

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8727 HOUSE RESOURCES

Testimony to House Resources  
(written comments submitted  
to House Resources 4/25/95)

April 24, 1995

Re: HB 212

My name is Albert Pagh. I am the chairman of the Interior Alaska Forrester Assn. My son and I have owned and operated Four Star Lumber Co., in Fairbanks, for 25 years.

I am here to ask for support of H.B. 212. This bill addresses the needs of all of us in the small timber industry in the interior.

When Alaska became a state we had the right to select 104 million acres of land so that we would have the resources to develop and create jobs for the people of the state and also create revenue to support state government.

When the Alaska State Constitution was drafted, the intention was to develop the resources.

Timber is one of the renewable resources that should be harvested <sup>to</sup> and create revenue.

In the early 1980's the state set up a program to get land into ~~the~~ private ownership. Some sites were ~~stacked~~ <sup>laid</sup> out on the Bonanza Creek Experimental Forest. There were also some <sup>laid</sup> out over top of a timber sale on Cache Creek. It became very apparent that, we in the small timber industry, that existed, had to have a timber base that we could rely on. We formed the Interior Woodcutters Assn. and contacted Senator Betty Fairencamp to file a bill to establish the Tanana Valley State Forest.

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Alaska Statutes under 41.17.200 - Article 3 - State Forest System - states the State forest purposes and sec 41-17-210 further defines it. - State forests (a) The governor may propose to the legislature the establishment of a state forest consisting primarily of commercially valuable forest land - ect.

Sec 41.17.230 under (e) The commissioner shall consider and permit the following uses under a management plan under (a) or (b) of this section subject to a determination under (F) of this section (1) commercial timber harvest and related activities; and then goes on to list 13 more uses that are compatible with timber harvest.

This was taken out in 1990 by a steering committee set up to look at the Forest Practice Act. Under Part 1 - Introduction it states - To achieve an objective and balanced review, the review process included representatives of timber land owners, state agencies, and users of public resources affected by forest practices. Also under The General Public, it states - The general public is involved through the legislative process and standard agency process for promulgation of new conforming regulations. Also under 11. The Steering Committee A. Make up of the Steering Committee. Membership on the steering committee was a compromise of representation for all who are affected by the Forest Practice Act, ect.

There was no<sup>3</sup> representation from the interior and the Tanana Valley State Forest and The Haines State Forest are the only State forests in Alaska.

This committee was to come to a consensus which they did not.

As soon as this rewrite of the Forest Practice Act was done by the steering committee. The Trustees for Alaska filed 8 lawsuits against the state stopping timber sales. 5 years and \$109,563 later the state prevailed and the timber sales were sold.

I believe the changes made in 1990 make it pretty near impossible to put up a timber sale that won't be challenged in court. When a suit is filed the sale goes on hold and we sit without any timber due to the suit and the short time on timber sales that we manage to have.

Of the 120 land use designations, this state forest does not now have a primary purpose.

Under Alaska Statutes Sec. 41.12.151 Denali State Park - Sect. 41.21.475 Chena River State Recreation Area - 41-21-460 Incompatible Uses - 41.23.010 Nelchina Public Use Area. and so on - Also see 11 AAC 55.040 Classification (b) and (c)

The Tanana Valley State Forest acreage is just under 1.8 million acres so if it is harvested on a 125 year rotation basis we could be harvesting 1,440,000 acres per year. At the present time we are harvesting less than 1000 acres per year. At the present rate of harvest it would take 1800 years to cut the existing stands. The longest contracts now are 4 years so at any one time there is still

(4)

1 million 7 hundred 96 thousand acres available for other uses. There are over 195 million acres in Alaska that is off limits to any logging. The small timber industry in the interior is just trying to regain under H.B. 212 <sup>what</sup> was supposed to be a timber base under the 1983 bill establishing a State Forest.

Thank you  
Albert M. Pugh  
Chairman Interior Alaska  
Forest Comm.

## FOREST RESOURCES AND PRACTICES ACT - 1990

(As Revised by the Alaska Legislature in 1990)

### CHAPTER 17. Forest Resources and Practices ARTICLE 1. Administration and Management

Sec. 41.17.010. **DECLARATION OF INTENT.** The legislature declares that

(1) the forest resources of Alaska are among the most valuable natural resources of the state, and furnish timber and wood products, fish and wildlife, tourism, outdoor recreation, water, soil, air, minerals, and general health and welfare;

✓ (2) economic enterprises and other activities and pursuits derived from forest resources warrant the continuing recognition and support of the state;

✓ (3) the state has a fundamental obligation to ensure that management of forest resources guarantees perpetual supplies of renewable resources, provides nonrenewable resources in a manner consistent with that obligation, and serves the needs of all Alaska for the many products, benefits, and services obtained from them;

✓ (4) government administration of forest resources should combine professional management services, regulatory measures, and economic incentives in a complementary fashion, and should draw upon the expertise of professional foresters in conjunction with other disciplines;

(5) under the leadership of the Department of Environmental Conservation as lead agency, the state should exercise its full responsibility and authority for control of nonpoint source pollution with respect to the Federal Water Pollution Control Act, as amended;

(6) subject to AS 41.17.098(c), the provisions of this chapter, and regulations adopted under this chapter, with the approval of the Department of Environmental Conservation, establish the non-point source pollution requirements under state law and sec. 319 of the Clean Water Act for activities subject to this chapter;

(7) except for activities subject to AS 16.05.840 or 16.- 05.870 and regulations authorized by those sections, this chapter and regulations adopted under this chapter establish the fish habitat protection standards, policies, and review processes under state law.

✓ Sec. 41.17.030. **RESPONSIBILITIES OF DIVISION.** (a) The division shall manage state forests and, as directed by the commissioner, provide technical advice to the division of lands on sound forest practices necessary to ensure the continuous growing and harvesting of commercial forest species on other state land.

(b) The division shall relegate operations on private forest land as authorized by the provisions of this chapter or state law.

(c) The division shall provide public information and assistance regarding forest practices and timber management generally.

att. Jack Phelps

The Tanana Basin Area plan determines major land uses on state lands within the planning area. The plan also sets management guidelines for the various resources.

The plan designates surface and subsurface uses for each management unit. Surface uses are designated primary if they are major surface uses; the unit will be managed to encourage its use, conservation or development. A secondary use is permitted when its occurrence will not adversely affect achieving the objectives for the primary uses.

The plan establishes management guidelines that allows various uses to occur without serious conflicts. Management guidelines can direct the timing, amount, or specific location of different activities, making the allowed uses compatible.

During development of the original plan, three rounds of public workshops were held throughout the planning area and in every community in the basin. More than three hundred people attended meetings in 1982 to identify land use concerns for the Tanana Basin. Approximately 170 people attended workshops in 1983 dealing with alternative land use plans, and 358 people commented on draft plan in 1984. These workshops are summarized in separate documents available

from the Department of Natural Resources. Throughout the planning process, members of the planning team and D.N.R. staff met with representatives from many committees and interest groups, to inform them of the plan's progress and provide them the opportunity to review resource data and plan proposals.

Information gathered at these meetings and the written comments were instrumental in identifying important issues, gathering data on local resource values, developing and evaluating land use alternatives, and shaping the final plan.

For accessible portions of the Basin, this plan designates about 240,800 acres of state land for agriculture, of which 195,540 is recommended for private ownership.

About 11.5 million acres have been designated primary use wildlife habitat.

About 1.8 million acres have been designated primary use forestry.

About 4.8 million acres will be returned and managed for multiple use, emphasizing recreation.

There is 195 million acres that could bear a forest. (Partly, wildlife areas, multiple use, in some areas) Do you see a lot of work was done by a lot of reasonable people. To come to a consensus.

Albert M. Baskin

# INTERIOR ALASKA FOREST ASSOCIATION

*"The forest is our future."*

Representative Jeannette James  
State Capitol  
Room 102  
Juneau, Alaska 99801

RECEIVED BY  
APR 14 1995  
Rep. Jeannette James

Dear Representative James:

Once again, thank you for introducing our bill. It is absolutely critical that the bill pass. Any support you need in this matter please call. HB 212 is vitally needed to protect our local forest industry. If it is not passed, it is our firm belief that forest industry on state land will not exist in three to four years. Before any large scale added value processing can occur, we must deal with the basics of reestablishing a guaranteed supply of timber.

HB 212 is necessary because of two key points: 1.) The purpose of the Tanana Valley state forest and laws that control the forest industry on state land were changed without any representation from those affected, and 2.) the Tanana Valley State Forest must have a stated primary purpose (all the rest of the state land allocations do).

## **"HOW THE PUBLIC (PARTICULARLY THE INTERIOR) WAS CUT OUT OF THE PROCESS"**

In 1983, the communities in the Tanana Valley made a decision that 5% of the valley should be set aside as a "timber base" and must be open to the public for many uses. To keep the Tanana Valley State Forest from becoming a park or wilderness area (given that 80% of the valley was already set aside in these type of categories) 14 uses were guaranteed in the state forest legislation. In 1988, the Cowper administration asked for a Forest Practice Act review, because the forest industry in southeast Alaska and environmental groups were in continuous lawsuits over timber harvest. The Forest Practices Act Review was viewed as a way to come to "consensus" between the timber industry in southeast and the environmentalists with the purpose of reducing conflict and costly litigation. A Steering Committee was formed to review the Forest Practices Act. The June 1989 "Final Report" by the Steering committee stated, "The steering committee was the body responsible for guiding the review process and recommending changes in legislation, regulations, and implementation. The steering committee operates by unanimous consent to develop its recommendation. The public steering committee members were not picked by the governor or by the state agencies. They

were chosen by the public groups." **"Membership on the steering committee was a compromise of representation for all who are affected by the Forest Practices Act, and having a group size that allowed a workable process."**(emphasis added) **"To achieve these objectives, the steering committee included thirteen members as indicated below:**

5 representatives of forest owners and operators (i.e. those who are regulated by the forest practices): three representatives of private timber land owners; one municipality with timber ownership; and a representative of the Alaska Loggers Association" **(These members were: Sealaska Corporation from Juneau, Klukwan Forest Products from Skagway, Koncor Forest Products near Kodiak, Matanuska-Susitna Borough, and George Woodbury from Ketchikan for the Alaska Loggers Association. None of the groups were from the Interior. The forest industry representatives were the private forest land owners along the coast. None of the forest industry representatives were from companies who depend on State forest land! There was no representation at all from the Interior!!)**

"5 representatives of users of public resources affected by forest practices" These were members of environmental organizations or fishing groups along the coast. Once again, no representation from outdoor groups in the interior!

