relevant to Alaska Native concerns. These include laws that establish a new affordable housing program, new Indian and Alaska Native child abuse protection, grave protection, and arts and crafts protection programs, an Indian Forestry bill, amendments to the Small Business Act to make it more useable by subsidiaries of Alaska Native corporations, and a new Indian mental health initiative.

Some of these laws have specific provisions adapting them to the unique needs of Alaska Natives, others do not but are applicable in Alaska. A third group consists of legislation that is relevant only to tribes on reservations.

### Housing

Congress enacted the first major housing law in over The premise of the Affordable Housing Act is that Congress and the Department of Housing and Urban Development really cannot design programs that meet local needs. Therefore, the Act gives money to states and cities to design and implement their own programs. Each state is required to develop a plan on how it will use the formula funds provided by the act. The Act encourages innovative solutions to housing problems and gives the state broad discretion in the kinds of projects it will fund. Alaska will get a formula grant under the program. Because of the severe housing problems in the villages, the State should spend a good portion of their funds in rural villages.

The Act provides two separate Indian provisions. One establishes a 1 percent Indian set-aside, where 1 percent of the funds will be made available, through a competitive grant process, for demonstration programs in Indian communities. While this is an attractive program, it will have very limited funding and will be able to serve only half a dozen tribes of Alaska Native groups in any one year. The second provision continues the HUD Indian low-income housing program and expands the number of units that will be made available to Indian and Native Housing Authorities to 3,000 a year, an increase from 1,800 in 1990. However, the availability of these two Indian/Alaska Native programs does not disqualify Alaskan villages from participation in the state formula grant

program. In addition to the fact that the two Indian programs only meet a small portion of the housing need on reservations or Native villages, the new program provides great flexibility and thus will enable the villages to begin to develop innovative approaches to their housing problems, rather than being locked into the rigid system imposed by the Indian low-income housing program.

Congress did not appropriate any fund for the new formula grant or Indian 1 percent set-aside program for FY 1991. This year will be spent by HUD in developing regulations to implement the new Act.

### Indian Forest Woodlands Enhancement Act

This Act focuses on three areas. First, it imposes specific responsibilities on the BIA to develop Indian-owned forests in a rational way and to give the tribes and Alaska Native corporations authority to set priorities. For example, the tribe or corporation can decide that it wants the forest managed for sustained yield, producing both income and maximum economic development for its members. Or, the tribe or corporation can decide that the best use of the forest land is to maintain it in its natural state so it can be used for hunting and cultural purposes.

The Act also requires the BIA to provide adequate staff to properly manage the forests. Since the BIA does not provide its own forestry staff in Alaska, there is a special provision on Alaska that instructs the BIA, in consultation with the village and regional corporations, to establish a program of technical assistance to promote local processing and other value-added activities with such forest resources. These funds are to be provided to the corporations through the Self-determination contracts and grants. (Congress did not provide fund for this program in the current fiscal year; if Congress is to provide funds for FY 1992, it will require lobbying by Native groups involved in forestry.)

A second set of provisions give tribes greater legal authority over their forests, including the power to fine trespassers and a requirement that the BIA recognize and respect tribal

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## FEDERAL INDIAN LEGISLATION

laws regulating environment, historical and cultural preservation on the forest lands.

The third set of provisions establishes a set of scholarship, fellowship and cooperative education programs for Indians and Alaska Natives who are interested in careers in forestry. The recipient of these benefits must, in turn, work for a tribe, Native corporation or the BIA in the forestry area for so many years after graduating.

### **Indian Mental Health Prevention & Treatment Services Act**

This new law tries to improve the quality and quantity of mental health services available to Indians and Alaska Natives. One provision requires the BIA and Indian Health Service to ensure that their respective mental health programs are better coordinated. A related provision requires that Indians and Alaska Natives receive their rights to mental health programs provided by the state or local non-Indian government. If Alaska Natives have found that they are being denied state mental health services because they are eligible for IHS or BIA services, this provision imposes the necessary responsibility on IHS and BIA to correct the situation. The law also requires IHS and BIA to train their staffs in the identification, prevention and treatment of mental illness.

The law creates several new programs for tribes and tribal organizations (which includes various Native entities). It instructs IHS to set up a community-based mental health service at the local level, using mental health technicians. It requires IHS to establish a mental health demonstration program, under which tribes and tribal organizations will receive funding to operate mental health programs that address unmet needs and which will deliver services consistent with traditional health and treatment practices. It also authorizes IHS to provide funding to tribes and tribal organizations to develop and implement community mental health plans for the purpose of identifying and coordinating available mental health resources and programs. Unfortunately, because of the budget crisis, the funding authorized for these much-needed programs is very low, permitting only the funding of a few demonstration programs nationwide.

### **Indian Child Protection & Family Violence Protection Act**

Among other things, this law creates an Indian Child Abuse Treatment Grant Program. Funds are to be made available to tribes and tribal organizations (as defined by the Self-determination Act) to establish treatment programs for Indian and Alaska Native children who have been the subject of child abuse. Also, the BIA is required to establish - within each area office - an Indian Child Resource and Family Services Center to provide advice and assistance to tribes, tribal organizations, and inter-tribal consortiums on dealing with child abuse and family violence.

The BIA is also directed to establish an Indian Child Protection and Family Violence Prevention program to provide financial assistance to tribes, tribal organizations and inter-tribal consortiums to they can establish protection and prevention programs. The BIA is to establish, after consultation with tribes, a formula for the distribution of such funds. For all of these programs, the amount of funding authorized is limited and Congress did not provide any appropriations for this fiscal year.

### **Indian Arts & Crafts Act**

This law provides additional protection to genuine Indian arts and crafts to protect them from competition from fakes. Earlier legislation had prohibited anyone from labeling goods as "Indian-made" when in fact they were not Indian-made. The new law takes this further by requiring the Interior Department's Indian Arts and Crafts Board to set up a system of trademarks for Indian arts and crafts, both for individuals and tribes. Thus an Indian or tribe can register the trademark, use it to market their products and be assured that it cannot be copied or used by any other entity. The Act goes on to impose criminal penalties on anyone who mislabels goods as Indian-made or who misuses an Indian trademark. Since criminal penalties will only be brought in cases of gross abuse, the Act also provides for civil actions. It empowers any Indian or Alaska Native to bring an action in any court of competent jurisdiction against a person who mislabels goods as Indian-produced or falsely labels it as the product of a particular tribe or group. The person bringing the action, if

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## FEDERAL INDIAN LEGISLATION

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successful, may obtain injunctive relief and damages equal to \$1,000 a day for each item mislabeled for each day it is displayed for sale.

### **Amendments to the Small Business Act**

In 1990, Congress reauthorized the Small Business Act, which regulates eligibility for such Small Business Administration (SBA) programs as the 8(a) program. These programs enable Alaska Native-owned businesses (both individual and corporation-owned) to receive sole source contracts from the Federal government and preferences in subcontracts from Defense Department contractors. Several of the amendments contained in the 1990 reauthorization are designed to make these programs more accessible to subsidiaries of Alaska Native corporations. One provision permits a corporation that is a subsidiary of a Native corporation subsidiary to be eligible for these programs. In the past, the entity had to be directly owned by a Native corporation, which prevented the corporations from using holding companies to own subsidiaries.

A second provision addresses the issue of size. To be eligible for these programs, the subsidiary must be "small" under SBA guidelines, which often is defined by the maximum dollar amount of business carried out by the subsidiary. In the past, there was an effort by SBA and Department of Defense to look at the total amount of business done by the entire Native corporation, including all of its subsidiaries under the theory that the corporation and other subsidiaries are affiliated with the subsidiary seeking 8(a) or SDB status. The new legislation instructs SBA that it shall not look at the dollar volume of the parent corporation or any of its other subsidiaries when determining the dollar volume of the subsidiary seeking certification from SBA or Department of Defense. The only exception is when there is clear evidence that these other entities are assisting the applying subsidiary as a small business.

A third provision extended a special "joint venture" provision for tribal and Native corporation enterprises that had been enacted in 1988. That provision permitted a tribal- or Native corporation-owned 8(a) firm to joint venture with a large corporation on two or more 8(a) contracts, so long as most of the contract activity takes place on tribal- or corporation-owned land, and 50 percent or more of the employees are members of the tribe or corporation. The usual rule in SBA is that an 8(a) company may only joint venture with other small businesses. The special exception for tribes and corporations was made to permit them to benefit from the technical and managerial expertise of large companies. (For example, Arctic Slope Regional Corporation's Piquiq Management Corporation was established with assistance from Raytheon Corporation.) The 1990 amendments extended the number of permitted joint venture contracts from two to five and extended the life of the program until 1984.

### **Native American Grave Protection & Repatriation Act**

This Act gives families and tribes greater control over ancestral remains and sacred and cultural objects. It provides that any such objects uncovered on tribal or federal lands after the passage of the Act belong to the lineal descendant (the family) or the tribe (which includes Alaska Native villages), if either can be identified.

It prohibits new excavations without the permission of the relevant tribe and the lineal descendants. It also requires that, if a federal museum or federal agency has in its possession Indian human remains or sacred and cultural objects, it must conduct an inventory of such to identify the tribe to which each belongs (if possible) and then notify the tribe of its right to reclaim the remains or objects. The museums and agencies are given five years to complete this inventory.



*AFN at this time takes pleasure in joining the Alaska Native Blue Ribbon Commission in recognizing Major General John Schaeffer for his long years of service to the State of Alaska & the Native community. Gen. Schaeffer retired this year after four years as Adjutant General of the Department of Military & Veterans' Affairs. However, he continues to serve as Chairman of the Alaska Native Blue Ribbon Commission on Alcohol & Drug Abuse. We wish you well, John, in all your future endeavors.*

### **Blue Ribbon Commission Update:**

The Alaska Native Blue Ribbon Commission on Alcohol and Drugs Welcomes three new members to the Commission. Ms. Rinna Merculieff, Ms. Ann Walker, and Mr. Gene Peltola. The new members bring fresh new ideas and energy to the Commission.

One of the newer projects that we are excited about is a project that has probably been thought about in many different circles for years, however, we are looking forward to this being a stronger and productive new year.

The Alaska Native Blue Ribbon Commission (BRC) on Alcohol and Drugs is working in cooperation with KTUU-TV and Syntax Productions on a media project called **Alaska Native Spirit Profiles**. Its purpose is to promote positive Native role models.

The project will accomplish several goals of the BRC:

- 1) Promote positive role models
- 2) Provide a more in-depth look at people, who they are, where they live, and how they are making a difference.
- 3) Cut costs of media production and include a package of air time schedules.

One significant component, in this relationship, includes a team approach. The team will be comprised of producers, writers, Native people experienced in media, local resource people and participating Native Corporations.

It promises to be an exciting new challenge.

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# Alaska Native Peoples: Their Story

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by Michael Rowan

*AFN is please to announce our association with Rowan Group Services of New York in the planning of a major national broadcast-quality film on Alaska Natives. We are currently in the early planning stages and hope to have a segment of the series available for airing at our Convention in October. The following concept paper by Michael Rowan will give you an idea of the film's concept.*

This year is the 20th anniversary of the passage of the Alaska Native Claims Settlement Act, perhaps the most enlightened act of a dominant culture in relation to an indigenous, so-called minority group in the history of civilization. This act of Congress twenty years later prompts the idea of creating a film to celebrate the stories of the Alaska Native peoples, all the way to the present.

In 1971, the United States granted some seventy thousand Eskimos, Indians and Aleuts a total of forty million acres, fee simple, plus a damages award in the amount of one billion dollars for lands taken illegally in the sale of Alaska to the United States by Russia during the time of President Abraham Lincoln. This settlement of land claims provided to the Alaska Native peoples the two tools for self-improvement in the market-driven capitalistic American society: land and money. By providing shares to Natives on an equal basis, the most effective functional tool for generating new wealth was also put in Native hands: regional and village corporations. Of the 49 largest corporations in Alaska, measured by gross income and number of employees, 17 are now Native corporations, whereas, in 1971, no Native-owned corporation was on the list. This is a unique part of the story.

While the Native claims were based upon a subsistence relationship to the Alaska environment traced from time immemorial, the settlement itself was translated into - or perhaps reduced to - private property terms. In many ways, such a settlement is as unsatisfactory as unraveling a marriage relationship with a property division in which the children of the marriage are considered possessions, and perhaps this is the only analogy in Western terms which can express the profound deficiencies of any such settlement.

Nevertheless, it was the only settlement available and there was no turning back the clock of history. In comparison to previous American Indian claims, the Alaska settlement was generous; in fact, more land and money were provided to the Alaska Natives than had been provided in all settlements by the United States from 1776 to 1970, in toto.

The Alaska Native population of 1991 is in aggregate economic terms far better off than the Native population of 1971. This has rarely happened in American history, even to aggressive ethnic immigrants; and it has never happened before with Native Americans.

While the economic story is positive and unique, the social and psychological jolt to Native peoples has been profound. There have been both creative and disorienting responses to the challenge. There has been an increased effort to recapture ancient languages, culture and artifacts in a celebratory sense. There also has been a recognition among Native people of the need to protect the touchstone of their existence - the subsistence hunting and fishing way of life from outside threats.