**"3 representatives of the state agencies: Department of Natural Resources, Department of Fish and Game, Department of Environmental Conservation"**

Legislation recommendations made by this committee far exceeded their original purpose of reaching a consensus on the conflicts in southeast. **The committee's recommended legislation stripped the original 14 uses from the Tanana Valley State Forest and added extremely restrictive requirements on how timber sales are offered on state forest land (mostly in the interior).** In fact, many of the "new" restrictions are nearly impossible to meet and were, in our view, intended to be "kill switches" in court challenges. Environmental groups are using these clauses to sue the state over 8 small timber sales for salvaging beetle killed timber on state land on the Kenai. **None of these changes had anything to do with the primary purpose of this committee: reaching a consensus on forest practices in southeast.** The committee's disregard for their purpose is highlighted by where they made changes. Forest Practices statutes are entirely contained in Title 41, but the damaging changes were made on "how state timber sales are sold" in "Title 38, Public Land" a completely different Title which has nothing to do with forest practices. If the steering committee's recommended legislation only affected those participants of the steering committee, we would have agreed that this was a fair and equitable process. But it was not fair or equitable! The people of the Interior were left out of the process! In direct conflict with the steering committee's assertion stated in their final report that there was "representation for all who are affected by the Forest Practices Act", the people of the Interior who were affected by these devastating changes were not represented. The end result of the 1990 forest practices legislation was that our local state forest resources and our livelihoods were traded away to satisfy conflicts between environmentalists and the timber industry in southeast Alaska.

The general public was not informed of these changes or even allowed to comment! As stated in the "Final Report" by the FPA steering committee: "The General Public. The general public is involved through the legislative process and standard agency process for promulgation of new or conforming regulations." There were no public hearings informing interior residents and asking input concerning the drastic statute changes affecting the very core of our way of life. We in the forest industry, did not know of any changes until a year after the legislation was passed. When we tried to get small timber sales, important to our survival, we learned that the new laws essentially eliminated these small sales. Little did we realize how devastating the changes really were, but they became apparent all too quickly. The regular timber sale program is being slowed down by the new extensive reviews. Our only representative in this process was the legislature. Unfortunately, they were not told the truth. The "final report" by the steering committee clearly states that all affected parties were represented. The legislature was assured that a consensus was reached by "all" the affected parties and passing the legislation recommended by the steering committee was in the best interest their constituents. Obviously it was not. Our legislators were not given the entire truth. Interior residents and the forest industry on state land were cut out of the process. HB 212 regains some of what was lost. It restores the 14 guaranteed uses to the Tanana Valley State Forest and removes the "kill switches" inserted by environmentalists. Given the preservationist agenda by special interest groups, HB 212 goes further to clearly identify the purpose of the state forest, protect multiple use and access to forest resources by the public, and establish the management of habitat for game. HB 212 is needed to protect our industry and users of the forest from continuing preservationist attempts to turn the only piece of the valley set aside for use into a wilderness. If our industry is going to survive, passage of this bill is essential.

### **"WHY WE NEED A PURPOSE FOR THE STATE FOREST"**

Every land use allocation of state land has a stated primary purpose. If the state forest is not given a "primary purpose", it would be the only state land use allocation without a "primary purpose". Why should lands set aside for the state forest not be allowed a primary purpose like all the other land use designations on state lands? Isn't this a form of discrimination against the forest industry and the public who enjoy accessible forest? By having a "primary purpose" attached to the state forest, it completes the spectrum of land uses available on state land from "state park", that restricts many uses and does not allow timber harvest, to "state forest" that produces timber for harvest and access that is also used by recreationists. Given that oil revenues are declining, isn't important that some areas be set aside whose purpose is to create jobs and diversify the economy?

There are 125 legislatively established land use designations in the state. 123 are parks, recreation areas, habitat areas and refuges totaling more than 12 million acres. Only 2 of these legislatively designated lands are set aside as state forests, totaling less than 2 million acres. The state parks, refuges, recreation areas, etc. all have stated primary purposes. For example, "AS 41.21.151 Denali State Park established." "This land and water is reserved from all uses incompatible with its primary function as park area." In every legislative

designation, all uses must be compatible with the primary purpose.

On the remainder of state land, over 90 million acres, land is classified into different "primary land use" designations by state Area plans. As stated in regulations 11 AAC 55.040 (c) "A classification identifies the primary use for which the land will be managed. All other uses are initially presumed as compatible with the primary use. However, if the department determines that a use conflict exists and that activities attendant to a secondary use are incompatible with the primary use, the secondary user shall either cease his activity or modify the use to enable the department to determine that the incompatibility no longer exists." The Tanana Basin Area Plan states: "The plan designates surface and subsurface uses for each management unit. Surface uses are designated primary if they are major surface uses; the unit will be managed to encourage its use, conservation or development. A secondary use is permitted when its occurrence will not adversely affect achieving the objectives for the primary uses." **Isn't it irresponsibly inconsistent that all state lands can be classified into "primary uses", except for state forest?** By having no primary purpose established, it leaves land management with no objectives and opens the door to continuous disputes over who has the primary right to use. The state forest was originally set aside as a "guaranteed timber base" to insure an adequate long term supply of timber for our local forest industry. How can a state forest be a "guaranteed timber base" to insure a long term supply, if the establishing law does not clearly state that its primary purpose is to produce timber?

Environmentalists have implied multiple use will not be allowed on state forests if a primary use is established. Nonsense! If this were the case, then all the rest of state land classifications, except the state forest, are closed to multiple use because they have stated "primary purposes". It's obvious there are many versions of multiple use; some versions encourage many uses and some have very limited use, but all are organized around a designated primary purpose. The purpose of a state forest is to produce timber, this does not eliminate multiple use. In fact, a unique version of multiple use is only found with areas set aside for timber management. The importance of the state forest in the spectrum of multiple uses is best stated by a recent Tanana Valley Sportsmen Association briefing paper in support of HB 212: "Most of the Tanana Valley (80%) is set aside in very limited multiple use categories of park, recreation, habitat, refuge, etc. In contrast, the state forest, a mere 5% of the valley, was set aside as an area to be used by people, to be actively managed to produce timber, game and other products, making it a unique and valuable asset to the local community. It provides a type of multiple use recreation that is rare: access by forest roads and trails. There are few areas one can drive to for this type of off-highway recreation. State forest roads and skid trails get tremendous use by hunters (grouse, moose, and bear), trappers, snowmachiners, berry pickers, campers, firewood cutters, skiers and dogmushers. The skid trails in the Rosie Creek woodcutting area have been used by the US ski team for training during the winter and mountain bike races during the summer. Winter roads put in by loggers are quickly taken over by trappers, dogmushers, snowmachiners and skiers. These multiple uses take place because of access created by timber harvest. The forest industry built the roads that everyone uses, providing unique recreational opportunities not available in the rest of the valley. State forest roads also serve to disperse hunting pressure."

The briefing paper continues: "Although environmentalists talk glowingly about multiple use

to the newspapers, their statements elsewhere show a "no use" view of managing the state forest. In commenting on the last timber sale schedule, the Arctic Audubon Society stated: 'This summer, members of Arctic Audubon formed a research group to inventory the distribution of the Townsend's Warbler because it could become endangered early in interior Alaska as a direct result of logging. Along the Cache Creek Road to Left Fork Creek, only two Townsend Warbler's were observed.....' The published range of the warbler is hundreds of miles to the east of this area. Any species at the edge of its range will be less abundant. Since fire fighting has kept the forest at older ages across the valley, species such as the Townsend Warbler should be at artificially high numbers and early successional wildlife, such as moose, ruffed grouse and hare, at artificially low numbers. Audubon's comments go on further to request that because of the Townsend Warbler, the state forest near the Cache Creek area 'should be managed for 'natural values', which means no harvest or roads'. If Audubon's comments were put into action, the forest would be kept at an artificially older ages to the detriment of moose, hare, lynx, ruffed grouse and other important game and furbearers. We believe this is nothing more than a thinly veiled attempt to create a 'spotted owl' for the interior with the sole purpose of stopping timber harvest and subsequent use by the public. An activist with the fringe environmental group, the Alaska Boreal Forest Council recently requested the Board of Forestry to restrict harvest on 75% of the state forest. The attacks on the state forest multiple use and our local forest industry are not based on sound management concerns, but rather on turning the one small piece of the valley allocated to use into a wilderness. HB 212 protects not only the timber industry but all users of the state forest."

HB 212 reestablishes the original intent of the state forest as a long term guaranteed timber supply for our local forest industry and also ensures that the version of multiple use associated with timber harvesting has a place in the spectrum of multiple uses. Do we have the foresight to set aside a small piece of our land to create jobs and diversify our economy or is wilderness and oil jobs the only acceptable alternative? If some land can not be set aside for use, then there is no future for the forest products industry here in the Interior.

Sincerely,



Al Pagh  
Chairman, IAFA

*"When the oil stops flowing, the trees will still be growing."*

# In our fire-protected forests, logging can restore a balance

By KEN TAYLOR

Recent public discussions over the future of forest management in the Tanana Valley have generated more heat than light. Opinions are many, but few seem to consider the basic ecological realities which should be guiding rational decision making here in our own "backyard."

We tend to look at the forest that surrounds us as a static environment. It is not, but it changes so slowly that its evolution goes unnoticed by most of us from year to year. Interior boreal forests were historically shaped and maintained by periodic and often large-scale disturbance by lightning-caused forest fires. Unlike moist coastal forests in the Pacific Northwest, the boreal forest needs continued disturbance to maintain itself in a healthy condition.

All tree species in the boreal forest, both hardwoods and spruce, are ecologically adapted to disturbance for reproduction. If disturbed by fire or logging before old age, poplars and aspens regenerate quickly by root suckering. Birch and willow send up crown sprouts from their stumps. Spruces depend upon regeneration from seeds, allowing the shorter-lived and shade intolerant hardwoods to get a jump in forest succession. This pattern of forest disturbance and regeneration perpetuates the health, diversity, and productivity of the boreal forest and its wildlife we all enjoy.

Hardwood trees (birches, aspens and poplars) live about 100 years before they die out of the forest. Willows only live about half as long. These plant types are most important to many species of wildlife such as moose, snowshoe hares, sharp-tailed and ruffed grouse, birds of prey, and a host of songbirds. Through well-meaning efforts to preserve the boreal forest by protecting it from fire, logging, and other disturbances, we condemn it to a slow impoverishment

Before miners and settlers reached the Tanana Valley, about 160,000 acres of upland forest burned each year in wildland fires. Since the 1950s, aggressive fire suppression has reduced the average disturbance to the Tanana forest to about 100,000 acres annually. Thus, we are slowly changing the character of our forest, and its value to many wildlife species decreases as it gets older.

## Guest Opinion

Fbks News-Miner 4/4/95

of plant species and wildlife that would flourish under natural conditions of periodic disturbance.

Longer lived white and black spruce are beginning to dominate much of our forest, creating conditions far less favorable to many wildlife species. As sunlight is closed out and insulating organic duff builds up on the forest floor, growing conditions for understory wildlife food become cold and dark. As the spruce forests themselves age and become more homogeneous, diseases and insect infestations spread rapidly.

Before miners and settlers reached the Tanana Valley, about 160,000 acres of upland forest burned each year in wildland fires. Since the 1950s, aggressive fire suppression has reduced the average disturbance to the Tanana forest to about 100,000 acres annually. Thus, we are slowly changing the character of our forest, and its value to many wildlife species decreases as it gets older.

There are no easy solutions to maintaining the natural diversity of the forest given current unnatural constraints. Should we prescribe periodic burns in black spruce stands that have little value

for timber, recreation, or wildlife to simulate the natural ecological processes of wildland fires we can no longer tolerate? Should we encourage more logging in some areas where burning would be too hazardous to our community? Should we do nothing and let the Tanana forest age gracefully, but unnaturally, until it is dominated by mature spruce, unproductive for wildlife and blighted by disease and insect infestations like much of the Susitna valley and Kenai Peninsula?

Let's try to adopt a long-term perspective which incorporates both ecological and economic realities. We have a long way to go to approach the 160,000 acres of annual natural disturbance that maintained the health and diversity of the Tanana forest before we arrived.

Perhaps by adopting forest management strategies that mimic the natural disturbances we have suppressed over the years we can provide for timber, wildlife, and recreation while maintaining the scenic quality that surrounds us. Certainly, less emotionalism and more logic should be used to guide legislation and decision making on this issue, and that ensuring the health and productivity of the forest for generations to come should be our primary concern.

Ken Taylor is the regional management coordinator for the Interior Region, Division of Wildlife Conservation, Alaska Department of Fish and Game.

# Williams: More input needed on timber bills

JUNEAU (AP) — Logging would become the primary use of state forests under two bills backed by Interior lawmakers.

Depending on who's talking, the bills are either a vital rewrite of state law to ensure a healthy timber industry or special-interest legislation that undermines public oversight.

Action on the bills won't come anytime soon, however. Rep. Bill Williams of Saxman, who chairs the House Resources Committee that took testimony on the measures for two hours Wednesday, said he wants to hold another public hearing this fall during the legislative interim.

"A lot of work has to be done yet to get everybody comfortable on these bills," Williams said after the hearing. "This is just something to get all sides to talk on the issue."

One bill, sponsored by Rep. Jeannette James, R-North Pole, would require that logging be emphasized on state forests over uses such as recreation or wildlife habitat. The bill also would exempt timber sales and salvage sales under 500,000 board feet from the usual two-

year public notice requirement.

Republican Rep. Al Vezey of North Pole, has sponsored a measure that would nurture a large timber industry on state land.

If it became law, Vezey's bill would mandate that consumptive uses of timber have preference over non-consumptive uses. It would allow the state Natural Resources commissioner to negotiate timber sales up to 10 million board feet, with broad latitude on the terms and conditions of the contract.

Vezey said a predicted budget deficit as high as \$700 million next year is reason enough to foster a friendly environment for large-scale logging. James said her bill makes the minimum changes necessary to the Forest Practices Act to ensure that small timber operators in the Interior survive. "I'm not here to rape the environment," James said. "But one of the things we have to do is make a living."

At Wednesday's hearing, invited supporters and opponents of the two bills each had about an hour to make their case. Tyler Conkle of Delta, a spokes-

See 'Timber bills,' page A-2

## Timber bill

Continued from page A-1

man for the Interior Alaska Forest Association, urged lawmakers to approve both bills.

"Without a primary use statement ... we'll be continually dependent on salvage bills and increased funding to clean up a dying and bug-infested forest," Conkle said. "We're more concerned with parks and recreation than we are with jobs, families and homes."

Jim Drew, dean of the University of Alaska Fairbanks School of Agriculture and Land Resources Management, said timber sales currently are "bogged down in extensive, time-consuming and costly

procedures."

Simplifying the process will result in more timber being offered, he said.

Ed Packee, a UAF forestry professor, said James' bill brings back the original intent of the late Fairbanks Sen. Bettye Fabrenkamp when she led the effort to create the 1.8 million-acre Tanana Valley State Forest in 1983.

Under that plan, logging was supposed to be guaranteed, along with other uses, supporters of the bills say.

## Williams' bill signed

Gov. Tony Knowles signed legislation sponsored by Rep. Bill Williams, D-Saxman, Wednesday that allows miners and water well drillers to continue discharging ground up rocks and water onto state lands without a special permit.

The exemption to Department of Environmental Conservation regulations will not apply if the discharge is directly into any surface water of the state, according to a press release from Williams' office.

The bill also exempts bilge pumping and cooling water discharges from boats and vessels as long as they meet U.S. Coast Guard criteria concerning oil content. The measure also eliminates dual jurisdiction over certain oil field waste disposal activities.

House Bill 128 was widely supported by Alaska's resource development industries including the Resource Development Council, the Alaska Miners Association, The Alaska Water Well Drillers Association and the Support Industry

Testimony on HB 212

House State Affairs Committee  
From John D. Lyell Box 83715 FAX 99708

Reps. James, Ogan, Green, Swan,  
Peters, Robinson + Willis

3/21/95

Dear Representatives,

I've been both a consumptive and a non-consumptive user of Alaska's fish, big game and forests for 15 years. I've hunted and fished both for sport and to put food on the table. I live in a log house with wood heat as our primary source. I'm building a log home on land S. of Fairbanks. Like everyone, I use paper products and can't imagine doing without them. Simply to cut trees or not to cut trees isn't the question as I see it. It's more a question of how, when, where and to what extent we will harvest our forests.

Though not against small logging operations (I'm for it!) I do feel very strongly that bigger isn't necessarily better. More isn't necessarily more intelligent. We hear lots about "made in Alaska". Allowing more local logging and finished wood products industries access to more trees is one thing, but widespread, largescale forest harvests by clearcutting Interior forests (as per long-term forest management agreements) for pulpwood for Japan (or for any use, anywhere) to me is not real far-sighted. Is this what "made in Alaska" is all about? I don't think so.

I've just returned from a 20,000 mile road trip through Canada and the lower 48. As you can imagine, I had lots of time to think about things as I drove through the country. I thought a lot about what Alaska is, what it stands for, what it still has. I thought about the role Alaskans have in resource growth and development and done right. I came to the conclusion that as an extractive, resource-rich economy (much like colonial or 3<sup>rd</sup> world areas w/ regard to resources extracted, transported away from the place) Alaska is subject to market realities which often translate into poor land management. It doesn't have to be this way.

I've lived in places with pulp mills and wood processing plants and. I can tell you, if you don't already know, that these facilities are not w/out harmful effects on fish, wildlife, vegetation and, yes, people. Aside from obnoxious stench and poor visibility, they discharge into air and water some pretty nasty dioxins, bleaches and other toxic compounds.

A simple way around this inconvenience is to get air + water quality standards, a concept not alien to some in elected office + industry circles. Is this the kind of Alaska you want? Well I don't.

Please carefully consider the end results of proposed legislation such as HB 212 (the same goes for HB 16, 124, 191 and 261) and all proposed legislation to extract, drill, cut, develop. Please carefully consider if the legislation honestly and fully considers potential damage. To deny, ignore or ~~reflect~~ neglect the downside is to operate in poor faith for our people. ~~It's~~ ~~hard~~ ~~to~~ ~~see~~ ~~and~~ ~~more~~, anything can be rationalized. Please

Co. Representative Kim...

To: House State Affairs Committee  
From: Louise Silet  
Re: H.B.212  
Date: 3/21/95

I have to be at work at 8:00, so can't be at our L.I.O. this morning to speak to you directly. I request that my written testimony be put in the committee packets. Thank For instance, It eliminates the requirement for DNR to do economic and environmental analysis in the five year timber sale schedule.  
you.

I feel that H.B.212 is a series of loopholes and undefined terms that could that could lead us into serious trouble. For instance the terms "salvage sales", "non-forest" uses, and "emergency" are not defined, and these definitions are crucial to understanding this piece of legislation.

We need to consider all available data on short ,long-term, and cumulative impacts of forestry activities on all forest resources. H.B.212 does not provide for this safeguard.

It doesn't require that these sales be included the five year timber schedules in the two years immediately preceding the sale. In fact it severely limits what DNR has to consider and provide the public in planning timber sales. It no longer requires that the five year timber sales schedule involve economic and environmental analysis, leaving the public without crucial information.

Operators would no longer be required to give DNR a detailed operating plan when logging on state forested land. This would limit the information that DNR and the would public have on any given timber sale.

It states that the primary use of our forests be is to produce timber. That is very worrisome in regard to all of the other uses of the forest.

It allow DNR to restrict public use of state forested land if such use would inhibit logging practices, and categorizes timber harvesting as wildlife habitat improvement techniques. This would allow DNR to logging to be classified as meeting multiple use requirements. This is very controversial with the public.

Please don't support this bill

**Knowles' Administration testimony on House Bill 212, presented to the  
House Resources Committee Meeting of 9/19/95 in Fairbanks.**

Presented on behalf of the administration by Marty Rutherford, Deputy  
Commissioner/Department of Natural Resources

## HB212

The Administration supports the general direction of House Bill 212.

It is a high priority of the Knowles Administration to provide a predictable, reliable supply of timber and we are working hard to accomplish that. We recognize that the timber industry is critical to providing a healthy economy and to attaining our goal of creating new jobs.

We appreciate the opportunity to be here today and to have some discussions with you about this bill. I will be providing some comments about the specific sections and then we are all available to answer questions. We are looking forward to a good exchange of information.