Some Alaska Natives have been assimilated by American culture and, in many respects, have disappeared into it, either in Alaska's cities or in the lower 48 states. And still others,

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## ALASKA NATIVE PEOPLES, cont. from page 15

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perhaps a majority, live in a life composed of the dynamic tension between cultures. No matter how difficult such existential choices may be, they are an intense joy compared to the despair and resignation experienced by those who are overwhelmed.

This is all part of the current Alaska Native story. But what of the past? How did the Alaska Natives get to this place, and what complex of struggles and achievements have evolved to meet this last and greatest of adaptations? There is not one story here, but many. The word "Native" is used to describe peoples of very different languages, races, cultures features, lands and times. It was a convenient word to organize for the land claims, and it has stuck in Alaska parlance, but historically the word has no one meaning.

There is as much difference between an Eskimo and a Haida as between a Chinese and a German. There is as much difference between a Yupik speaking Eskimo and an Inupiat speaking Eskimo as between a Serb or Croate, a Latvian or Estonian. Not to understand these differences is to miss the entire point - because there are many stories, there are many responses to the adaptation under way.

Because the white population is of recent migration to the state, and since it is largely confined to two cities, Anchorage and Fairbanks, the white population knows little about the history, mythology, art, culture and power of the Eskimo, Indian or Aleut peoples who live hundreds - even thousands - of miles away from the white population centers.

Since the educational curriculum in Alaska has not caught up to its own roots, and while electronic media are generated from the lower 48 networks, the Natives know little about their own stories unless they are lucky enough to live in a household which harbors the stories, language and culture of their own people. Many simply don't know, or choose not to, or are for some unknown reason embarrassed.

Thus we arrive at the time to tell the story of the Alaska Native peoples. It is a story from the beginning of human history. It is about

people who walked from Mongolia to Alaska when there was a land bridge, for these are the same people who, continuing south, created the great Inca and Mayan civilizations.

The story involves many migrations to the Alaska arctic, interior mountains, southeastern rivers and islands of the Aleutian chain. The story involves warfare, slavery, trade and hunters, fishers, gatherers and followers of salmon, caribou, ptarmigan, bear, and whale. And from these people comes artwork which today commands top prices at international auction houses.

The story also includes the Hawaiians and Russians, Captain Cook, Admiral Byrd and the gold rush. It involves Abraham Lincoln and a Japanese attack on the Aleutian chain in World War II. It tells of America's "distant early warning" line drawn against the Soviet Union during the Cold War.

It is also the story of cruelty, racism, struggle for civil rights and citizenship, and success in the New World. Scarcely an American lives who cannot be drawn into the drama and struggle of this story, and it will be told through the art and artifacts of the its past, the faces and voices of Natives in their Alaska environment today, those who know of it and those who live in it and love it.

This is a wonderful, historic film of the peoples who gave Alaska its name and who, once they are understood, hold the key to its future. It is also a story which will touch the heart of all people everywhere who struggle to adapt to modern times by reaching back to the strengths which brought them to truly the last frontier of human life on this planet. This is a story of courage and, unlike so many others in American and world history, it has a very happy ending. Or new beginning.

*FOOTNOTE: Readers are invited to send their comments in regard to this film project to AFN at our new address, 1577 "C" Street, Suite 100, Anchorage, AK 99501.*

## BLM must identify contaminated lands

Public Law 101-512, Interior Appropriations Bill H.R.5769, requires that the Secretary of the Interior prepare a report to Congress by March 1, 1991. The report must focus on the identification of lands and properties that were transferred to Alaska Native corporations under the Alaska Native Claims Settlement Act (ANCSA), as amended, which at the time of transfer were represented or disclosed by the federal government as being free from contaminants, but were discovered to be contaminated after transfer.

The Report is also required by law to identify lands and properties that the federal government knowingly transferred to Alaska Native corporations with contaminants.

For purposes of the law and the Report, contaminants are defined as hazardous substances such as solvents, PCBs, mining waste chemicals, fuels, oil and gas chemicals and other materials as described in the Comprehensive Environmental Response, Compensation and Liability Act.

The Bureau of Land Management sent a letter to ANCSA corporations in late December, 1990, briefly describing the requirements of the law and requesting that ANCSA corporations assist the BLM with the inventory and identification of contaminated land at the corporations' expense.

It is AFN's position that the responsibility for identifying contaminated lands transferred to corporations lies with the BLM. At a minimum, such a requirement mandates that the BLM research their records and the records of the other appropri-

ate land-managing agencies, including the military, to identify lands that have been subject to contamination.

There is no indication that the BLM has made an effort to research federal records. Rather, the agency is attempting to place a major portion of the burden on corporations who are not in the position to research the history of land use on ANCSA lands previously managed by federal agencies. The BLM's actions appear to violate both the intent and the clear language of the legislation.

AFN urges ANCSA corporations to support its position on this matter. This is the only comprehensive manner, short of field surveys, in which both known and heretofore unknown contamination can be readily identified. While we believe that a thorough reporting - as mandated by law - could be a positive first step toward resolving this issue, we are concerned that the current direction of the study will prove to be counter-productive.

If, in fact, a report is presented and accepted that only notes a small portion of the transferred lands that are actually contaminated, does that raise potential liability problems for ANCSA corporations in the future? What are the liability issues concerning contaminated areas that are not identified by either the BLM or ANCSA landowners?

The BLM and Native interests need to begin discussions on how to best answer these questions and implement Public Law 101-512.

### AFN OFFICE HOURS:

8am-Noon, 1pm-4:30pm  
Monday-Friday

Telephone: (907) 274-3611  
Fax: (907) 276-7989

Alaska Federation of Natives  
1577 "C" Street, Suite 100  
Anchorage, AK 99501

Sen. Lloyd Jones  
ALASKA STATE LEGISLATURE  
P.O. Box 9  
Juneau, AK 99811

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Anchorage, AK



*to Lloyd*

FEB 14 1991



## Southeast Native Subsistence Commission

P.O. Box 21828, Juneau, AK 99802

Telephone (907) 586-9219

FAX (907) 586-9266

February 13, 1991

The Honorable Lloyd Jones  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Senator Jones:

Mr. Carl L. Rosier has been appointed Commissioner of the Alaska Department of Fish and Game. Mr. Rosier has publicly indicated that Mr. Ron Somerville is to be retained as Deputy Commissioner. As long as Mr. Somerville is to be retained in that position, we will oppose confirmation of Mr. Rosier. For Mr. Rosier to retain Mr. Somerville, must mean he supports Mr. Somerville's positions on subsistence, which reflects on how management can be expected.

In the absence of Mr. Somerville, we would likely remain silent on Mr. Rosier's confirmation.

Respectfully,

SOUTHEAST NATIVE SUBSISTENCE COMMISSION

Robert Willard  
President



JAN 3 1991

JANUARY 26, 1991

SENATOR DICK ELISON  
REPRESENTATIVE BEN GRUSSENDORF  
POUCH V  
JUNEAU, ALASKA 99811

RE: APPOINTMENT OF RON SOMMERVILLE AS DEPUTY COMMISSIONER  
OF FISH & GAME

HONORABLE LEGISLATORS ELIASON AND GRUSSENDORF:

DUE TO YOUR STRONG OPPOSITION AS PUBLISHED RECENTLY IN A ARTICLE IN THE KETCHIKAN DAILY NEWS ON GOVERNOR WALTER J. HICKEL'S APPOINTMENT OF MR. RON SOMMERVILLE AS DEPUTY COMMISSIONER OF FISH & GAME, WE FEEL IT NECESSARY TO REFLECT OUR SIDE OF THIS ISSUE AND POINT OUT A FEW OVERLOOKED FACTS IN MR. SOMMERVILLE'S BEHALF.

YOUR OPPOSITION TO HIS APPOINTMENT BASED UPON THE SUBSISTENCE ISSUE ALONE IS ENTIRELY WITHOUT MERIT. EVEN OUR STATE LEGISLATURE VOTED TO TREAT ALL ALASKANS EQUALLY. SO BELIEVES MR. SOMMERVILLE. STRANGELY, THERE HAS BEEN NO MENTION OF MR. SOMMERVILLE'S EXPERIENCE AND KNOWLEDGE OF THE JOB NOR OF HIS LEADERSHIP ABILITIES. (YOU DON'T GET TO BE DIRECTOR OF GAME ON ONE ISSUE).

THE FACTS ARE: MR. SOMMERVILLE'S FIFTY YEAR RESIDENCY, EMPLOYED AND EXPERIENCED IN THE WILDLIFE FIELD SINCE 1958, HAS RECEIVED NUMEROUS HONORS AND APPOINTMENTS FROM SENATOR TED STEVENS, ALYESKA PIPELINE COMPANY, ALASKA WILDLIFE FEDERATION, SHIKAR-SAFARI CLUB, FOUNDATION FOR NORTH AMERICAN WILD SHEEP, ALASKA DEPARTMENT OF FISH & GAME, WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES, TO MENTION A FEW.

THE SUBSISTENCE ISSUE IS PROBABLY THE MOST IMPORTANT ISSUE FACING THE STATE TODAY. OUR LEGISLATORS LAST YEAR COULDN'T SOLVE IT IN REGULAR SESSION NOR SPECIAL SESSION. FORMER GOVERNORS SHIFFIELD AND COWPER COULDN'T SOLVE IT IN THEIR ADMINISTRATIONS. HOPEFULLY, GOVERNOR HICKEL'S APPOINTMENT OF RON SOMMERVILLE, WITH YOUR COOPERATION, CAN PUT THIS SUBSISTENCE ISSUE BEHIND US AND ALL ALASKANS WILL SHARE EQUALLY.

SINCERELY,



BOB DEWITT, VICE-PRESIDENT  
KETCHIKAN SPORTS & WILDLIFE CLUB  
P.O. BOX 5122  
KETCHIKAN, ALASKA 99901

cc: KETCHIKAN DAILY NEWS, KETCHIKAN, ALASKA  
JUNEAU EMPIRE, JUNEAU, ALASKA  
SITKA SENTINEL, SITKA ALASKA  
ALASKA STATE LEGISLATURE, JUNEAU, ALASKA

Sen J Lloyd Jones

# NEWS RELEASE

STATE OF ALASKA

OFFICE OF THE GOVERNOR  
P.O. BOX A  
JUNEAU, ALASKA 99811

Walter J. Hickel  
GOVERNOR



FOR INFORMATION CONTACT:

Vivian Hamilton  
PRESS SECRETARY

Ed. Wicher  
DEPUTY PRESS SECRETARY

(907) 465-3500

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FOR IMMEDIATE RELEASE

Jan. 21, 1991

91-12

## HICKEL APPOINTS SOMERVILLE DEPUTY FISH AND GAME COMMISSIONER

JUNEAU----Gov. Walter J. Hickel today announced the appointment of Ronald J. Somerville to the position of deputy commissioner of the Alaska Department of Fish and Game. As deputy commissioner, Somerville will be running the department.

Hickel said he decided to appoint a deputy commissioner because fish and game issues are of great importance to Alaska and he wants the department to have a clear direction until a commissioner is named. We need someone who will take the helm of the Fish and Game Department and provide competent, honest and professional leadership," said Hickel. "I am naming Ron Somerville as deputy commissioner to get on with my agenda."

The Governor has asked the joint boards of fish and game to convene within a week to resubmit names to the Governor for his consideration as commissioner.

Somerville's background includes more than 20 years with the department during which he served as a game biologist, regional supervisor, and game division director. He retired in 1983 to create the Alaska Outdoor Council and subsequently served as executive director until 1989. The council is a statewide federation of sportsmen and outdoor organizations.

Somerville, 53, currently is the director of national and international affairs for the Wildlife Legislative Fund of America in Washington, D.C. The WLFA is an association of organizations committed to the protection of states' rights to manage resident fish and wildlife and the traditions of hunting, fishing and trapping.

(MORE)

"I believe my Alaska upbringing and my experience on both the federal and state levels in handling issues that relate to our fish and wildlife resources have prepared me for this position," said Somerville. "I support the governor's position that the state should be the manager of our resources and not the federal government."

Somerville grew up in Craig, Alaska, where he was a commercial fisherman for 14 years and a logger. He holds both a bachelor's and a master's degree in wildlife management.

He will be based in Juneau and will earn \$79,860 annually.