Just as we are expecting that you may recommend some changes to House Bill 344 this afternoon, we do have some changes to House Bill 212 that we would like to propose. I'll cover these suggestions section by section.

**Section 1** removes requirement we now have to do a forest land use plan (FLUP) to sell timber even when the timber has been harvested for a reason other than to sell timber, such as Right of Way (ROW) or a mine. This is important to us and efficient as state policy. Section 1 would also allow sales of less than 10 acres without a forest land use plan. We think this is reasonable and would make very tiny sales less costly to prepare. But we firmly believe, and recommend in the strongest possible terms, that this 10 acres should remain the maximum timber sale size for an exemption from the forest land use plan requirement. Public process, such as found in forest land use plans and the 5 year schedule of timber sales, protects our ability to offer the resource for sale.

**Section 2** leaves in "best available data" but deletes "immediate and long-term effects of individual and collective forest activities" from forest land use plan considerations. Therefore, it removes the consideration of cumulative impacts from forest land use plan requirements. We agree that we should use the best available data but we also think that the effects of what we're proposing must be considered. We need to consider the effect of the project we are proposing so that the public can look at our best estimate of the effects - the impact - and see if they agree with our analysis and if they do, if they can live with the impact.

This section as it now is drafted would not reduce the workload of DNR foresters. Arguably it could help DNR defend a forest land use plan in court at some future date, but in the meantime, removing this language serves to polarize people who should instead try to come up with a workable bill. So it might make it more likely that we will be in court. Making it more likely that you will be in court in return for an improvement in part of the defense is never a good deal. *Therefore, we believe this section should be deleted.*

**Section 3** improves process by avoiding confusion between forest land use plans and land use plans, DNR's Area & Site-Specific plans, by requiring land use plan language only when doing a forest land use plan for a timber sale in an area which does not yet have an area plan. I think part of the intent is also to get rid of a redundancy. We support Section 3. We will still need to take timber sales through the public notice and we will still send draft forest land use plans to the agencies.

**Section 4** would change the instructions for 5 Year Schedules of Timber Sales (5 YSTS) to the way we actually do them now. DNR and the other agencies don't use the schedules for budgeting. The word "the" on line 10, Pg 3, is important in that a sale would need to be on any 5 YSTS, not necessarily the 2 immediately preceding ones, if that one word is deleted. That is not good public process. The public needs to know that our 5 year schedules show the currently planned sales. The public could never trust the schedules if a sale that had appeared years ago could suddenly be brought into the current sale offerings without going through the schedule process again.

The BIG issue in Section 4 is the exemption language. The Green Book, the document that was produced by the working group that came up with the Forest Resources and Practices Act of 1990, says that sales of 160 acres or less need not go through the 5 year schedule process. We're willing to go along with the recommendation of the Board of Forestry which supports sales of 160 acres, or less, be included in, not less, than one five year schedule of timber sales. Furthermore, we prefer an area limit (ie: acreage) rather than the 500 thousand board feet in the bill. However, we will instruct the Division of Forestry to put all sales in the 5 year schedules whenever possible. (Note: the "salvage sales of dead or down timber" became moot because of passage of HB 121.)

**Section 5** should be redrafted in our opinion. We strongly recommend that the language in the bill be reconfigured so that line 23 is added to the end of line 19. It then would read, "without being included in future schedules if the sale is held within 2 years of the scheduled year and

(1) was offered as scheduled and was not purchased;

or

(2) was sold as scheduled and was returned to the State uncompleted.

What this does is give the tool to DNR that is apparently intended by this language, that is that if a timber sale is defaulted or given back to the state for some reason it can be reoffered even if the timing is such that it can't be put into a 5 year schedule before it is resold. But with this drafting change, the sale has to be resold before the end of 2 years. If it can't, the work done to prepare the sale, both the work done in the field and the paperwork, especially the Forest Land Use Plan (FLUP), becomes stale and needs another look. Two years is ample time to reoffer a timber sale in all instances so this change keeps the efficiency found in HB 212 but leaves important process in tact.

**Section 6** removes the need for forestry to notice itself in order to begin operations on a state timber sale, say after a seasonal shut-down. The proposed language "municipal or private" should be changed to forest land "not managed by the division." What our change does is keep the apparent intent, which is to make it clear that the division of forestry need not notify itself on its own operations, but makes it clear that operators on land controlled by other state agencies, such as the University and the Mental Health Trust, need to notify the division before beginning operations. This change preserves the intent of the Forest Resources and Practices Act.

**Section 7** is perhaps the most polarizing part of HB212. We strongly recommend a <sup>ASIDE:</sup> drafting change that we think all reasonable parties should be able to accept. <sup><</sup>That is what we need to do on these forestry issues, find the middle ground so we can keep managing the resource to provide for all needs. <sup>></sup> We strongly recommend that the language which now says, "multiple use management emphasizing the production, utilization and replenishment of timber resources while perpetuating..." be amended. We want you to take out the word 'emphasizing' and add the words, "provides for the production": so that the bill would now read, "multiple use management that provides for the production, utilization, and replenishment of timber resources while perpetuating....." With this amendment we can support this section.

**Section 8** needs to be deleted. Resource management needs to be done by professionals on a site-specific basis. Putting resource management details in the law gives the extremists on either side of an issue more verbiage to throw at a judge. All resource decisions present at least a short term trade-off. For instance, closing the area immediately surrounding a timber sale to provide safety to loggers presents, I suppose, a trade-off in order to produce logs. We're afraid of any proposed bill which gives an extremist more law to cite when they are unhappy with DNR, especially when we are sure that we are managing the resource to maximize what is available to us right now.

**Section 9** needs to be deleted. It requires that in order to find a use for an area in a state forest management plan incompatible, the state needs to provide scientific data to support the finding. That sounds reasonable upon the first read, but the fact is there is no limit to the amount of scientific data that would be demanded by people who strongly support the use which is being found incompatible.

If this section <sup>should</sup> stay in, it needs language that clarifies that it does not modify AS 41.17.118 Riparian Standards for State Land. I think that part of the Forest Resources and Practices Act is a good example of why Section 9 needs to be deleted. AS 41.17.118 requires important fish waters on state land to have no-cut buffers. All users of the land, including the forest industry, <sup>scientific & commercial</sup> agree that buffers are important, but we would not be able to do our job if <sup>for</sup> every stream buffer on every timber sale, <sup>the Commission</sup> needed <sup>needed</sup> to be supported by scientific data.

needed to provide

We do agree with the intent to take direction on the management of a state forest out of Title 38 and place it in Title 41, as is intended by having this language in Title 41, and then, through Section 11, deleting AS 38.05.112(d). All other direction on the management of the two state forests is in AS 41.17, the Alaska Forest Resources and Practices Act. So having what is now in AS 38.05.112(d) transferred to AS 41.17 would be fine. But we strongly disagree with Section 9.

**Section 10** needs to be deleted. This is a wildlife issue and should be part of the Forest Resources and Practices Act. While it is appropriate to put wildlife protections in the Act, the management of wildlife is not a DNR function. The Board of Game process is the appropriate forum through which to set wildlife management objectives that would apply to the Tanana Valley State Forest.

**Section 11** also needs to be deleted. As stated a moment ago, moving AS 38.05.112(d) over to the Forest Resources and Practices Act is fine. The proper place for the Legislature to give direction to DNR on managing state forests is Article 3 of AS 41.17. But deleting this section destroys a good process. AS 38.05.112(d) gives DNR direction to limit the time and area for which a land use is incompatible with a management plan for one of the 2 state forests. While we think that putting a test that can't be met such as 'scientific data' would lead to serious management and legal problems, we want the limits to incompatibility findings to stay in the law.

In closing, as I've indicated, the Knowles' Administration supports the general direction, and many specifics, of HB 212. We appreciate this opportunity to comment and we look forward to participating in the process of review.

General Note: The Board of Forestry met yesterday (9/18/95) and have specific comments on HB 212. Tom Boutin, the State Forester, has those comments and is prepared to present them if you so choose.



# ALASKA FOREST PRACTICES ACT REVIEW

Final Report

June, 1989

Land & Resource Section, P.O. Box 107005, Anchorage, AK. 99510  
(907) 762-2660



Alaska Department of  
**NATURAL  
RESOURCES**



Department of  
Fish and Game



Department of  
Environmental  
Conservation

## THE FIVE-YEAR TIMBER SALE SCHEDULE

The Five-Year Timber Sale Schedule, is a policy technique and scoping process for getting improved public and agency review of and input into the department's timber sale program. It is intended to give the department early review of issues from the timber industry, agencies, and the public that may influence the individual sale design or the department's overall sale program. The schedule does not replace other planning and public notice requirements.

The narrative is written with Year 5 being the year of the sale with Year 1 four years prior.

### I. General Description of the Schedule

#### A. Years 1-3.

The objectives of Years 1 through 3 of the schedule are to identify issues early in the process; direct DNR's and DF&G's field work and data collection; to direct the environmental and economic analysis; and to inform the public and forest industry where the department's timber sale program is headed. Years 1 through 3 are primarily informational -- for both the department and the public.

#### B. Years 4 and 5

The objectives of these years of the sale schedule are to gather public and agency review and comment on specific timber sale design prior to Division personnel completing cruising, boundary marking, road design, harvest design, etc. Division personnel complete detailed harvest and environmental design to ensure that the sale balances the needs of the timber industry, agencies, and the public. Work will concentrate on sales in year four of the sales plan and changes that may be required in year five of the sale schedule.

During this time the draft Forest Management Report is completed and made available for public review. The report contains timber sale design information. After incorporating changes made on the basis of public comment, the final report is distributed before the sale auction. (The Forest Management Report serves as the ".035 finding," "site-specific timber sale plan," "best interest finding," or preliminary decision." See description of Forest Management Report on pages 40-42.) The sale occurs and harvest may begin during year 5.

As the five-year schedule is amended from year to year, sales will move from one year to another. However, sales with cutting units totaling greater than 160 acres must be on the schedule for two years before sale.

### II. Specific Provisions of the Sale Schedule

#### A. Duration on the sale schedule

Sales with cutting units totaling greater than 160 acres must appear on the sale schedule for two years before they are sold. Exceptions to this requirement may be made for emergencies such as salvage, re-offerings of old sales, or providing a temporary supply to an operator to take advantage of developing markets while a larger sale is being prepared. Our intent is that smaller sales will be on the schedule,

but it is not required. Every competitive bid sale must, however, comply with all public and agency review requirements (see description of Forest Management Report).

**B. A 160-acre threshold?**

The department needs to respond with small sales for operators who cannot always plan two years in advance. In addition, small sales generally have less impact on public resources than larger sales. The 160-acre threshold was picked to allow the department that flexibility. (Forest Management Reports and public notice will be required for less than 160-acre sales.)

**C. Public and agency review.**

The five year schedule will be sent for annual public and agency review. Comments will be compiled and the schedule will be amended as necessary on the basis of those comments.

**D. Start-up.**

To prevent this schedule from placing a one-year delay in the department's timber program, the requirement that sales be on the schedule for two years will not apply in the schedule's first year of publication. However, first year sales will comply with other requirements for agency and public review. (See description of Forest Management Report).

**III. Title 41 and Title 38**

The Five-year Timber Sale Schedule applies equally to land administered under title 38 (general state land), and under title 41.17 (State Forests). There are no differences.

**PROPOSALS FOR STATUTE/REGULATION CHANGES**

Statute and regulation changes to implement the proposed changes are listed on pages 46 and 47.

**COMMENTS OF KETCHIKAN PULP COMPANY  
REGARDING HB 212 BEFORE  
ALASKA HOUSE RESOURCES COMMITTEE  
DECEMBER 5, 1995**

Thank you for the opportunity to present comments on HB 212. Ketchikan Pulp Company (KPC) supports clarification of the Alaska Forest Resources and Practices Regulations.

KPC strongly supports any legislation which promotes more development of our forests. These forests, if allowed to be managed properly, can produce year-round employment in rural areas which currently have only seasonal employment.

It is imperative that a timber base be established that can be harvested economically with a certain and stable supply. This will promote long-term capital expenditures which are necessary to build an industry that will be a long term employer.

These goals can be reached with sound silvicultural practices with no significant impact on other multiple use management aspects.


KPC is an excellent example of how government and industry can work together to promote a strong and long-lasting economy.

The key points regarding this legislation are:

- Emergency sales of less than 160 acres. This would allow "fast tract" identification and harvest of local forest emergencies, such as bug infestation or blowdown.
- Clarification of multiple use management for production, utilization and replenishment of timber resources.

KPC is very willing to work with the governor to create legislation which will meet his objectives and improve the forest products industry across the state.

Thank You,

  
Paul Slenkamp

Alaska State Legislature

REPRESENTATIVE  
JEANNETTE JAMES  
P.O. Box 56822  
North Pole, Alaska 99705  
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House Of Representatives  
House District 34

MEMO

December 13, 1995

TO: Representative Bill Williams

From: Representative Jeannette James 

Subject: CS HB 212 (proposed changes)

Changes on the CSHB 212 follow. Al Pagh from Four Star Lumber suggests that we make another change. It would solve the problem in Section 5 if we change the word and to "or."

If you have any suggestions, please let me know.

DATE-LINE COPIES

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DEC 04'95 22:15 No.014 P.02

CSHB212	CHANGES FROM:	HB212
Section 1:	Acceptable as is.	
Section 2:	Acceptable as is.	
Section 3:	Acceptable as is.	
Section 4:	500,000 board feet exemption from sale schedule is changed to 160 acre exemption. 160 acres agreed to in 1989 F.P.A. consensus.	
Section 5:	This section has been changed and no longer gives a 2 year "shelf life" to timber sales once they have gone through the 2 year notice. If a sale's offering date is delayed, the 2 year notice must begin again. If a sale is returned incomplete after 2 years, it can't be resold for 2 more years, jeopardizing reforestation, forest health, habitat projects and clean-up.	
Section 7:	Revises the purpose of the state forest management from "emphasizing" to "providing for" timber production. It can be argued that management allowing only token levels of timber production would meet this requirement.	
Section 8:	Two forest management requirements have been deleted; a mandate that productive forest growth be maintained, and that wildlife habitat be improved for species important for human use.  ADF&G also reportedly opposes words "the fullest" on line 20 and "only" on line 22. Administration position not yet final.  If all changes are made, emphasis of this section will change away from increased habitat and forest production for human use to restricting public use.	
Section 9:	Housekeeping. Acceptable as is.	
Section 10:	(Sec. 9 in HB212) Deletes the clause requiring a scientific justification for logging prohibitions.	
Section 11:	ADF&G reportedly opposes the term "for human consumption" as a habitat improvement objective.	



# ALASKA CENTER *for the* ENVIRONMENT

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501  
(907) 274-3621 • fax: 274-8733

December 15, 1995

House Resources Committee  
716 W. 4th, Suite 380  
Anchorage, AK 99501-2133

Re: H.B. 212

Dear Committee Members:

Thank you again for coming to Anchorage to take testimony on H.B. 212, a bill which is of tremendous interest not only here but statewide. This letter will in some cases repeat, but will also elaborate on or add to, the oral comments we made at the public hearing on December 5.

First, a clarification. We raised the issue of scenic beauty at the hearing, and referred to the concerns about it raised by the many opponents of both proposed Turnagain Arm logging and the proposed Sutton-to-Glennallen intertie, because we think the protection of Alaska's magnificent scenic beauty often receives far too little attention. We did not mean to imply, however, that it was our only, or even our most important, concern when it comes to logging and road building on state lands in Alaska. [Incidentally, we, and most other intertie opponents, support trying to reduce electric rates in the Copper River Basin; we believe, however, that there are far better ways to accomplish that than building the intertie.]

Second, we would like to reiterate, especially since several loggers were critical during the hearing of the changes in the 11/20/95 Work Draft that was the subject of the hearing, that many of these changes were recommended not just by the administration, but also by the Board of Forestry. The board is a nonpartisan body, and as presently constituted it represents a broad variety of forest users. We believe that the changes are a definite improvement, and appreciate the committee's efforts to make the bill more acceptable to the majority of Alaskans who use the forests for a wide variety of purposes that are often incompatible with large-scale logging and road building.

Finally, we support attempts to make timber available, in reasonable quantities, to small Alaskan loggers and processors. However, we are not sure that H.B. 212 would accomplish that; instead, its primary focus seems to be making commercial logging a higher priority on Alaska's forests than other competing forest uses and resources, and reducing environmental protections. We suggest addressing the constraints on small loggers—such as bonding and insurance requirements, and the high cost of offering small sales—directly. For example, the woodlot concept, discussed we understand at your meeting in Fairbanks, might help resolve the latter problem.

The following are our section by section comments:

**Section 1.** How is salvage handled when land is cleared for a nonforest use? At Pt. MacKenzie a huge amount of timber was wasted when that land was cleared for dairy farms. Wouldn't a FLUP help prevent this from happening?

**Section 2.** We oppose this amendment, which would appear to eliminate from the existing section the requirement to analyze long-term and cumulative impacts. Yet cumulative impacts may be the most serious effects of some timber sales; It certainly is one of ADF&G's greatest concerns on the Kenai Peninsula, which has seen a huge total increase in logging on private, federal, borough, university and mental health as well as state lands. Due to the cumulative impacts of a variety of activities, the brown bear season on the Peninsula has already been closed, and it appears that the black bear season may soon be closed as well.

**Section 3.** We recommend deleting (c)(3)(D). Most wildlife biologists, both state and federal, believe that commercial logging is more likely to harm rather than maintain and enhance the quality of fish and wildlife habitat.

**Section 4.** We strongly object to eliminating the Five Year Schedule requirement for sales of 160 acres or less. This would mean, we are told, that nearly all of the sales in the Interior would not appear on the schedule, and that would be the case for a significant minority of Kenai Peninsula sales as well. We support the compromise recommended by the Board of Forestry that would require such sales to appear once, but not twice, on the schedule.

The Five Year Schedule is an incredibly useful tool. It includes (at the present time) in one document all state sales in the region for a five-year period. It is nearly impossible to learn about these sales from individual sale announcements buried in the legal section of the newspaper, and even if one did see all of the individual announcements one would still not have a good sense of the overall picture for the region. Finally, we do not believe that promises from the present administration to put sales on the schedule whenever possible in spite of the exemption is adequate since a new administration could adopt exactly the opposite policy. What is needed is a good law, not good intentions.

**Section 7.** We strongly support the changes made to this section by the work draft. We believe that the vast majority of Alaskans believe that our state forests should be multiple use lands where all forest resources and uses are meant to receive equal consideration. Large-scale commercial logging and road building are frequently incompatible with large numbers of other resources and human uses. Additionally, benefits from these other resources and uses can be obtained from timber stands daily/weekly/monthly/annually, while logging of the stands can occur in most regions of the state only every 100-120 years (or more, if we hope to maintain old growth).

**Section 8.** Most people now recognize that increased ease of access is by no means an unmitigated good. Adverse effects can result from spin-off activities and development, and the increased pressure that comes from increased access can degrade both fish and wildlife (and other resources) and the quality of recreational experiences. A balanced look needs to be taken at both the possible benefits and detriments that might result from increased ease of access in any particular situation rather than tipping the scales in favor of more access. Consequently, we support the administration's recommendation that

"the fullest" be deleted from (b)(1) and "only" be deleted from (b)(2). We suggest in addition, however, that "appropriate" be substituted for "practicable" in (b)(1) and "necessary" in (b)(2).

**Section 10.** We support the change in the work draft deleting the earlier scientific data requirement. Many land management decisions, and certainly ones that are far more substantial than the picnic area example, are rightfully made for policy reasons that do not have a scientific basis—and logically can not be expected to have such a basis. Logging is incompatible, for example, with a great many recreation and tourism activities, and both the public and the tourism industry would, for areas important for recreation and/or tourism, wholeheartedly support prohibiting logging in those areas. For example, Alyeska Resort recently wrote a letter to the Forest Service basically opposing the proposed logging in Turnagain Arm.

**Section 11** We believe that the wildlife management objective for the forest should be the maintenance of wildlife populations in their natural diversity (a similar objective should be included for vegetation). Certainly the existing proposal would be greatly improved, however, by the substitution of the word "use" for the word "consumption," which would eliminate the preference for a particular type of wildlife user over the majority of users.

Thank you again for all your work on this bill and for coming to Anchorage to hear from us personally.

Sincerely,



Cliff Eames  
Issues Director

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To: OJG  
Shaub (via fax)

ALASKA FOREST ASSOCIATION, INC.  
TESTIMONY REGARDING THE CS FOR HB-212  
PRESENTED TO THE HOUSE RESOURCES COMMITTEE  
DECEMBER 5, 1995

Thank you for the opportunity to present testimony regarding the recent Committee Substitute for House Bill 212.