###

RONALD J. SOMERVILLE

2900 Mother Well Court  
Herndon, VA 22071  
(713) 471-6801

RESUME

and

VITAL STATISTICS

November 9, 1990

Birth

8/16/37  
Sebastopol, California

Physical Characteristics

6', 170 lbs.  
No Disabilities

Marital Status

Married - Janet Somerville  
Two Children  
Tami(7/1/73)  
Sheri(10/6/69)

Resident State

Virginia  
Previously a 50 year resident of Alaska

Military Service

3/57 - 10/57 U.S. Air Force  
Honorable Discharge

Professional Experience Summary

- 6/60 - 8/60: Management Aide - Comm. Fish Division  
Alaska Dept. of Fish & Game
- 6/61 - 8/61: Game Pen Technical Assist.  
Humboldt State College, Calif.
- 3/62 - 3/63: Game Biologist I - Moose Investigations  
Alaska Dept. of Fish & Game
- 3/63 - 8/64: Game Biologist II - Bear Investigations  
Alaska Dept. of Fish & Game



- 1/66 - 7/67: Game Biologist III - Lands Program  
Alaska Dept. of Fish & Game
- 7/67 - 7/68: Game Biologist IV - Lands Program  
Alaska Dept. of Fish & Game
- 7/68 -12/78: Regional Game Supervisor  
Alaska Dept. of Fish & Game
- 12/78- 6/83: Game Division Director  
Alaska Dept. of Fish & Game
- 7/83 - 8/89: Executive Director  
Alaska Outdoor Council
- 9/89 - Present: Director National & International Affairs  
Wildlife Legislative Fund of America

### Education

- 1955 & 1958 General Education; Santa Rosa Jr. College  
Santa Rosa, Calif.
- 1958 - 1962 B.S., Wildlife Management; Humboldt St. College  
Arcata, Calif.
- 1964 - 1965 M.S., Wildlife Management; Univ. of Montana  
Missoula, Montana

### Other Work Experience

- Family Retail General Store - 8 years at Craig, Alaska  
University Research Assistant - 1 year at Humboldt State  
Commercial Fisherman - 14 years in Alaska  
U.S. Forest Service (nonprofessional) - 1 yr. in Alaska

### Other Training

- Private Pilots License - Single Engine Land & Sea  
Commercial Captains License  
Supervisory Management Course - 1970  
Labor Contract Administration - 1974

### Honors and Appointments

- Alaska Wildlife Conservationist of the Year - 1967  
National Wildlife Federation  
Certificate of Recognition - Alyeska Pipeline Co. - 1978  
Certificate of Appreciation - AK. Wildlife Fed. - 1979  
Snikar-Safari Club Award-Outstanding Wildlife Officer-1979  
Certificate of Appreciation-AK. Dept. of Fish & Game-1980  
Commendation - U.S. Senator Ted Stevens - 1981  
Outstanding Statesman Award - Found. N. Amer. Wild Sheep - 1987

Western Assoc. of Fish and Wildlife Agencies

Lands Committee Member - 1979

Ad Hoc State Rights Committee Chairman: 1979 - 1982

International Assoc. of Fish & Wildlife Agencies

Legislative Comm. Member: 1979 - 1982

Legislative Comm. Chairman: 1981

States Rights Comm. Member: 1980 - 1982

States Rights Comm. Chairman: 1982

NRA Hunting and Wildlife Conservation Committee: 1985-1989

Territorial Sportsmen - President: 1983-1989

#### Memberships

Society of Sigma Xi

National Rifle Association - Life Member

International Assoc. of Fish and Wildlife Agencies

Aircraft Owners and Pilots Assoc.

Territorial Sportsmen - Juneau, AK.

Alaska Outdoor Council

Alaska Fish and Wildlife Conservation Fund

The Wildlife Society

Foundation for North American Wild Sheep

K  
J  
C

*Ketchikan Indian Corporation*

*(IRA Council)*

429 DEERMOUNT AVENUE  
KETCHIKAN, ALASKA 99901  
(907) 225-5158

FEBRUARY 22, 1991

MAR 1 1991

Governor Walter Hickie  
Box A  
Juneau, AK 99811-0101

Dear Governor Hickie:

In behalf of the IRA Council of the Ketchikan Indian Corporation, we hereby express our opposition to the continued employment of Ron Sommerville as Deputy Commissioner of the Alaska Department of Fish and Game. As you are undoubtedly aware, Mr. Sommerville has historically shown himself to be in opposition to any subsistence for all rural residents, particularly Alaska Natives.

Mr. Governor, it is imperative that the person who is charged with resolving the subsistence issue in Alaska be objective and act in a professional manner toward the many groups who are presently involved in the dispute over subsistence.

Subsistence is a very complex issue and we will need someone who is trustworthy and sincere in order to satisfactorily resolve this issue. We feel very strongly that Mr. Sommerville's past behavior harbors opposition to subsistence and his contemptuous attitudes will only hinder any meaningful resolution to this difficult situation. For these reasons, we feel that Mr. Sommerville is not the best person for the position of Deputy Commissioner.

Certainly Mr. Sommerville possesses the technical qualifications for the position, but we feel that his judgment will be clouded by his biased position on subsistence as evidenced by his past employment with the state.

With the above in mind Mr. Governor, we would urge your office to reconsider Mr. Sommerville's appointment and perhaps select a person who stands for all the people of Alaska and not for a small minority.

Mr. Governor, Alaska Natives make up over 25% of Alaska's population and we would hope that our concerns will not be ignored in favor of a small interest group.

Thank you for your time in this manner.

Sincerely yours,

*Paul W. Young*  
Paul W. Young  
Executive Director

cc: FOM Legislators - *Sen Jones*  
TUNDRA TIMES  
KETCHIKAN DAILY NEWS



JAN 23 1991



## **Southeast Native Subsistence Commission**

**P.O. Box 21828, Juneau, AK 99802**

**Telephone (907) 586-9219**

**FAX (907) 586-9266**

January 22, 1991

Bud Hodson, Chairman  
Board of Fisheries  
c/o Baranof Hotel  
127 North Franklin  
Juneau, AK 99801

Dear Mr. Chairman:

The Southeast Native Subsistence Commission urges the Board of Fisheries to oppose the installation of Ron Somerville as Deputy Commissioner, or Acting Commissioner of the Alaska Department of Fish and Game.

At a time when all those concerned about Alaska resources are attempting to find common ground on issues, it is most inappropriate to have a man whose professional and personal history is anti-subsistence. Indeed, Mr. Somerville ran for Governor as an anti-subsistence candidate. As an official of the State, Mr. Somerville openly campaigned against subsistence in 1982. A vote which the electorate overwhelmingly approved.

Each of the twenty Southeast communities and our tribal members in Anchorage elect a commissioner. These commissioners, and a representative from the Tlingit and Haida Central Council; a representative from the Grand Camp of the Alaska Native Sisterhood; a representative from the Sealaska Corporation; a representative from the Grand Camp of the Alaska Native Brotherhood; and a representative from the Metlakatla Indian Community make up the Southeast Native Subsistence Commission. The commissioners are also authorized to speak for, and on behalf of their respective IRA governments in the Southeast; and their respective Alaska Native Claim Settlement Act corporation.



Mr. Bill Hodson, Chairman  
Page 2  
January 22, 1991

Continued support for State management of Alaska resources would be dependent upon the type of management we can expect from the State.

We ask the Board of Fisheries to stand fast and not recommend Mr. Somerville for appointment.

Respectfully,

SOUTHEAST NATIVE SUBSISTENCE COMMISSION



Robert Willard  
President

cc: Senator Jim Duncan  
Senator Richard I. Eliason  
Senator Lloyd Jones  
Representative Fran Ulmer  
Representative Bill Hudson  
Representative Ben Grussendorf  
Representative Robin Taylor

KETCHIKAN SPORTS and WILDLIFE CLUB

P.O. Box 5122 • Ketchikan, Alaska 99901

JAN 24 RECD

November 22, 1990

Honorable Governor: Frank Walter Hickel  
1905 Louisa Drive  
Anchorage, Alaska 99503

Honorable Sir:

The six hundred members of the Ketchikan Sports & Wildlife Club, an organization established in 1949, a group dedicated to the enhancement and protection of the wildlife resources in Southeast Alaska, would like to convey our endorsement of Mr. Ron Somerville for Commissioner of Fish & Game.

Mr. Somerville is a man of his word and will not be persuaded by outside pressures. Not only is he qualified for the position, but he is a true Alaskan and will live with what ever he creates during his appointment. He is a man of principle and he proved it when he lost his job as Director of Game when he spoke out on the subsistence issue as written in ANILCA during the Sheffield administration.

As a State employee for many years, he was dedicated and was not one to watch the clock and count the days to retirement, as are so many State employees.

We are confident that he will reshape the Department of Fish & Game for the betterment of all, enhance the wildlife resources for all Alaskans and will lead instead of hiding under his desk when an issue confronts him.

We believe that Mr. Somerville will be a valuable asset to your administration and will be a benefit to all Alaskans.

Sincerely,

*Bob DeWitt*

Bob DeWitt  
Vice-President  
Ketchikan Sports & Wildlife Club

cc: Mr. Ron Somerville

Confirm. '91

Sanddot, ...

Dept. Env.

Cons.



# Alaska State Legislature Senate

## Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

Date \_\_\_\_\_

The Honorable Dick Eliason  
President of the Senate  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear President Eliason:


In accordance with AS 39.05.080, the Senate Resources Committee reviewed the following with regard to confirmation of the Governor's appointment:

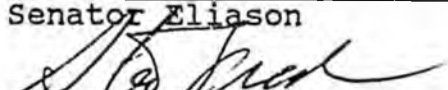
Department of Environmental Conservation  
Commissioner John Sandor


~~The undersigned have~~  
(There were) ~~no stated objections to the confirmation of any~~  
~~of the named individual by committee members.~~ This does not reflect an intent by any of the members to vote for or against the individual during any further sessions.

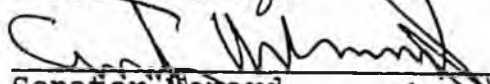
Respectfully,

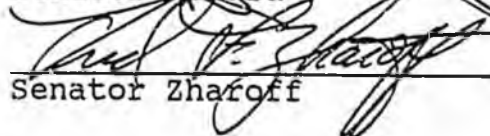
  
\_\_\_\_\_  
Senator Jones, Chair

  
\_\_\_\_\_  
Senator Cotten, Vice-Chair

\_\_\_\_\_  
Senator Eliason  
  
\_\_\_\_\_  
Senator Frank

  
\_\_\_\_\_  
Senator Halford

  
\_\_\_\_\_  
Senator Shepard

  
\_\_\_\_\_  
Senator Zharoff

Objecting:

John A. Sandor

Resident of Alaska: 1953-1962; 1976 to present.

Alaska Employment:

1950-1976--Professional Forester - assignments Pac. N.W., Alaska, N.E. U.S., S.E. U.S., and Washington, D.C.

1976-1984--Regional Forester (Administrator) for the U.S. Forest Service, Department of Agriculture, Alaska Region. Responsible for all National Forest/State and Private Forest Service programs.

1981-1984--Member of the Alaska Land Use Council.

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1983 -- Forestry Trade Mission to Japan and People's Republic of China.

1980 -- U.S. Delegate, Food and Agriculture Conference in CanCun, Mexico.

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1984 -- Western States Legislative Task Force

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1982 -- Outstanding Forestry Alumni, Washington State  
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1980 -- American Forestry Association  
1979 -- Alaska State Conservationist: Alaska Wildlife  
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1985-1987--Member, National Council  
1984 -- Elected Fellow  
American Society of Public Administration, Charter Chair of the  
Section on Natural Resources and Environmental Administration.  
Alaska Miners Association, Board member of the Juneau Chapter  
1990-1991.  
Forest History Society  
American Forestry Association (Life Member)

Community Service:

Rotary Club of Juneau, 1987-1988 President.  
1989-1990--District Governor's Representative, S.E. Alaska.  
Alaska Outdoor Council  
Alaskans for Drug-Free Youth

Education: Washington State University, BS - 1950  
Harvard University, MPA - 1959 (Conservation  
Fellowship)

Born: 12/22/26; Buckley, WA

BRIEF BIOGRAPHIC SUMMARY  
JOHN A. SANDOR

John Sandor was born in 1926 in Washington State. He received his BS Degree from Washington State University in 1950 and a Masters Degree in Public Administration under a conservation fellowship from Harvard University in 1959.

Sandor has been a resident of Alaska and worked in professional natural resource assignments within the state for over 20 years. He served as Regional Forester for the U.S. Forest Service in Alaska from 1976 to 1984, was a member of the Alaska Land Use Council from 1981 to 1984, and was appointed to the post of Commissioner of the State of Alaska Department of Environmental Conservation in December 1990.

Sandor was the Charter Chair of the Natural Resources and Environmental Administration Section of the American Society for Public Administration. In 1979, he was presented the Alaska State Conservationist Award by the Alaska Federation and Sportsmen's Council. In 1987, he received a Natural Resources and Environmental Administration Award for Distinguished Service from the American Society of Public Administration.

He is an Elected Fellow of the Society of American Foresters and is presently serving on the National Policy Committee of the Society. Before his state appointment, Sandor served as the Executive Director of the Alliance for Juneau's Future, which was organized in early 1989 to work to further environmentally sound economic development projects, improved transportation access and to assure an ample supply of energy for Southeast Alaska.

John and Lee Sandor were married in Juneau in 1956 and have two daughters.