My name is Christopher Gates and I am the Executive Director of the Alaska Forest Association. The Association represents thousands of Alaskans who live in Alaska due to government provision of timber for the people's use. The Association maintains an office in Ketchikan. I speak for the Association regarding this CS for HB-212 with the understanding that, due to the recency of the new CS draft, our members have not had a full time to digest all the changes in the CS. We may choose to supplement these comments at a later date.

In general, the Alaska Forest Association supports passage of HB-212. Except for a small number of problems as noted below, this bill is an improvement over the prior bill draft. The bill improves the way which the state conducts timber sales and, if enacted as now amended, will result in jobs, security and improved quality of life for our members who rely upon state timber sales. This bill also clears up questions of intent with the state's Forest Practices Act (FPA) and contains other useful housekeeping provisions which assist those who depend upon a healthy and sustainable forest industry in Alaska.

However we have specific suggestions and/or comments which we believe will improve the CS's ability to accomplish the intent of the original bill:

SERVING ALASKA'S FOREST INDUSTRY

Sections 1-2. No comment. We support the changes.

Section 3. We support the changes to this section and want to encourage the Committee to enact an additional amendment, either to the CS for HB-212, or to HB-344 which specifically addresses the "staleness of a FLUP" issue. As you are aware, there is a legal theory that under the present FPA that a Forest Land Use Plan may not survive legal challenge if greater than two years old. We suggest that either "sufficiency over the term of the contract" - by definition be inserted into HB-212, or that a Forest Land Use Plan be clearly defined as the best effort of the state to describe impacts which can be seen in advance of a timbersale - without the need or the expectation that all impacts must be correctly forecasted. We support addressing this issue in HB-212 and/or HB-344, the Governor's High Value Added Forest Products bill.

Section 4. The changes contained in the CS incorporate the wishes and negotiated position of the Forest Practices Act planning team as documented in the "Greenbook" which was prepared to inform legislators and others about the intent of the parties when negotiating FPA issues. It was clearly the intent of the parties to exempt sales of 160 ac. or less from the detailed provisions of the Act, and it is appropriate for this bill to so state that understanding.

Section 5. While we believe that timber sales should be re-offered anytime market demand warrants processing and sale, the two year limit as now shown in the CS is workable.

Section 6. This section is one of the clearest examples of the need to sign HB-212 into law. the waste of the public's tax resources by forcing the state to notify itself for small road right-of way clearings demonstrates the reason why these housekeeping changes should be passed without delay. We support this provision.

Section 7. The Alaska Forest Association supports the original wording in this section. The concept of emphasizing responsible use of commercial timber resources while protecting multiple use management principals is the best way to benefit all areas of public interest (except those who demand that legislators look up resources). The specific word "emphasizing" should be included in HB-212 instead of "providing-for".

Section 8. The philosophy of government exclusion of Alaskans from forested state land except under controlled and permitted situations is abhorrent to those who cherish freedom in our land. That philosophy is too easily carried out with the current changes proposed in the CS. The state should not allow or encourage a presumption of harm to be associated with with human access to public land except where it is clearly shown to exist. At that time, and only at that time should public access be thwarted or denied. We support the "fullest possible" wording of the original bill of the bill with complete confidence that state land managers have the authority, desire and power to modify access and consumptive use of natural resources if the need to do so actually arises.

Section 9. We urge the committee to handle the "pioneer cable" problem in Sec. 9 in a different manner than just by deleting the operative portions of the bill. Specifically we request to retain the last sentence of the original bill's Section 9, which states: "Commercial timber harvest may not be found to be an incompatible use...unless the Commissioner provides scientific data that clearly justifies the finding of incompatibility or restriction and demonstrates the benefits of the restriction." This wording should be retained to avoid personal bias and political agendas from interfering in the constitutional requirement to utilize our forest resources to the maximum extent consistent with the public interest. We would be more agreeable to setting aside a portion of each forest to the subjective discretion of the Commissioner of DNR rather than giving an appointed officer the ability to prohibit all commercial timber harvests based upon personal bias, political favor or other opinion-based reasoning.

Section 10-12. No comment, acceptable as written.

The Alaska Forest Association urges passage of the CS for HB 212 with the changes as noted above. We appreciate the opportunity to comment on the bill and would be happy to answer any questions of committee members - either today at the hearing, or at any time while this bill is under discussion.

## AWRTA TESTIMONY ON HB-212

Testimony by: Ed Davis

Board Member, Alaska Wilderness Recreation and Tourism Association  
House Resources Committee Hearing  
1/16/96

My name is Ed Davis, and I am a board member for the Alaska Wilderness Recreation and Tourism Association, an industry trade group representing 216 business members.

The tourism industry is comprised of many businesses which depend upon long term and sustained access to Alaska's public forest resources. AWRTA advocates forest management policies that reflect the long term needs of all forest dependent industries, including both the timber and tourism industries.

I would like to thank the House Resources Committee for their work over the past summer on HB-212. The current working draft for this bill reflects thoughtful consideration of many problems that AWRTA and others identified in earlier drafts of this bill. Although several problem areas remain in this bill, I would like to recognize your efforts in correcting a number of provisions in the original bill which could have hurt many in the tourism industry.

My testimony briefly outlines problems remaining in the current work draft of HB-212, and it suggests corrective revisions.

**Problem #1:** Section 2 of the working draft weakens the need to address the long term and cumulative effects of timber harvest activities in a forest land use plan. As the timber resources of an area are developed, it is the cumulative and long term effects of the harvest activities which will impact the tourism industry.

For example, the scenic viewsheds of Alaska comprise one of the foremost features which allows Alaska to be marketed as a destination for adventure travel. While a single timber sale may not significantly detract from the scenic viewshed of an area, the cumulative impacts of numerous logging programs does have a tremendous impact on the viewshed and likewise on the attractiveness of the region as a tourist destination.

**Proposed correction:** The statutes need to provide a mechanism for basing forest management policy on the cumulative effects of timber

harvest. Since the "cumulative effects" of timber harvest activities can only be seen by looking at the "big picture", and since forest land use plans are more of a "small picture" type of a planning tool, it may be appropriate to move this requirement to a "big picture" planning document. However <sup>CONSIDERATION OF CUMULATIVE EFFECTS</sup> ~~it~~ should not be eliminated. <sub>FROM THE PLANNING PROCESS.</sub>

**Problem #2:** Section 4 allows an unlimited number of timber sales to be exempted from the Five Year Schedule, provided each sale is less than 160 acres. This is a potential loophole which could lead to severe abuse of the planning process.

**Proposed correction:** Insert statutory language limiting the number of timber sales between 10 and 160 acres which can be exempted from listing in the Five Year Schedule. Make the statutes clearly state that the "larger" sales exempted from the Five Year Schedule are rare exceptions, and not the norm.

Fairbanks News-Miner  
Dec 3, 1995

# New timber bill holds hope for small operators

By KATH RIPLEY

A plan to get more timber into the hands of small operators has been reworked with the hope of gaining the support of the business administration.

Among other changes, the reworked bill takes down an earlier version that prohibited logging on the No. 1 use of state forests, including the 1.8 million-acre Tanana Valley State Forest that surrounds Fairbanks. The temporary language could go a long way toward allaying concerns of environmentalists and advocates of multiple-use management.

The House Resources Committee will take up House Bill 212, sponsored by Rep. Kenneth James of North Pole, during an Anchorage meeting to be telecast Tuesday. The public can listen and offer testimony starting at 9 a.m. at the Legislative Information

Room Office on Cushman Street in the Denali State Park building. "There are some problems with existing state law that block the Division of Forestry's ability to meet the needs of small mill operators, especially in the Interior," said committee chairman Bill Williams, a Denali

area from Central in southeast Alaska. Williams said he expects the bill to move through the House once lawmakers reconvene in Juneau in January. He would like to go to the Senate. This measure aims to ease red tape for small operators.

## TIMBER: Bill

Continued from page B1.  
helps small operators deal with the state's timber sale program. The previous draft—discussed most recently during a day-long public hearing in Fairbanks in September—would exempt sales of less than 500,000 board feet from the usual two-year advance notice requirement. The new proposal would exempt sales less than 100 acres.

Some of the bill's supporters, including several others requested by the Kenai administration, will convince the governor to sign the measure into law.

The distinction is important. It takes about 50 acres in the Tanana Valley State Forest to yield 500,000 board feet of lumber. Lumber generators have estimated. With the proposed change, the board-foot maximum

amount could be scrapped in favor of the 100-acre standard. meaning state landowners would be able to provide the state with timber sale other projects. Changes in the measure on other points of the state forest to place logging as the state's priority. A proposed change in the new draft would provide for logging, but not emphasize it as much.

Post-it® Fax Note 7671

To	Wak Phelps	Date	# of pages 2
Co./Dept.		From	
Phone #		Co.	
Fax #		Phone #	
		Fax #	

To: Tom

# Logging bill has detractors

Fairbanks Daily News Miner

12/6/95

By KATE RIPLEY  
Staff Writer

A revamped plan to get more timber into the hands of small logging operators is more to the governor's liking than an earlier draft, but one Fairbanks sawmill owner says the measure has been so watered down it won't do much good.

The House Resources Committee met Tuesday to review the revised bill, sponsored by Rep. Jeannette James' House State Affairs Committee. James, R-North Pole, introduced the bill at the request of local timber operators.

Bob Zachel, who operates the Alaska Birchworks sawmill in Goldstream Valley, said the revamped measure may be the best loggers can hope for under the Knowles administration, but he's not happy about it.

"I'm disappointed. I feel this legislation dodges the issue of the state forest," Zachel said. "There is no primary use. You've set it up so multiple use is the primary use. That's like saying military intelligence."

The bill previously pegged logging as the No. 1 use of state forests, including the 1.8-million-acre Tanana Valley State Forest. At the Knowles administration's urging, the bill was changed to require state forests to provide for logging, but not emphasize the industry over other uses.

Logging as the chief use of the forest was "the most polarizing part" of House Bill 212, said Marty Rutherford, deputy Natural Resources commissioner.

Another change affected the size of sales to be exempted from advance-notice requirements. Currently, all sales must be listed at least twice in the state's five-year timber schedule, which is printed annually.

A bill previously exempted sales less than 500,000 board feet from the advance listing. The current draft, adopted Tuesday, would exempt sales less than 160 acres.

It takes roughly 50 acres to yield 500,000 board feet in the Tanana Valley. With the new language, the board feet measurement was scrapped in favor of the 160-acre standard—meaning more landscape could be disturbed under the exemption.

State Forester Tom Boutin said about half of the timber sales in the Interior are less than 160 acres, and thus qualify for the exemption. But he said the Division of Forestry would list such sales anyway.

Erik Holland, a Fairbanks artist, isn't impressed with the bill. He said he's not against small operators such as Zachel, but worries the bill would encourage a checkerboard of 160-acre clear-cuts. Large companies stand to benefit more than the little guy, he said.

"I'm concerned the bill opens the door to large-scale logging that could threaten the tourism industry," Holland said, testifying via teleconference at the Fairbanks Legislative Information Office. "People come to Alaska to see the wilderness."

While public meetings on pending timber legislation usually draw a large crowd in Fairbanks, only four people braved the 40-below weather to make it to the hearing.

Still, James said the input at Tuesday's meeting was encouraging. She expects the bill will move quickly once lawmakers convene in Juneau next month.

Rep. John Davies, a House Resources Committee member, said he hasn't made up his mind on the measure yet. He said the re-

See **TIMBER**, Page B-2

## TIMBER

Continued from Page B-1  
...cent changes increase the bill's chances of getting by Gov. Tony Knowles, who has been critical of other pro-logging bills in the past.

Knowles has his own timber bill in the works. It aims to encourage local processing of timber into finished products, rather than shipping out round logs.

December 6, 1995

COMMENTS: HOUSE RULES COMMITTEE, STATE AFFAIRS, RESOURCES,  
FINANCE

HOUSE BILL NO. 212: A BILL FOR AN ACT ENTITLED: "An Act relating to the management and sale of state timber and relating to the administration of forest land (Forest Management) and classification of state land (State Forest Purposes)."

Comments: relating to the management and sale of state timber.

Forest managers (Terms of the Trade) define timber as "Standing trees, stumpage." Stumpage costs, or the amount a logger must pay to purchase timber for harvesting, are not included in this cost evaluation (DNR). (See page 13, Forest Management Research)

Relating to the administration of forest land:

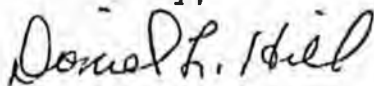
"Note DNR's" additional costs, fiscal and administrative costs, externality, and the distribution of costs and benefits associated with timber management also are omitted here (Susitna Area Plan Forestry, Chapter 5, Economic Feasibility, page 47).

Classification of state land:

See Forest Management Research, Section 3, Multiple Use Management (page 15). Defining Commercial Timber, The adjective "commercial" for describing timberland under the current definition is misleading (pages 24-25). Timber or timberland as a variable to determine something else (page 26). Susitna Regional Forest Plan (SRFP) page 28. What is Timberland, Commercial or otherwise? (page 34). Discrete Economic Classes (page 35). Empirical Economic Suitability, bottom line (page 37).

Conclusion, underlined (page 38). Mr. Jack Phelps, House Resource Committee staff: regarding HB 212, I think the House Resource Committee needs to review the comments on SRFP page 28 Forest Management Research, A Woodsman's Analysis: The Production of Industrial Wood in the Susitna Valley, Alaska (2/10/95). Please answer my request as stated on page 28 (SRFP): "I'd like to see the fiscal costs of managing public land for each different use so we could compare them" (Multiple Use Management), before any more discussion on this Bill or HB 344. Thank you!

Sincerely,



Daniel L. Hill  
P. O. Box 875052  
Wasilla, AK 99687

Mr	Ted		Charles	
<b>Title</b>	<b>First Name</b>	<b>Middle Name</b>	<b>Last Name</b>	<b>Suffix</b>
	Boy 416	TOK	AK	99780
<b>Mailing Address</b>				<b>Zip</b>
<b>Home Address</b>				<b>Zip</b>
907-883-4753				
<b>Telephone</b>	<b>Affiliation</b>		<b>City</b>	

House	Members	Senate	Members	Committees
Austerman+	✓ Hanley*+	Nava:re		C&RA
Barnes*+	✓ Ivan/+	Nicholla/	✓	FINANCE
Brice^	James^+	Ocan+		HESS
Brown*	Kelly^+	Parnell*+		JUDICIARY
Bunde*+	Kohring*+	Phillips+		LABOR & COMM
Davies^	Kott*+	✓ Porter*+		RESOURCES
B. Davis*	✓ Kubina/	Robinson		RULES
G. Davis+	Mackle/	Rokeberg*+		STATE AFFAIRS
Ellon	MaoLean/	✓ Sanders*+		TRANS
Finkelstein*	Martin*+	Therriault^+		
Foster/+	Masek+	Toohy*+		
Green*+	✓ Moses/+	Vezay^+		
Grussendorf/	Mulder*+	Williams/+	✓	
		Willis*		

**Caucuses**

Anchorage*	Majority+	<b>BILL #</b>	CS HR 212
Bush/	Minority	X	
Fairbanks (Interior)^		<b>Support</b>	<b>Oppose</b> <b>Amend</b> <b>Not Related</b>

*re-layed TC 11 AM*

**Subject**

Timber Management

**50 Word Maximum Message**

Support	1	Section	2	2	160	3	ac	4	in	5
Sec	4	urge	7	that	8	Sec	5	9	be	10
returned	11	to	12	original	13	Intent	14	Sec	7	15
intent	16	too	17	weak	18	Sec	8	19	urge	20
that	21	Forest	22	Productivity	23	wildlife	24	requirement	25	
be	26	reinstated	27	Section	10	28	urge	29	that	30
Timber	31	restrictions	32	be	33	Justified	34	Support	35	
Comments	36	made	37	by	38	Rep	39	James	40	
	41		42		43		44		45	
	46		47		48		49		50	



September 18, 1995

Alaska House of Representatives Resource Committee

Dear Representative:

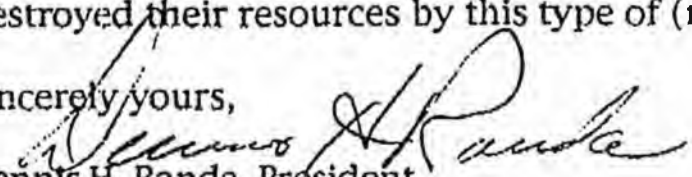
Trout Unlimited of Alaska would address the issue of timber harvest and alteration of the Forest Resources and Practices Act.

Regarding HB 212: Multiple uses of Alaska's resources is a philosophy which Trout Unlimited endorses. This proposed legislation is apparently intended to return to timber industry resource domination which T.U. opposes. Ignoring cumulative impacts, eliminating public participation, exempting small sales from the 5 year plan, and most importantly demanding complete scientific analysis of impacts to fish and game while the legislature has gutted the budget for A.D.F. & G. Habitat Division is nothing more than a guarantee for failure of the sustained resource management mandated by the Alaska Constitution.

Regarding HB 344: Large scale logging over a long period of time will unnecessarily impact regional resources and undoubtedly fail to meet the sustained yield mandate. The 10 year contract time will leave the door open for abuses with little leverage for contract compliance or adjustment for market fluctuations. Timber will only continue to become more valuable to Alaska and as such value added product must be a priority for our timber resources. High value added products will only produce more job opportunity for Alaska. My children grew up here but have jobs outside of Alaska. We need to provide jobs but they must not be at the expense of wise management of our resources nor must the push for jobs preclude the multiple use philosophy which is the only hope for sustained jobs in the commercial fishing and tourism industry.

This type of legislative manipulation of the Forest Resources and Practices act which was created by consensus of industry, agencies, and public interest groups can only lead to the decline of the resources which Alaskans value most: our fish and game resources. We must not follow the lead of the Lower 48 states which destroyed their resources by this type of (mis)management.

Sincerely yours,

  
Dennis H. Randa, President

Alaska Council of Trout Unlimited

(907)262-9494, fax (907) 262-5920

*America's Leading Coldwater Fisheries Conservation Organization*

Washington, D.C. Headquarters: 800 Follin Lane, SE, Suite 250, Vienna, VA 22180-4959 703-281-1100 FAX 703-281-1825

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF FORESTRY

TONY KNOWLES, GOVERNOR

3601 "C" Street, Suite 1034  
Anchorage, AK 99503-5937

September 18, 1995

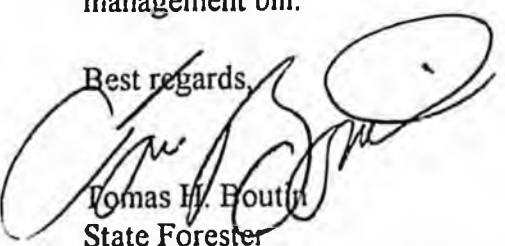
The Honorable Bill Williams, Co-Chair  
The Honorable Joe Green, Co-Chair  
House Resources Committee  
Alaska House of Representatives  
State Capitol  
Juneau, AK 99801

Dear Representatives Williams and Green:

The Board of Forestry met today and considered the questions received from the House Resources Committee regarding HB212.

The answers are respectfully submitted. The Board of Forestry asked me to thank you for the opportunity to participate in the exemplary process that you have undertaken for this timber management bill.

Best regards,



Thomas H. Boutin  
State Forester

Presiding Officer, Board of Forestry

September 18, 1995  
Board of Forestry  
Recommendations  
to the  
House Resources Committee  
on  
HB212

**1. Notification for plan of operations (AS 41.17.090)**

The Board of Forestry recommends the following change: On page 3, line 25, delete "municipal or private" and insert "not managed by the division" after "forest land".

**2. Primary purpose of the state forests (AS 41.17.200)**

The Board of Forestry recommends that the existing language of 41.17.200 be retained. However, the board would add the following sentence at the end:

"However, the commissioner may emphasize a single use in areas of the state forests to be identified in the forest management plans."

The Board of Forestry generally supports the multiple use concepts described in Section 8. However, the board has reservations with the mandatory nature of the language.

**3. Moving incompatible use requirements from AS 38.05.112 to AS 41.17.230**

The Board of Forestry recommends moving 38.05.112(d) to 41.17.230.

**4. Scientific data required to preclude commercial timber harvest**

The Board of Forestry agrees that on scientific issues, the commissioner should rely on the best scientific data and analysis available. However, in the multiple use management of state forests, the public policy issues as developed in the forest management plans need to be considered in addition to the scientific issues.