# STATE OF ALASKA

## DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER  
P.O. BOX O, JUNEAU, ALASKA 99811-1800

WALTER J. HICKEL, GOVERNOR

Phone: (907) 465-2600  
Fax: (907) 586-1391

April 23, 1991

The Honorable Lloyd Jones  
Chair, Senate Resources Committee  
P.O. Box V  
Juneau, AK 99811

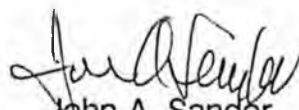
Re: Commissioner Sandor Confirmation Hearing

Dear Senator Jones:

The enclosed information was provided to the House Resources Committee for my confirmation hearing and is included here for my confirmation hearing in the Senate Resources Committee on Friday, April 26, 1991, at 1:30 pm.

Please contact me if there is any additional information that you would like me to provide.

Sincerely,



John A. Sandor  
Commissioner

Enclosures

**DEPT. OF ENVIRONMENTAL CONSERVATION**

OFFICE OF THE COMMISSIONER  
P.O. BOX O, JUNEAU, ALASKA 99811-1800

Phn: (907) 465-2600  
Fax: (907) 586-1391

April 20, 1991

The Honorable Cliff Davidson  
Chair, House Resources Committee  
P.O. Box V  
Juneau, AK 99811

Dear Representative Davidson:

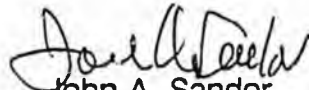
Thank you for your letter of April 18, 1991, regarding my confirmation hearing. I received this letter on April 20, after my return from Ketchikan. My April 18 letter provided the information requested by your staff.

My April 18 letter transmitted the list of names of individuals who assisted during the transition. The list was provided in November with the suggestion individuals be contacted at my discretion.

I telephoned a number of individuals assisting in the transition, but was not able to reach others. I did not follow up with correspondence to these people and have not received correspondence from the Governor's office or staff on this matter since assuming office. Thus, I have no correspondence with this group. I am not utilizing this group as an advisory board.

If I can provide any additional information, please let me know.

Sincerely,

  
John A. Sandor  
Commissioner

# STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER  
P.O. BOX O, JUNEAU, AK 99811-1800

Phone: (907) 465-2600  
Fax: (907) 465-2617

April 18, 1991

The Honorable Cliff Davidson  
Chair, House Resources Committee  
P.O. Box V  
Juneau, AK 99811

Dear Representative Davidson:

Enclosed, as requested for the April 25, 1991 confirmation hearing, are copies of:

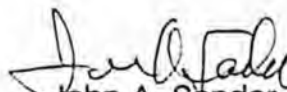
- (1) Present (FY 92) organization chart for the Department of Environmental Conservation and the organization chart planned for implementation about July 1, 1991.

The primary difference in the two organizations are: (1) the existing Division of Environmental Quality with 338 employees would be divided into a Division of Spill Prevention and Response and a Division of Environmental Quality; (2) the three regional offices now reporting to the Director of Environmental Quality would report to the Commissioner.

- (2) Listing of members of the Advisory/Transition Team for the Department of Environmental Conservation.

If I can provide additional information, please let me know.

Sincerely,

  
John A. Sandor  
Commissioner

Enclosures

# MAJOR STATE & FEDERAL ENVIRONMENTAL LAWS

## State

Water, Air, Energy, and Environmental Conservation (Title 46)  
Oil Pollution Control  
Oil and Hazardous Substance Release Control  
Wastewater Disposal  
Drinking Water  
Water Quality Standards  
Hazardous Waste  
Environmental Sanitation  
Food Service  
Fish Inspection  
Alaska State Emergency Response Commission  
Underground Petroleum Storage Tanks Certification of Water and Wastewater Operators  
The Alaska Coastal Management Program  
Low-Level Radioactive Waste Management  
Dairy, Meat and Poultry Inspections  
Animal Health  
Pesticide Control  
Recycling and Reduction of Litter  
Village Safe Water Act  
Management and Use of Water in Mining  
Smoking in Public Places

## Federal

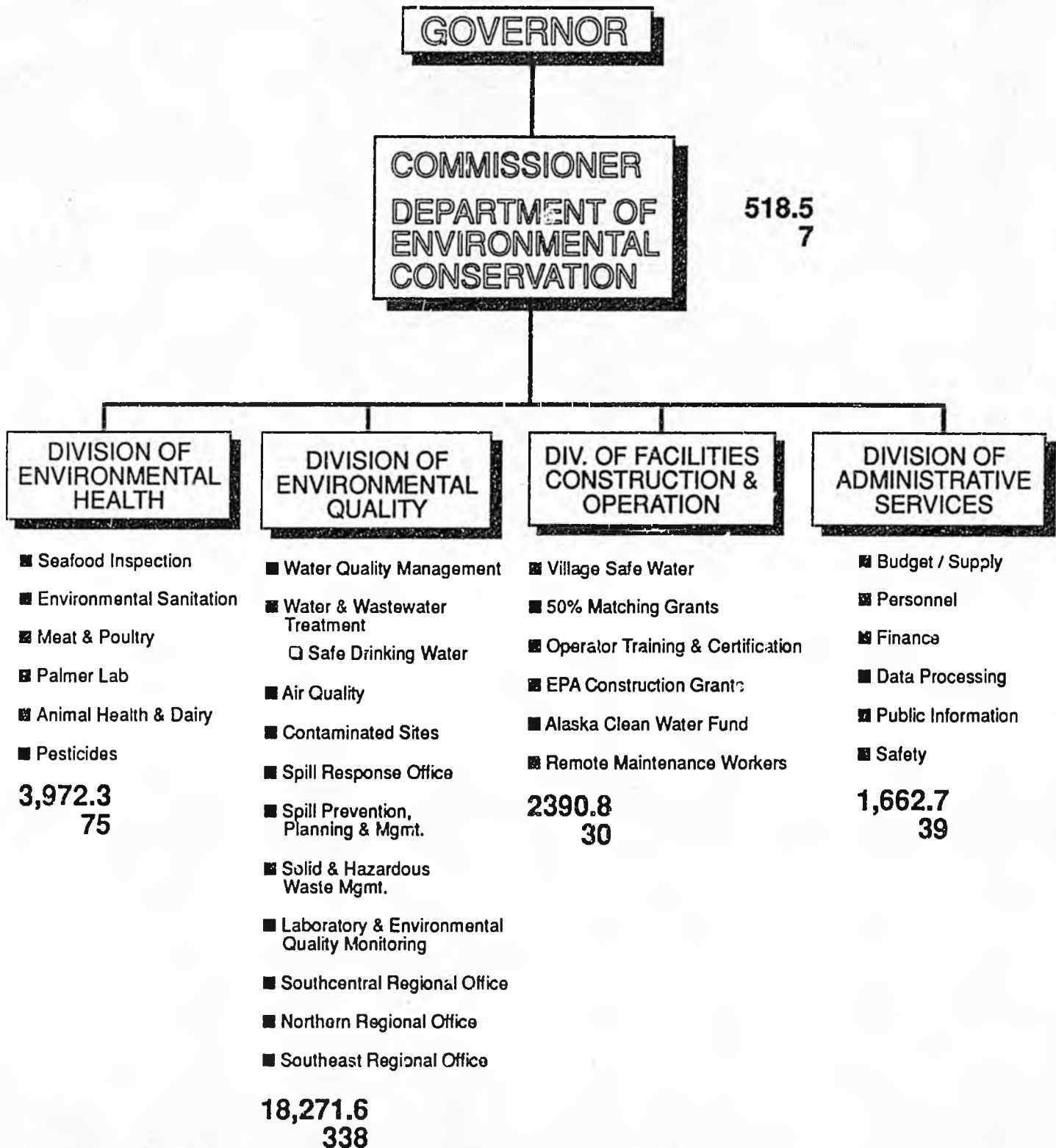
Clean Air Act  
Clean Water Act  
Coastal Zone Management Act  
Resource Conservation and Recovery Act (RCRA)  
Comprehensive Environmental Response, Compensation, & Liability Act (CERCLA)  
Safe Drinking Water Act  
Toxic Substance Control  
Endangered Species Act  
Marine Mammal Protection  
International Migratory Bird Treaty  
Oil Pollution Control Act  
Insecticide, Fungicide and Rodenticide  
Emergency Planning and Community Right-to-Know Act  
National Environmental Policy Act (NEPA)  
Solid Waste Regional Act



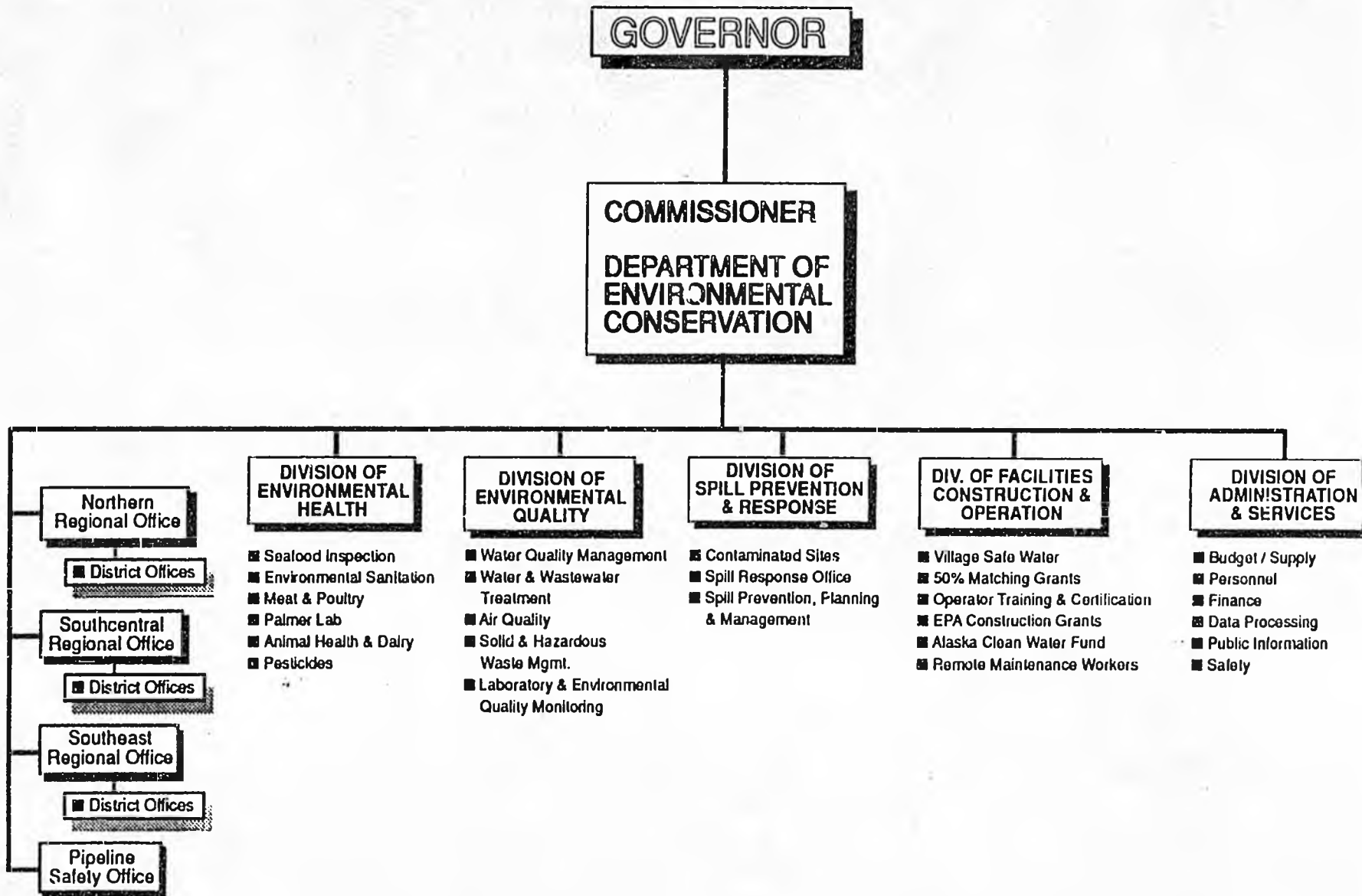
**ADEC**

# DEC ORGANIZATION

FY 92 GF GOVERNOR'S REVISED (3/91) - \$26,815.9  
STAFF 489



# -DRAFT- DEC ORGANIZATION



## **Goal of Reorganization Plan**

**Work cooperatively with communities to find cost effective solutions to environmental problems**

- personnel training / professionalism
- community service agreements
- district contact personnel designation
- combination of resource agency offices
- bi-annual program reviews

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

		HOME	WORK
Ric Davidge	Anchorage	349-7329	
Rich Hughes	Anchorage	344-3786	
Ron Sheardon			
Madelyn Millholland	Anchorage		
Charlie Bussell	Anchorage	344-4474	248-1515
Joe Fisher	Anchorage		
Roger Burggraf	Faribanks	479-2596	
Del Ackles	Fairbanks		
Jim Gillen	Wasilla	373-7475	
Ken Damm	Kodiak	486-4373	486-3197
George McNeven	Juneau	789-5822	
Clarence Furbush	Wasilla	745-3357	

# STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

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OFFICE OF THE COMMISSIONER  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
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COMMISSIONER JOHN A. SANDOR'S SPEECH, APRIL 21, 1991  
ENVIRONMENTAL CONSERVATION OBJECTIVES ON EARTH DAY 1991

### INTRODUCTION

On this the 21st Anniversary of Earth Day, it is appropriate to again take stock of our community and state's progress in environmental protection and to set specific environmental objectives for the year ahead.

Alaska remains a focal point of national and international interest as an extraordinary region with remarkable natural resources, ecological diversity and a rich cultural history. Alaska with its vast natural resource base, offers the potential of great promise to our nation and the world, but resource development must also provide for environmental protection if this region's potential is to be sustained through the next century.

Thus, as we define our objectives for the year ahead, we must also keep an eye on the next century. Economic and environmental objectives must be integrated if the promises to both present and future generations are to be realized. These objectives must go hand in hand.

We must also give special attention to each and every community within our great state. For a variety of reasons, not every community has been able to achieve the quality of life many of us take for granted. We are, after all, one land and one people. We must work together for the benefit of all our people, today and for the future. It is with these thoughts in mind that the Department of Environmental Conservation developed its objectives for the year ahead.

#### 1. EXXON VALDEZ OIL SPILL CLEAN-UP AND RESTORATION

The completion of clean-up work and the continued restoration of resources damaged by the Exxon Valdez Oil Spill is one of the top priority objectives of the State of Alaska in the year ahead. The Federal and State agencies are working closely together with the private sector to complete damage assessment studies and to continue restoration efforts in Prince William Sound, Cook Inlet, Kodiak Island and other coastal areas damaged by this disaster. The Settlement Agreement for the Exxon Valdez Oil Spill provides for this continued restoration work.

## 2. PREPARING FOR FUTURE OIL AND HAZARDOUS SUBSTANCE SPILLS

Alaska must apply the lessons learned in the Exxon Valdez Oil Spill. Prevention efforts are being undertaken to reduce the chances of accidents which lead to such spills. Contingency plans and response efforts will continue to be improved in the year ahead. We want to put the Exxon Valdez Oil Spill behind us, but be certain we are prepared for the incidents whenever and wherever they occur.

## 3. DEVELOPING SAFE WATER AND WASTE DISPOSAL SYSTEMS

Every Alaska community should have safe drinking water and safe sewage disposal systems. However, over 60 Alaska communities do not meet these basic needs. In fact, many of these communities report serious health problems from unsafe water or improperly treated sewage. In fact, the back-log of needed, water and sewer system projects exceed 120 million dollars. Furthermore, the planning, maintenance and operation work associated with these projects will require special training for local community residents. It is estimated that it will take from 3 to 5 years to achieve this objective. This special effort will begin this year, and be incorporated as a part of a rural development initiative led by the Department of Community and Regional Affairs.

## 4. IMPROVE THE MANAGEMENT OF SOLID WASTE

Alaskans, like most other Americans, generate a great deal of waste products. Disposal of solid waste is a growing problem for most of the communities in Alaska. A number of communities have taken positive steps to reduce the production of wastes by conservation and recycling measures. The best way to manage waste is to reduce production of solid waste and to recycle waste products where it is feasible to do so.

The Department of Environmental Conservation will work with local communities in developing cost-effective solutions to this growing environmental problem.

## 5. IMPROVE THE MANAGEMENT OF HAZARDOUS WASTE

Hazardous waste production and disposal is another serious environmental problem. Again, the first priority effort will be directed to preventing the production of such materials where it is feasible to do so. Attention will also be directed to improving the methods for treating such wastes. Finally, where it is necessary to dispose of and store such wastes, the State of Alaska is beginning the process of locating several, hazardous waste treatment and storage sites within our State. Presently, hazardous wastes must be shipped to the lower forty eight states with substantial hazards and expenses associated with such shipments.

The cleanup of contaminated and hazardous waste sites is a related environmental problem. There are over 3,000 waste sites in Alaska on public and private land that have the potential of polluting ground water or creating other health hazards. Many of these sites are on Defense Department lands or were formerly used defense department sites. Some date back to World War II. The State of Alaska will be working with the Defense Department agencies in evaluating and cleaning up these sites.

Priority attention will also be given to cleaning up contaminated sites that are located on State and Community lands.

## 6. WORK WITH INDUSTRY TO ASSURE ENVIRONMENTALLY SOUND PROJECTS

In the face of declining oil revenues, Alaskans are seeking new opportunities for economic development. Alaska has the resource potential to help meet our nation's energy needs. The development of the potential oil reserves in a part of the Arctic National Wildlife Refuge (ANWR) offers great promise to meeting these needs. Other economic development projects are also being proposed. Within this community such historic mining properties as the AJ, Kensington and Jualin Mines are being explored with the possibility of reopening these properties.

The development of such projects must meet Federal, State and local government laws and regulations. The Environmental Impact Statement process provides an opportunity for individuals and organizations to identify concerns, and these must be addressed in the process. Sound economic development and environmental protection must go hand in hand.

These are a few of the major environmental protection objectives of the Department of Environmental Conservation for the coming year. Most of these objectives impact both large and small communities, and the ADEC has initiated a major effort which will formally bring the Community and State governments in a partnership to deal with environmental problems and issues.

The DEC has already signed formal Cooperative Agreements with the Ketchikan Borough, Unalaska and Sand Point. Draft agreements have already been prepared with Fairbanks and North Pole; also the Kenai Peninsula Borough and St. Paul. These formal Cooperative Agreements commit the ADEC to cooperatively work with each of these communities to develop practical, cost-effective solutions to the environmental problems within those communities.

By Earth Day 1992, we hope to have at least 50 communities covered by these cooperative agreements.

Finally, the Alaska Department of Environmental Conservation will celebrate its twentieth anniversary this coming June. The ADEC has a proud history of accomplishments these past two decades. On behalf of this fine organization, I invite you to participate in the coming celebration of the ADEC's anniversary this coming June.

Thank you.

John A. Sandor

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Alaska Employment:

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Education: Washington State University, BS - 1950  
Harvard University, MPA - 1959 (Conservation  
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Born: 12/22/26; Buckley, WA

# STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
Phone: (907) 465-2600

APR 30 1991  
April 28, 1991

Dear Members of the Alaska State Legislature:

Several members of the Legislature have called attention to letters and other communications they have received which make damaging statements regarding my professional conduct as Regional Forester, with the U.S. Forest Service and as Commissioner, Department of Environmental Conservation (ADEC).

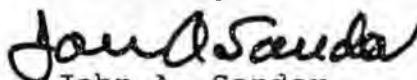
I subsequently learned that such allegations likely stem from the "Action Alert" (copy enclosed) which falsely attributes unprofessional conduct to me in my service as Regional Forester from 1976-1984 and in my present service as Commissioner of ADEC. This "Action Alert" is not dated and is unsigned, but is printed on Alaska Environmental Lobby, Inc. letterhead. An unknown number of copies were mailed as an enclosure in THE NORTHERN LINE, published by the Northern Alaska Environmental Center, a non-profit organization, headquartered in Fairbanks.

The enclosed letter was sent to the Executive Directors of both the Alaska Environmental Lobby, Inc. and the Northern Alaska Environmental Center to determine who is responsible for publishing and distributing this false information. This letter also formally requests that immediate action be taken to withdraw or otherwise correct these false statements which were published and apparently mailed throughout the State.

Fortunately, even the 1976-1984 Forest Service records are available which clearly refute the information published. However, my primary concern is that individuals not having knowledge of these records and who received the "Action Alert", may accept the statements as factual, undermining confidence in State government and ADEC.

I hope this letter and enclosures will help explain the reasons why you may be getting letters of this nature. If I can provide any specific information regarding this matter, please let me know.

Sincerely,



John A. Sandor  
Commissioner

**DEPT. OF ENVIRONMENTAL CONSERVATION**

OFFICE OF THE COMMISSIONER  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
Phone: (907) 465-2600

April 25, 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bill Glude  
Executive Director  
Alaska Environmental Lobby, Inc.  
P.O. Box 22151  
Juneau, AK. 99802-2151

Mr. Rex Blazer  
Executive Director  
Northern Alaska Environmental  
Center 218 Driveway  
Fairbanks, AK. 99701

Gentlemen:

I refer to the "ACTION ALERT", (copy enclosed), which was distributed by mail and forwarded to this office with the March 28, 1991 issue of THE NORTHERN LINE. Although the author of this leaflet is not shown, it is printed on Alaska Environmental Lobby, Inc. letterhead and was distributed by the Northern Alaska Environmental Center, Nonprofit Organization Postage Permit No. 201 from Fairbanks, Alaska.

A member of the Alaska State Legislature has called my attention to a letter received from a constituent which was apparently in response to the "Action Alert" request to "Write or call your state senators and representatives today. Ask them to oppose confirmation...."

This "Action Alert" attributes three positions or actions by or to John Sandor. All three are false as noted below:

**FIRST FALSE STATEMENT**

- John Sandor, as the former top Forest Service official in Alaska, wanted to clear-cut all of the magnificent ancient forests of the Tongass: *"It is desirable to liquidate the existing decadent climax stands as soon as possible."* He did everything he could to carry out that philosophy, including "pre-roading," a policy of building government-subsidized logging roads, even in areas which were not slated to be cut -- just to destroy the Wilderness potential and make sure that they would eventually be logged.

Although these "Action Alert" statements were mailed with THE NORTHERN LINE by the Northern Alaska Environmental Center, the "Action Alert" is printed on Alaska Environmental Lobby, Inc. letterhead. Also, because the "Action Alert" does not include the name of an author or editor, it is unclear who authored this material or authorized its distribution by mail with THE NORTHERN LINE.

Accordingly, I am writing both of you as Executive Directors to determine:


1. Who is responsible for publishing or printing this "Action Alert"?
2. Who is responsible for distributing this leaflet with THE NORTHERN LINE?
3. What was the total distribution of this leaflet by mail or by other means?

Additionally, this is a formal request that immediate action be taken to correct the false information included in these statements. This correction should be published in the next issue of THE NORTHERN LINE and any other publication source. The facts noted above can be verified by public documents from the U.S. Forest Service (Tongass statements); Alliance for Juneau's Future, Inc. and the Department of Environmental Conservation (regulations statement).

The publication and distribution of this false information is not only damaging to the individual to whom these false statements are attributed, but is also damaging to the public interest.

Your prompt response by mail or FAX: 586-2490 is requested.

Sincerely,

  
John A. Sandor  
Commissioner

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

**DEPT. OF ENVIRONMENTAL CONSERVATION**

OFFICE OF THE COMMISSIONER  
P.O. BOX O, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
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April 25, 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bill Glude  
Executive Director  
Alaska Environmental Lobby, Inc.  
P.O. Box 22151  
Juneau, AK. 99802-2151

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Executive Director  
Northern Alaska Environmental  
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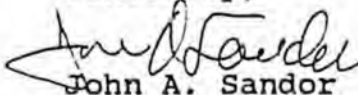
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Your prompt response by mail or FAX: 586-2490 is requested.

Sincerely,

  
John A. Sandor  
Commissioner

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

**DEPT. OF ENVIRONMENTAL CONSERVATION**

OFFICE OF THE COMMISSIONER  
P.O. BOX O, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
Phone: (907) 465-2600

April 25, 1991

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bill Glude  
Executive Director  
Alaska Environmental Lobby, Inc.  
P.O. Box 22151  
Juneau, AK. 99802-2151

Mr. Rex Blazer  
Executive Director  
Northern Alaska Environmental  
Center 218 Driveway  
Fairbanks, AK. 99701

Gentlemen:

I refer to the "ACTION ALERT", (copy enclosed), which was distributed by mail and forwarded to this office with the March 28, 1991 issue of THE NORTHERN LINE. Although the author of this leaflet is not shown, it is printed on Alaska Environmental Lobby, Inc. letterhead and was distributed by the Northern Alaska Environmental Center, Nonprofit Organization Postage Permit No. 201 from Fairbanks, Alaska.

A member of the Alaska State Legislature has called my attention to a letter received from a constituent which was apparently in response to the "Action Alert" request to "Write or call your state senators and representatives today. Ask them to oppose confirmation...."

This "Action Alert" attributes three positions or actions by or to John Sandor. All three are false as noted below:

**FIRST FALSE STATEMENT**

- John Sandor, as the former top Forest Service official in Alaska, wanted to clear-cut all of the magnificent ancient forests of the Tongass: *"It is desirable to liquidate the existing decadent climax stands as soon as possible."* He did everything he could to carry out that philosophy, including "pre-roading," a policy of building government-subsidized logging roads, even in areas which were not slated to be cut -- just to destroy the Wilderness potential and make sure that they would eventually be logged.

#### ACTUAL FACTS

During the period John Sandor served as Regional Forester in Alaska from 1976 to 1984, he was responsible for development of the Tongass Land Management Plan. The Southeast Alaska Area Guide was developed in 1977 and the Draft Environmental Impact Statement for the Tongass National Forest was published in June of 1978. The Regional Forester's Recommendation, published in March, 1978 specifically recommended that 3,724,000 acres be designated as Wilderness and that 4,119,000 acres be managed in a roadless state. This represents 52% of the total Tongass National Forest area. Additionally, the Regional Forester recommended restrictions for timber harvest and roading on the remaining areas of the Tongass. These recommendations would assure that more than two thirds of the Tongass National Forest would not be harvested or roaded during the 100 year rotation planned for the Tongass.

It should be noted that John Sandor was named the STATE CONSERVATIONIST in 1979 by the Alaska Wildlife Federation and Sportsmen Council in recognition of his conservation leadership.

#### SECOND FALSE STATEMENT

- John Sandor is co-founder of the Alliance for Juneau's Future, and served as its Executive Director. The sole purpose of this organization is to promote mining in the Juneau area, despite the resulting grave toxic pollution.

#### ACTUAL FACTS

The Alliance for Juneau's Future was formed to promote economic diversity, including mining; improve transportation access; assure an ample supply of energy for the community and for other purposes which would be beneficial to Juneau's future. John Sandor served as Executive Director, but was not in the group of business, labor and civic leaders who founded the original organization.

#### THIRD FALSE STATEMENT

- John Sandor, as Commissioner of DEC, has played favorites with the oil industry by secretly turning over draft government regulations, so that the industry could suggest modifications before the documents were released to the public.

#### ACTUAL FACTS

John Sandor, as Commissioner of DEC, did not give or turnover draft regulations to any single party or industry group, but ordered steps which assured Department regulations would be coordinated with other government agencies with appropriate public involvement by diverse interests throughout Alaska.

Although these "Action Alert" statements were mailed with THE NORTHERN LINE by the Northern Alaska Environmental Center, the "Action Alert" is printed on Alaska Environmental Lobby, Inc. letterhead. Also, because the "Action Alert" does not include the name of an author or editor, it is unclear who authored this material or authorized its distribution by mail with THE NORTHERN LINE.

Accordingly, I am writing both of you as Executive Directors to determine:


1. Who is responsible for publishing or printing this "Action Alert"?
2. Who is responsible for distributing this leaflet with THE NORTHERN LINE?
3. What was the total distribution of this leaflet by mail or by other means?

Additionally, this is a formal request that immediate action be taken to correct the false information included in these statements. This correction should be published in the next issue of THE NORTHERN LINE and any other publication source. The facts noted above can be verified by public documents from the U.S. Forest Service (Tongass statements); Alliance for Juneau's Future, Inc. and the Department of Environmental Conservation (regulations statement).

The publication and distribution of this false information is not only damaging to the individual to whom these false statements are attributed, but is also damaging to the public interest.

Your prompt response by mail or FAX: 586-2490 is requested.

Sincerely,

  
John A. Sandor  
Commissioner



# Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366

## ACTION ALERT!!

The James Watt style of government is thriving in Alaska. Governor Walter Hickel has put the foxes in charge of the chicken coops. The Alaska Dept. of Conservation and the Dept. of Natural Resources are now under the control of some of industry's most aggressive proponents of resource exploitation.

The State Legislature is holding hearings on whether or not to confirm Gov. Hickel's appointments of the commissioners of these departments. Your legislators will soon vote on these confirmations. With YOUR help, these appointments can still be blocked.

**Harold Heinze, Commissioner  
Dept. of Natural Resources**

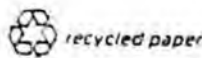
The job of the Commissioner of DNR is to manage the use of Alaska's land, forests and oil and minerals, including the administration of Alaska's State Parks.

- Harold Heinze, former president of ARCO Alaska, believes Alaska's oil belongs to the oil companies, not the people of Alaska: *"I love those people who refer to it as 'our oil'. That oil was found by somebody -- not the state -- but it seems they've spent time ever since trying to screw us out of the deal."*

- Harold Heinze has attacked the leaders of Alaska's environmental organizations as *"aggressive extremists and activists who operate under the disguise of environmentalists"* and who are working to *"strangle Alaska"*.

- Harold Heinze complains that Alaska has a history of too much environmental protection. *"With the resources it has, Alaska should be bragging about all the projects it has going. The state needs to become an advocate of resource development, but so far, it's been too paranoid to be anything but a regulator. The only way Alaska's resources will ever amount to anything is if we develop them."*

**Is this the person you want to manage Alaska's natural resources?**



CLEAN AIR COALITION • PRINCE WILLIAM SOUND CONSERVATION ALLIANCE • ALASKA CENTER FOR THE ENVIRONMENT  
ALASKA CHAPTER SIERRA CLUB • JUNEAU GROUP SIERRA CLUB • KNIK GROUP SIERRA CLUB • DENALI GROUP SIERRA CLUB  
ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY • DENALI CITIZEN COUNCIL • ALASKA FRIENDS OF THE EARTH  
JUNEAU AUDUBON SOCIETY • KACHEMAK BAY CONSERVATION SOCIETY • KENAI PENINSULA AUDUBON SOCIETY • KODIAK AUDUBON SOCIETY  
LYNN CANAL CONSERVATION • SITKA CONSERVATION SOCIETY • NORTHERN ALASKA ENVIRONMENTAL CENTER  
SOUTHEAST ALASKA CONSERVATION COUNCIL • KNIK CANDOERS AND RAYAKERS

**John Sandor, Commissioner**  
**Dept. of Environmental Conservation**

The job of the Commissioner of DEC is to protect the environment by regulation and enforcement of laws controlling oil, mining and other polluting industries.

- John Sandor, as the former top Forest Service official in Alaska, wanted to clear-cut all of the magnificent ancient forests of the Tongass: "*It is desirable to liquidate the existing decadent climax stands as soon as possible.*" He did everything he could to carry out that philosophy, including "pre-roading," a policy of building government-subsidized logging roads, even in areas which were not slated to be cut -- just to destroy the Wilderness potential and make sure that they would eventually be logged.

- John Sandor is co-founder of the Alliance for Juneau's Future, and served as its Executive Director. The sole purpose of this organization is to promote mining in the Juneau area, despite the resulting grave toxic pollution.

- John Sandor, as Commissioner of DEC, has played favorites with the oil industry by secretly turning over draft government regulations, so that the industry could suggest modifications *before* the documents were released to the public.

**Is this the person you want to protect Alaska's environment?**

**WHAT YOU CAN DO:**

**Write or call your state senators and representatives today. Ask them to oppose confirmation of Commissioners Harold Heinze and John Sandor. Also, send copies of your letters to Senator Lloyd Jones and Representative Cliff Davidson; they are the chairs of the Senate Resources Committee and the House Resources Committee, respectively -- the committees which are conducting the confirmation hearings.**

**The address for all state legislators is:**

**Hon. \_\_\_\_\_**  
**Alaska State Legislature**  
**P.O. Box V**  
**Juneau, AK 99811**

**... or you can telephone their offices or call your local State Legislative Information Office to send a free Public Opinion Message.**

**P.S. Confirmation hearings are scheduled for mid-April; the full state Legislature will vote soon after that. Please contact your state senators and representatives right away.**

APR 20 1991  
P. O. Box 1530  
Petersburg, Alaska 99833  
April 19, 1991

Hon. Lloyd Jones  
Senate Resources Committee  
P.O. Box V  
Juneau, AK 99811

Dear Senator Jones:

I am writing to urge you to deny confirmation of the nominations of John Sandor as commissioner of the Department of Environmental Conservation and Harold Heinze as Commissioner of the Department of Natural Resources.

The legislature needs to remind Mr. Hickel that he is a minority Governor. 61% of the voters supported other candidates. He has no mandate to dismantle programs to protect our air, water and natural resources. He has no mandate to appoint commissioners dedicated to exploitation of our resources.

John Sandor, as Regional Forester, practiced "dominant use" of the forest. Not only was timber considered the primary resource, it was managed for the almost exclusive benefit of two multinational corporations who were not only liquidating our forests but were putting our resident mills and loggers out of business. Clearcutting of forests was pursued at the expense of fish and wildlife, water quality and soil protection.

His policy of pre-roading, at taxpayers expense, was not only a waste of money but was designed to assure that every acre of the forest was to be eventually logged.

John Sandor was also responsible for the Alaska Regional Guide. It not only violated the Multiple Use Sustained Yield and National Forest Management Acts but "gutted" the protective provisions of the Southeast Area Guide.

While I am not personally acquainted with Harold Heinze as I was with John Sandor, I find the appointment of an oil man as commissioner of Natural Resources to indicate a lack of consideration for important renewable resources. With oil reigning supreme (and it's close to that now) the future of our renewable resources will be increasingly at risk. Oil and minerals need to be recognized as non-renewable, a one-time resource, and their extraction should not be allowed to jeopardize our fish and wildlife, air and water quality nor continue to produce unregulated hazardous waste.

The philosophy of Mr. Heinze as shown by his public statements shows us a man dedicated to all-out resource exploitation with little or no concern for the future.

With commissioners such as these, Alaska would soon face years of conflict such as we saw on the National level during the years of Watt and Burford.

I urge you reject the appointments of John Sandor and Harold Heinze.

Sincerely yours

*Dixie M. Baade*  
Dixie M. Baade

Box 556  
Petersburg, AK 99833  
April 22, 1991

Honorable Lloyd Jones  
Alaska State Legislature  
PO Box V  
Juneau, AK 99811

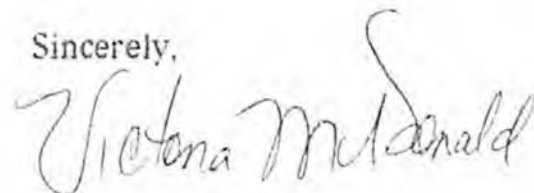
Dear Senator Jones:

Please consider carefully on your vote for John Sandor as commissioner of the DEC. While working for the Forest Service, he wanted to cut the existing old growth "as soon as possible" and he reduced the amount of land set aside to protect fish and wildlife habitat. As co-founder of the Juneau Mining Advisory Committee he proposed that Juneau ignore environmental standards for mining.

John Sandor is an advocate for resource development at the expense of consideration for recreation and tourism. His appointment is not in the public interest. Please vote "no" for John Sandor.

Thank you for your attention.

Sincerely,



Victoria McDonald

cc: Cliff Davidson

**Raymond R. Latchem**

8740 HARTZELL ROAD ANCHORAGE, AK 99507  
HOME 344-8439 OFFICE 344-6742  
FAX 522-5224

MAY 6 1991

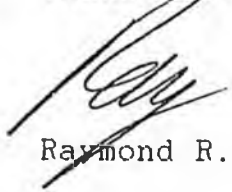
April 26, 1991

The Honorable Lloyd Jones  
Alaska State Legislature  
PO Box V  
Juneau, AK 99811

Dear Senator Jones,

I am writing to ask your support for Governor Hickle's appointments for DNR and DEC Commissioners. I believe that both Harold Heinze and John Sandor are excellent candidates for their respective positions. I urge you to support their confirmation during the upcoming hearing and legislative vote.

Thank you.



Raymond R. Latchem



229  
extra

## Alliance for Juneau's Future, Inc.

[Redacted]

Dear [Redacted]:

Juneau has experienced considerable economic darkness over the last few years. There are encouraging signs which indicate the worst is over and that the future looks a bit brighter. A united business community can play a major role in turning that brightness into brilliance - a golden brilliance.

A community must move forward or face stagnation and atrophy. As we move toward the next decade and the turn-of-the century, we must work together to keep our community competitive within the Pacific Rim economic environment. We believe a better community can be built if we start working together and if we start working now.

We are happy to announce the formation of an organization to provide the mechanism to work together toward these objectives - THE ALLIANCE FOR JUNEAU'S FUTURE. Dozens of business and community leaders have spent hundreds of hours carefully putting this organization together over the last two months. Now we are ready to move to the next stage - the active involvement of hundreds of caring people. We hope you will be one of them. Enclosed is a brochure describing the purposes of our corporation.

If you agree with the purposes, we would very much like to have you as an active member. You will be entitled to determine policies of the corporation and elect the Board of Directors. You will also receive our newsletter with indepth articles on subjects such as improved transportation access, assuring ample supply of energy resources and other issues of current economic interest. Our first objective is to assure re-introduction of mining to our economy - specifically starting with the environmentally sound Echo Bay-AJ project.

A member of the Alliance will be following-up to answer your questions or concerns. Please give him/her a few minutes of your time when she/he calls. We hope you will join with us in helping to shape Juneau's future as we move into the new century.

Sincerely,

John Sandor  
Executive Director

William J. Cullinane  
Membership Committee Chair

# STATE OF ALASKA

WALTER J. HICKEL GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

OFFICE OF THE COMMISSIONER  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
Phone: (907) 465-2600

May 2, 1991

Ms. Marna L. Schwartz  
Executive Director  
Alaska Environmental Lobby, Inc.  
P.O. Box 22151  
Juneau, AK. 99802-2151

Mr. Rex Blazer  
Executive Director  
Northern Alaska Environmental  
Center 218 Driveway  
Fairbanks, AK. 99701

Dear Ms. Schwartz and Mr. Blazer:

This is in follow up to my letter of April 25, 1991 referring to the "Action Alert", which was distributed by mail with the March 28, 1991 issue of THE NORTHERN LINE. Although the author of this leaflet was not shown, it was printed on Alaska Environmental Lobby, Inc. letterhead and was distributed by the Northern Alaska Environmental Center, Nonprofit Organization Permit No. 201 from Fairbanks, Alaska.

Your response to my letter did not answer the questions asked:

1. Who is responsible for publishing or printing this "Action Alert"? In other words, was Ms. Martha Schwartz the author of this leaflet and/or did she authorize the printing of this document? If Ms. Schwartz did not author the content and/or authorize the printing, who did?
2. Who is responsible for distributing this leaflet with THE NORTHERN LINE? In other words, did Mr. Blazer authorize the distribution of this "Action Alert" within the March 28, 1991 issue of THE NORTHERN LINE, mailed under Nonprofit Organization Permit No. 201 from Fairbanks, Alaska? If Mr. Blazer did not authorize inclusion of this leaflet with the mailing of THE NORTHERN LINE, who did?

Public records clearly show the statements published in the "Action Alert" are false. Fortunately, these have been recognized as such as noted in the April 30, 1991 editorial by the Juneau Empire (copy enclosed). One way of partially correcting these falsehoods is to reprint the Juneau Empire editorial in the next issue of THE NORTHERN LINE.

Sincerely,

*John A. Sandor*  
John A. Sandor  
Commissioner

Post-It™ brand fax transmittal memo 7871		# of pages 2
To Marna Schwartz	From Comm Sandor	
Co. AEL Inc	Co.	
Dept.	Phone	

# Comic book conservation II

**J**ust when you think it's safe to take seriously the literature produced by the many environmental groups active in Alaska, they toss their credibility out the window like a non-recyclable soda bottle.

In the past, most of the examples came from Lower 48 groups using exaggeration as a means of fund-raising. One group's representative once recounted to us that his boss told him: "Do you want to be accurate, or do you want to raise money?"

The most recent example of overstatement doesn't involve fund-raising. It involves character assassination in the form of an "Action Alert" from the Alaska Environmental Lobby, Inc. In it, the reputations of two of Gov. Walter J. Hickel's commissioner nominees are viciously attacked in an effort to drum up opposition to their confirmation by the Alaska Legislature. Here's how the "alert" begins:

"The James Watt style of government is thriving in Alaska. Governor Walter Hickel has put the foxes in charge of the chicken coops. The Alaska Dept. of Conservation (sic) and the Dept. of Natural Resources are now under the control of some of industry's most aggressive proponents of resource exploitation."

Besides apparently not knowing the name of the Department of Environmental Conservation, the anonymous author goes on to attack Harold Heinze, whom Gov. Hickel has nominated to head DNR, and John Sandor, his choice for DEC.

We don't know Mr. Heinze, the former head of ARCO Alaska, but we, unlike the anonymous author, are willing to give him the benefit of the doubt. After all, it only seems logical to have someone in the job who knows one end of a drilling bit from the other. That is especially true since the stated goal of this administration is to lobby for opening the coastal plain of the Arctic National Wildlife Refuge to oil exploration.

We do, however, know Mr. Sandor, and to see him attacked through the use of innuendo and false charges is more than a little disgusting. In our opinion, of the people nominated to Gov. Hickel's Cabinet, Mr. Sandor is the best of the best. Anyone who knows him personally or professionally knows him to be fair-minded and honest. Add to those qualities his decades of experience with the U.S. Forest Service and his dedication to conservation (he has received the State Conservationist award from the Alaska Wildlife Federation and Sportsmen Council) and you have a top-flight individual who will do Alaska proud and protect its environment to the fullest extent of the law.

The anonymous person who wrote the attacks on Mr. Heinze and Mr. Sandor is asking that the people of Alaska use the "information" he (or she) provides and write to their legislators in opposition to their confirmation.

We won't get into the unsubstantiated allegations leveled against Mr. Sandor. Suffice it to say that they are not even worth repeating and are totally inaccurate.

After reading it, about the only thing worthwhile about this "alert" is it was printed on recyclable paper. We suggest recipients of it do just that and toss it in the recycling box.

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**ISSUE:** There the  
environmentalists  
go again

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**ALASKA PULP CORPORATION**

4600 SAWMILL CREEK ROAD • SITKA, ALASKA 99835-0501

April 24, 1991

The Honorable Lloyd Jones, Chairman  
Senate Resources Committee  
Alaska State Senate  
P.O. Box V  
Juneau, AK 99811

Dear Lloyd:

This letter is in support of your confirmation of John Sandor as Commissioner of Environmental Conservation. I have had experience working with John Sandor for more than 10 years and consider him to be very professional and knowledgeable in the areas of environmental conservation. As you no doubt know, John, by virtue of his being head of the U.S. Forest Service in Alaska, was responsible for the Environmental Impact Statements for many different areas of lands and projects that were affected by forestry and mining activities. There are few people that have the depth of understanding of the regulatory function as it interfaces with the federal agencies and various agencies of the State as it relates to environmental compliance.

I would urge your confirmation of John Sandor as being in the best interests of the State of Alaska.

Very truly yours,

ALASKA PULP CORPORATION

Franklin C. Roppel  
Executive Vice President

FCR:lc

cc: Representative Ben Grussendorf  
Senator Dick Eliason

**DEPT. OF ENVIRONMENTAL CONSERVATION**

OFFICE OF THE COMMISSIONER  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

Fax: (907) 465-2617  
Phone: (907) 465-2600

COMMISSIONER JOHN A. SANDOR'S SPEECH, APRIL 21, 1991  
ENVIRONMENTAL CONSERVATION OBJECTIVES ON EARTH DAY 1991

INTRODUCTION

On this the 21st Anniversary of Earth Day, it is appropriate to again take stock of our community and state's progress in environmental protection and to set specific environmental objectives for the year ahead.

Alaska remains a focal point of national and international interest as an extraordinary region with remarkable natural resources, ecological diversity and a rich cultural history. Alaska with its vast natural resource base, offers the potential of great promise to our nation and the world, but resource development must also provide for environmental protection if this region's potential is to be sustained through the next century.

Thus, as we define our objectives for the year ahead, we must also keep an eye on the next century. Economic and environmental objectives must be integrated if the promises to both present and future generations are to be realized. These objectives must go hand in hand.

We must also give special attention to each and every community within our great state. For a variety of reasons, not every community has been able to achieve the quality of life many of us take for granted. We are, after all, one land and one people. We must work together for the benefit of all our people, today and for the future. It is with these thoughts in mind that the Department of Environmental Conservation developed its objectives for the year ahead.

1. EXXON VALDEZ OIL SPILL CLEAN-UP AND RESTORATION

The completion of clean-up work and the continued restoration of resources damaged by the Exxon Valdez Oil Spill is one of the top priority objectives of the State of Alaska in the year ahead. The Federal and State agencies are working closely together with the private sector to complete damage assessment studies and to continue restoration efforts in Prince William Sound, Cook Inlet, Kodiak Island and other coastal areas damaged by this disaster. The Settlement Agreement for the Exxon Valdez Oil Spill provides for this continued restoration work.

## 2. PREPARING FOR FUTURE OIL AND HAZARDOUS SUBSTANCE SPILLS

Alaska must apply the lessons learned in the Exxon Valdez Oil Spill. Prevention efforts are being undertaken to reduce the chances of accidents which lead to such spills. Contingency plans and response efforts will continue to be improved in the year ahead. We want to put the Exxon Valdez Oil Spill behind us, but be certain we are prepared for the incidents whenever and wherever they occur.

## 3. DEVELOPING SAFE WATER AND WASTE DISPOSAL SYSTEMS

Every Alaska community should have safe drinking water and safe sewage disposal systems. However, over 60 Alaska communities do not meet these basic needs. In fact, many of these communities report serious health problems from unsafe water or improperly treated sewage. In fact, the back-log of needed, water and sewer system projects exceed 120 million dollars. Furthermore, the planning, maintenance and operation work associated with these projects will require special training for local community residents. It is estimated that it will take from 3 to 5 years to achieve this objective. This special effort will begin this year, and be incorporated as a part of a rural development initiative led by the Department of Community and Regional Affairs.

## 4. IMPROVE THE MANAGEMENT OF SOLID WASTE

Alaskans, like most other Americans, generate a great deal of waste products. Disposal of solid waste is a growing problem for most of the communities in Alaska. A number of communities have taken positive steps to reduce the production of wastes by conservation and recycling measures. The best way to manage waste is to reduce production of solid waste and to recycle waste products where it is feasible to do so.

The Department of Environmental Conservation will work with local communities in developing cost-effective solutions to this growing environmental problem.

## 5. IMPROVE THE MANAGEMENT OF HAZARDOUS WASTE

Hazardous waste production and disposal is another serious environmental problem. Again, the first priority effort will be directed to preventing the production of such materials where it is feasible to do so. Attention will also be directed to improving the methods for treating such wastes. Finally, where it is necessary to dispose of and store such wastes, the State of Alaska is beginning the process of locating several, hazardous waste treatment and storage sites within our State. Presently, hazardous wastes must be shipped to the lower forty eight states with substantial hazards and expenses associated with such shipments.

The cleanup of contaminated and hazardous waste sites is a related environmental problem. There are over 3,000 waste sites in Alaska on public and private land that have the potential of polluting ground water or creating other health hazards. Many of these sites are on Defense Department lands or were formerly used defense department sites. Some date back to World War II. The State of Alaska will be working with the Defense Department agencies in evaluating and cleaning up these sites.

Priority attention will also be given to cleaning up contaminated sites that are located on State and Community lands.

## 6. WORK WITH INDUSTRY TO ASSURE ENVIRONMENTALLY SOUND PROJECTS

In the face of declining oil revenues, Alaskans are seeking new opportunities for economic development. Alaska has the resource potential to help meet our nation's energy needs. The development of the potential oil reserves in a part of the Arctic National Wildlife Refuge (ANWR) offers great promise to meeting these needs. Other economic development projects are also being proposed. Within this community such historic mining properties as the AJ, Kensington and Jualin Mines are being explored with the possibility of reopening these properties.

The development of such projects must meet Federal, State and local government laws and regulations. The Environmental Impact Statement process provides an opportunity for individuals and organizations to identify concerns, and these must be addressed in the process. Sound economic development and environmental protection must go hand in hand.

These are a few of the major environmental protection objectives of the Department of Environmental Conservation for the coming year. Most of these objectives impact both large and small communities, and the ADEC has initiated a major effort which will formally bring the Community and State governments in a partnership to deal with environmental problems and issues.

The DEC has already signed formal Cooperative Agreements with the Ketchikan Borough, Unalaska and Sand Point. Draft agreements have already been prepared with Fairbanks and North Pole; also the Kenai Peninsula Borough and St. Paul. These formal Cooperative Agreements commit the ADEC to cooperatively work with each of these communities to develop practical, cost-effective solutions to the environmental problems within those communities.

By Earth Day 1992, we hope to have at least 50 communities covered by these cooperative agreements.

Finally, the Alaska Department of Environmental Conservation will celebrate its twentieth anniversary this coming June. The ADEC has a proud history of accomplishments these past two decades. On behalf of this fine organization, I invite you to participate in the coming celebration of the ADEC's anniversary this coming June.

Thank you.



# Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366  
Fax 907-463-3312

## The Alaska Environmental Lobby opposes the confirmation of John Sandor as Commissioner of the DEC.

Since his appointment as Commissioner of the Department of Environmental Conservation (DEC), Sandor has shown that his background in resource development makes him unsuitable for his job. His past as a pro-development activist is in direct conflict with the mission of DEC as a "watchdog" of those industries which can and will destroy the clean environment we Alaskans value so greatly.

**As Regional Forester for the USFS (1976-84), John Sandor ignored the expertise of USFS's research staff and instead made decisions based on preconceived opinions. This bias led to poor public policy decisions.**

Under Sandor, the regional office tried to refute research results of the USFS Forest Research Lab which showed clearcutting of old growth stands destroyed deer overwintering habitat. USFS biologist Dr. O.C. Wallmo wrote

"During the time I was in Juneau there were several efforts from the **Regional office** and the timber industry to quash, discredit, or ridicule results of wildlife research conducted jointly by the Forest Sciences Lab and Alaska Department of Fish and Game." <sup>1</sup> "Sandor made an effort through Bob Tarrant to **suppress our research reports.**"<sup>2</sup>

As Regional Forester, Sandor proceeded with timber sales even though they were environmental and economic disasters. The Bradfield River sale resulted in "violations of State Water Quality Standards," "slope failures and severe surface erosion" and a degradation of spawning habitat.<sup>3</sup> Furthermore, "the U.S. treasury lost \$260 million between 1977 and 1984 on sales of timber from the Tongass."<sup>4</sup>

With a disregard for environmental procedures, USFS encouraged development of the Quartz Hill molybdenum mine during Sandor's tenure. In the late 1970's, the approval of road construction along the Keta River to access bulk sampling sites was overturned on appeal by the Secretary of Agriculture. Although the passage of ANILCA required an EIS for both the bulk sampling and road access in addition to an EIS for the mine itself, this was ignored and bulk sampling was allowed to occur before the completion of the EIS. USFS was sued and again the plaintiffs prevailed.<sup>5</sup>

During the final stages of the EIS process for Quartz Hill, there was extreme concern that by siting the access road along Wilson Arm, tailings would eventually end up in the fjord. Borax gave repeated assurances that this would not be the case and

the road was constructed. *In 1990, Sandor as executive director of Alliance for Juneau's Future endorsed the disposal of the Quartz Hill mine tailings in Wilson Arm, asking that EPA rule in favor of this site. However, EPA has denied a NPDES permit for this disposal and the project is on hold.* <sup>6</sup>

**Since his retirement, John Sandor has been an outspoken pro-development activist aggressively supporting the very industries he is now to watchdog.**

In 1989, Sandor co-founded and directed, until his appointment, the Alliance for Juneau's Future, a Juneau based industry advocacy organization and an outspoken proponent of re-opening the AJ gold mine. He wrote in an Alliance membership appeal, "Our [Alliance's] first objective is to assure re-introduction of mining to our economy - specifically starting with the environmentally sound Echo Bay-AJ project." <sup>7</sup> He gave this unconditional support for a mega-industrial project before BLM's draft environmental impact statement was released in 1991.

**Since his appointment as DEC Commissioner, John Sandor has shown disregard for the public process and an overriding bias toward industry.**

In February, DEC gave Alyeska a sneak preview of new oil spill regulations prior to public review. Soon after, the decision was made to withhold the release of the regulations until further changes were made. An ombudsman's investigation into this subversion of the public process is currently underway.

Furthermore, Sandor has asked EPA to speed up the process by which Alaska can site temporary and permanent hazardous waste facilities.<sup>8</sup> This interest in developing hazardous waste disposal sites when it has not been determined that the type and level of hazardous waste generated in Alaska warrant such a solution shows a short sighted approach and a prevailing concern for the best interest of polluting industries rather than the public. This is especially ironic given the high importance DEC has placed on safe drinking water which in many Alaskan communities is contaminated by hazardous substances.

<sup>1</sup> emphasis added; to Dr. Charles M. Loveless, USFS; Washington D.C.; 10/26/80

<sup>2</sup> to Robert L. Ethington, Director, PNW Forest and Range Experiment Station; 10/17/80.

<sup>3</sup> Mehrkens; Resource Impacts, Bradfield Timber Sale USFS; pp 3-4; 1976.

<sup>4</sup> J. Carter; Juneau Empire; 4/28/86.

<sup>5</sup> SEACC v. Watson, 697 F.2d 1305 (9th CIR. 1983).

<sup>6</sup> to EPA; p 3; 7/6/90

<sup>7</sup> Alliance for Juneau's Future, membership appeal

<sup>8</sup> to D. Rasmussen; 2/21/91.



# Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366  
Fax 907-463-3312

## SANDOR DOCUMENTS

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4. J. Carter: Juneau Empire; 4/28/86.
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  - b. Kochman; Transcription of KTOO-FM news story; 4/18/91
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1  
]220 South Tracy  
Bozeman, MT 59715  
October 26, 1980

Dr. Charles M. Loveless  
Forest Environment Research  
Forest Service - USDA  
P.O. Box 2417  
Washington, D.C. 20013

Dear Charlie:

Enclosed are copies of letters from me to Director Bob Ethington, PNW, and Project Leader Don Schmiege, Juneau, regarding the recent review of wildlife-related problems in southeast Alaska conducted by Bill Longhurst and Les Robinette. The deficiencies in their report, which have been noted by many people in Alaska, were to be expected considering their time constraints and unfamiliarity with the biotic setting and human social milieu. Bill and Les deserve their eminence in the wildlife profession. My criticisms are not intended to demean them generally, but I do consider it a distinct impropriety for them to have presumed to be authoritative in that situation. Their errors and misconceptions will be rebutted in Alaska. Aside from these two letters, I won't pursue them further unless specifically requested to.

My concern is the manner in which the Station endorsed and collaborated in the implementation of the review. Having gone through the traditional process of formulating a research program and securing approval of it from Washington (for the unit description and problem assignments) and the Station (for problem analyses, sequence of studies, and study rationale and design), the work unit scientists should feel secure in assuming that their efforts are sanctioned and supported within their Station, regardless of outside criticism. If such criticism warrants reconsideration of the relevance or quality of the research, that possibility should first be broached within the Station among the scientists involved, the unit leader, and program assistant director, and ultimately the director. Concurrence with the critics might result, but the responsible administrators would then know what they were talking about.

In the present case, the Station, via the program assistant director, endorsed the Region's proposal for the Longhurst-Robinette review, and assumed a major role in setting its format, including the inquiry into the research program, without such prior consideration of the program within the Research Work Unit and Station. Neither the assistant director nor the director or interim acting director ever, at any time, availed himself of his prerogative and obvious opportunity to discuss the rationale and design of current and planned studies, to observe study locations and sampling procedures, or to discuss the analysis, interpretation, and implications of data. Consequently, none of those persons is capable of determining the relevance of that review to the Unit's program, or its accuracy.

1220 South Tracy  
Bozeman, MT 59715  
October 17, 1980

Robert L. Ethington, Director  
PNW Forest and Range Experiment Station  
809 NE Sixth Avenue  
Portland, OR 97232

Dear Bob:

The purpose of this letter is to comment on the preliminary report of W. M. Longhurst and W. L. Robinette, A Review of the Interrelationships between Forest Management and Wildlife on the Tongass National Forest. I will acknowledge, however, that I was not requested to appraise their report and did not receive a copy of it through Forest Service channels or from Longhurst and Robinette. The copy that I have was provided by Alaska Department of Fish and Game.

Separately, I have written a detailed commentary on all of their references to the research program conducted jointly by RWU 1652 and ADF&G. A digest of those notes will be sent to Don Schmiege. Here, I will synthesize my general reaction to the report as it might reflect on 1652's program and comment at greater length on the effect on the morale of Station scientists of external inquisitions endorsed by the Station without prior evaluation of their research within the Station.

As for the Longhurst-Robinette references to Station-ADF&G research, my general conclusion is that they simply neglected to gain sufficient familiarity with our program to review it intelligently. On the occasion of their preliminary visit, we furnished them several documents to acquaint them with the overall program. Later, Dr. John Schoen (ADF&G collaborator) and I explained, and responded to their direct questions regarding, studies and results. Beyond an airplane ride with Dr. Schoen to observe radio tracking of deer and a brief orientation walk with Al Harris and me in forest near Juneau, they obtained no on-the-ground experience with our research. Consequently, their ignorance of the objectives, methods, technical and logistical problems, and results or progress of individual studies, and the relation of those studies to the long-term program, renders many of their judgments erroneous or irrelevant and much of their advice valueless.

For the Station or the Region to assume that, in their superficial look at the situation, they could perceive technical and conceptual problems in the program that were beyond our capacity in full-time assignment to the job was hardly flattering to us. That we had already considered, adopted, coped with, or rejected all of their suggestions can be documented. But, verification of that fact to Station administrators would require that those administrators manifest a conscientious interest in their own programs rather than giving sole ear to its detractors.

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

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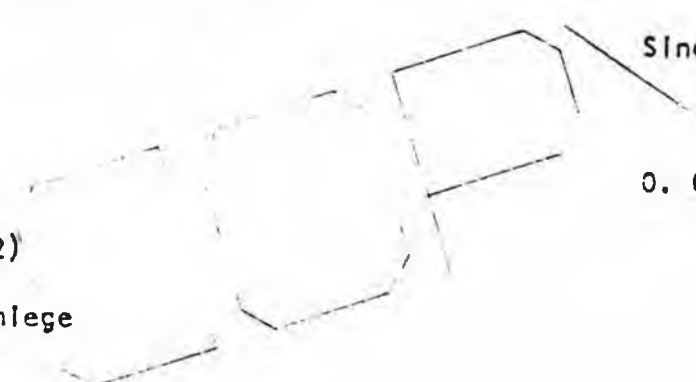
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October 26, 1980

That fact no longer affects me personally, and these letters should not be interpreted as personal vindication or recrimination. I do, however, have a deep concern over the integrity and credibility of the Forest Service research branch and the freedom of its scientists to conduct research and report results without fear of coercion from elements that don't like the implication of the results. During the time I was in Juneau there were several efforts from the Regional office and the timber industry to quash, discredit, or ridicule results of wildlife research conducted jointly by the Forestry Sciences Lab and Alaska Department of Fish and Game. In another instance, the National Forest attempted to discredit findings from forest insect and disease research. Earlier, Region 10 objected to the release of certain results of silviculture research that failed to support a sale plan. These are documentable facts.

Nevertheless, while I was in Juneau, I was impressed with an increasing recognition of the public and other State and Federal agencies that research conducted by the Forestry Sciences Laboratory was not conceived to agree or disagree with the desires of any factional interests in the forest resources. Many of those persons are well aware, however, that the Station's collaboration in the Longhurst-Robinette review and several other actions of apparent similar intent were accommodations to the Region's and the timber industry's displeasure with findings that did not complement timber management policy.

The resulting loss of credibility should be of great concern to the Forest Service. Though recent experience doesn't give me faith that it will be, the least I can do as a still-faithful ex-employee is to register my own concern and hope for the best.



Sincerely,

O. C. Wallmo

Enclosures (2)

cc: Don Schmiege

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October 17, 1980

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For the Station or the Region to assume that, in their superficial look at the situation, they could perceive technical and conceptual problems in the program that were beyond our capacity in full-time assignment to the job was hardly flattering to us. That we had already considered, adopted, coped with, or rejected all of their suggestions can be documented. But, verification of that fact to Station administrators would require that those administrators manifest a conscientious interest in their own programs rather than giving sole ear to its detractors.

I consider the Station's failure in that regard to have been a serious dereliction in the present case. You are no doubt aware that the controversy over PNW-ADF&G deer research stems from Regional Forester John Sandor's displeasure with our initial findings on the preference of deer for climate, forest habitat and certain qualities of such habitat. Sandor made an effort through Bob Tarrant to suppress our research reports (a documentable fact, by the way). He also invited Dale Jones, Director of Wildlife Management, WO, to review our program. Dale suggested the review by Longhurst and Robinette. When Sandor initiated that review, the Station, via Ken Wright, endorsed it, and Ken took over leadership in planning it. At that time, and now, Ken had no first-hand familiarity with our research. The only direct feedback I had ever gotten from Ken on my program was that the problem analysis for deer research was too long for him to read (1), though he eventually approved it.

Our program was developed in accordance with established requirements. The problem analysis was reviewed and approved by the Project Leader and the Director's office, study plans and progress by the Project Leader. Formal cooperative relations and functional relations with ADF&G were reviewed and approved similarly by both agencies. In that the Director's office did not address questions or criticisms directly to us, and the Program Assistant Director showed no interest in the progress of studies and findings, we could only assume that we were fulfilling the expectations of the Station.

For the relevance, propriety, and adequacy of our research to be called in question by the Regional Forester, who knew even less about it, and these doubts to be endorsed so willingly by the Assistant Director, was shattering to my faith in the organization. More important, however, it is a manner of operating that will be inimical to the productivity of Station scientists in Juneau if it continues.

Now that I'm out of the organization, that is my major concern. I am satisfied with and proud of what John Schoen and I and our helpers accomplished while I was in Juneau. However, there still is much to be learned, and no honest scientist can promise that studies of unanswered questions will yield answers that will please any chosen faction. If they do not, and the Station supports the objecting factions while ignoring the validity of the research results, it will further obstruct the acquisition of knowledge required for responsible management of forest resources. Implications of the truth may be an uncomfortable onus for National Forest administration, but the Stations have no ethical right to collaborate in warping research programs or results to suit management policy.

For whatever my experience and judgment are worth, I consider the Longhurst-Robinette report to be largely a hastily-contrived mishmash of misconceptions, misunderstandings, and hearsay that should not be accorded any credibility. I am informed, however, that personnel in Region 10 and the Tongass Forest are already picking from it and touting those excerpts (that seem - out of text, anyway) to support their preconceptions. I fervently hope that the Station will not contribute to the inefficacy of its Alaska research program by condoning that.

October 17, 1980

Through someone's wisdom, or perhaps by chance, the Station has in Don Schmiede an eminently qualified and responsible person as leader of RWV 1652. He and my successor, Tom Hanley, a well-trained, objective, productive, and properly experienced wildlife scientist, are capable of conceptualizing, planning, and executing a research program appropriate to the needs of Southeast Alaska. I presume they will make changes in the program which I instituted. I urge you to give them the respect that is their due and that is essential for the maintenance of a research unit that can serve all public interests conscientiously. If that is your interest, too, I can assure you that their knowledge and advice will provide more unbiased, responsible guidance than you can get from the Regional Forester, the timber industry, or more fly-by-night imported "experts."

Sincerely,

O. C. Wallmo

cc: Don Schmiede  
Charlie Loveless

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

REPORT:

RESOURCE IMPACTS, BRADFIELD TIMBER SALE

STIKINE AREA

TONGASS NATIONAL FOREST



by

Joseph R. Mehrkens

Forest Hydrologist

Petersburg, Alaska

July 12, 1976

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