**5. Wildlife management objective for the Tanana Valley State Forest**

The Board of Forestry supports multiple use.

**6. Exceptions to FLUP requirements [AS 38.05.112(a)]**

The Board of Forestry supports Section 1 in HB212 but recommends exceptions to the forest land use plan be changed to "10 acres or less".

**7. Five-year schedule requirements [AS 38.05.113(a)]**

The Board of Forestry supports amending AS 38.05.113(a) as proposed by Section 4 of HB212.

**8. Five-year schedule exemption [AS 38.05.113(c)]**

The Board of Forestry recommends sales of 160 acres or less be included in not less than one five year schedule of timber sales.

3891 Frenchman Rd.  
Fairbanks, AK 99709  
(907) 455-6227

Representative Bill Williams  
716 West 4th Suite 380  
Anchorage, Ak  
99501-2133

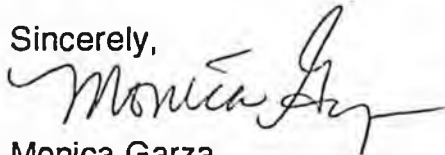
Dear Representative Williams,

On September 19, 1995 you and your committee were in Fairbanks taking testimony on various timber bills. I was at the meeting for awhile hoping to address my concerns on HB 344, but, it got too late and I had to leave.

Enclosed is a copy on what I had planned to say and I hope that it holds some meaning for you. If you have any questions feel free to call.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Monica Garza". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Monica Garza

My name is Monica Garza and I am here to express my concerns on HB 344. I applaud the Governor's efforts to find a middle ground on the development and utilization of our forests. This is not an easy process.

I believe it is important that the state not place itself in a position where it is subsidizing a logging industry. If logging is truly a viable industry, it should not need the limited funds of the state. We should not develop a corporate welfare program in our state. Care must be taken to avoid the mistakes that have taken place on the Tongass. The sound management of resources and not contract obligations should be the basis for utilization of the forest. Ten year timber contracts are too long. That is not how I want to see Alaskan land managed. There are too many variables economic, social, environmental to be locked into. Shorter contracts that can be renewed after users can demonstrate sound economic and ecological impacts is what I would like to see.

As logging develops in our state it is important that care be taken to harvest enough trees to be economically viable and not so many trees as to cause ecological damage to water quality, fish habitat and general forest health. The volume of trees harvested will have to be calculated on a site specific basis. This would be a wise thing to do for long term sustained use of the forest. It is important that no single interest or use of the forest prevail. This balance will be difficult to achieve and difficult to maintain. But if it is achieved it will be the envy of the world. Imagine utilizing a resource having it be renewable, and having other elements of that resource such as fishing hunting recreation wildlife tourism etc. continue to thrive. I would like to see that before a sale of timber takes place that the state require a cumulative impact report of logging activities on all other resources, uses, and activities of the forest and that there be continuous monitoring of logging activities.

As these are Alaskan trees the value yielded from these trees should be for Alaskans. I do not want to see our trees exported for peanuts to some other country and then those same trees come back to us in a new form for top dollar. I would hope that the state be vigilant and not allow the timber industry to squeak by and develop some loop hole for shipping trees away. Perhaps there should be a requirement that the state specifically state that in order to be a high value added industry that there be a minimum number of Alaskan worker hours per board foot be maintained.

The lower 48 has used and abused the forest and are experiencing tremendous consequences. This abuse was primarily by the logging industry because their sole interest was allowed to prevail. The logging industry develops short term jobs with long lasting adverse economic and ecological consequences. We are in a position to allow that to happen here or we can prevent it by developing responsible, multiple uses of the forest. There is intrinsic value in just having a forest. In fifty years there will be greater value to be had by just having a forest than there was by having cut the trees in a 10 year timber contract. Do we have the foresight to understand this or will we only be able to look at the dollars we can hold in our hand for a fleeting moment?

Thank You for your time.

A handwritten signature in cursive script, appearing to read "Monica Garza". The signature is written in dark ink and is located at the bottom of the page, below the typed text.

**James V. Drew  
4725 Villanova Drive  
Fairbanks, Alaska 99709**

**TESTIMONY ON HB 212  
Alaska House Resources Committee Work Session on Timber  
Fairbanks, Alaska  
September 19, 1995**

I recommend passage of HB 212 by the Alaska State Legislature. My reasons for this recommendation are outlined below. In developing these reasons, I am also suggesting a change that I believe would improve the legislation from the standpoint of the business community.

1. Currently, sales of state-owned timber are often delayed by excessive, time consuming, and costly procedures required by legislation. These delays have a negative impact on the business aspects of operations conducted by small loggers and small mill operators in Alaska. Specifically, they enhance the cost of doing business and make it difficult for locally produced wood products to compete with similar products shipped in from elsewhere. HB 212 is designed to remedy this deficiency.
2. The harvest of state-owned timber is a resource development activity that provides both economic and societal benefits in Alaska. Timber harvest provides jobs and income for people, and creates new wealth in communities. Moreover, through the creation of personal income, it provides a source of potential revenue for local governments to use in paying for services such as education, police and fire protection, health care, transportation systems, and the management of recreational lands. Today, local governments in Alaska are becoming increasingly concerned about sources of revenue to meet these basic community needs.
3. HB 212 clearly defines the primary purpose of state forests in Alaska as areas of multiple use management emphasizing the production, utilization, and replenishment of timber resources while perpetuating personal, commercial, and other beneficial uses of resources. In addition, it requires that forest land use plans consider the use of silvicultural practices, commercial timber harvest, and related activities to maintain and enhance the quantity and quality of wildlife habitat. These mutually beneficial management practices are particularly important as forest land managers work toward meeting the challenge of reversing the deterioration of forest health in Alaska.
4. Operators of small, local timber harvesting businesses in Alaska need reliable and timely access to timber resources on state land if they are to operate successfully in a competitive market economy. With 11 million acres of state land classified for parks and recreation in Alaska, it is entirely reasonable to designate less than 2 million acres in the Tanana Valley State Forest for multiple use management emphasizing the production, utilization, and replenishment of timber resources. HB 212 will reduce the government

procedures necessary to provide needed access to the forest resources for the production of wood products by Alaskans.

5. In line with the need to reduce time consuming and costly procedures, I wish to suggest one modification in Sec. 38.05.113 of HB 212. With respect to five-year timber sale schedules, this section now says: The timber schedule must provide a timeline that identifies timber sales, their amounts, and their locations and must be sufficient to provide the public and the forest products industry with a basis to comment on future sale offerings. I recommend deletion of the words, *must be sufficient to*. In the absence of a clear definition of sufficient, endless debate on what is sufficient could lead to continuing delays, legal challenges, and increased costs to the state to administer timber sales.

6. Lastly, the harvest of renewable timber resources on a sustained yield basis also maintains forest values desired by nonconsumptive users. I have personally observed forest industries in other northern countries where good silviculture is practiced that are far more extensive than now exist in Alaska. These same countries also enjoy the advantages of larger outdoor recreation and tourism industries than are currently part of Alaska's economy.

7. In summary, I strongly endorse the resolution supporting HB 212 that was passed by the Greater Fairbanks Chamber of Commerce.

MY NAME IS ALBERT PUGH. I AM THE CHAIRMAN OF THE INTERIOR ALASKA FORREST ASSN. MY SON AND I HAVE OWNED AND OPERATED FOUR STAR LUMBER CO, IN FAIRBANKS, FOR 25 YEARS.

I AM HERE TO ASK FOR SUPPORT OF H.B. 212. THIS BILL ADDRESSES THE NEEDS OF ALL OF US IN THE SMALL TIMBER INDUSTRY IN THE INTERIOR.

WHEN ALASKA BECAME A STATE WE HAD THE RIGHT TO SELECT 104 MILLION ACRES OF LAND SO THAT WE WOULD HAVE THE RESOURCES TO DEVELOP AND CREATE JOBS FOR THE PEOPLE OF THE STATE AND ALSO CREATE REVENUE TO SUPPORT STATE GOVERNMENT.

WHEN THE ALASKA STATE CONSTITUTION WAS DRAFTED, THE INTENTION WAS TO DEVELOP THE RESOURCES.

TIMBER IS ONE OF THE RENEWABLE RESOURCES THAT SHOULD BE HARVESTED TO CREATE REVENUE.

IN THE EARLY 1980'S THE STATE SET UP A PROGRAM TO GET LAND INTO PRIVATE OWNERSHIP. SOME SITES WERE LAYED OUT ON THE BONANZA CREEK EXPERIMENTAL FOREST. THERE WERE ALSO SOME LAYED OUT OVER TOP OF A TIMBER SALE ON CACHE CREEK. IT BECAME VERY APPARENT THAT, WE IN THE SMALL TIMBER INDUSTRY THAT EXISTED, HAD TO HAVE A TIMBER BASE THAT WE COULD RELY ON. WE FORMED THE INTERIOR WOODCUTTERS ASSN. AND CONTACTED SENATOR BETTYE FAHRENCAMP TO FILE A BILL TO ESTABLISH THE TANANA VALLEY STATE FOREST.

THE TANANA BASIN AREA PLAN DETERMINES MAJOR LAND USES ON STATE LANDS WITHIN THE PLANNING AREA. THE PLAN ALSO SETS MANAGEMENT GUIDELINES FOR THE VARIOUS RESOURCES.

THE PLAN DESIGNATES SURFACE AND SUBSURFACE USES FOR EACH MANAGEMENT UNIT. SURFACE USES ARE DESIGNATED PRIMARY IF THEY ARE MAJOR SURFACE USES; THE UNIT WILL BE MANAGED TO ENCOURAGE ITS USE, CONSERVATION OR DEVELOPMENT. A SECONDARY USE IS PERMITTED WHEN ITS OCCURRENCE WILL NOT ADVERSELY AFFECT ACHIEVING THE OBJECTIVES FOR THE PRIMARY USES.

THE PLAN ESTABLISHES MANAGEMENT GUIDELINES THAT ALLOWS VARIOUS USES TO OCCUR WITHOUT SERIOUS CONFLICTS. MANAGEMENT GUIDELINES CAN DIRECT THE TIMING, AMOUNT OR SPECIFIC LOCATION OF DIFFERENT ACTIVITIES, MAKING THE ALLOWED USES COMPATIBLE.

DURING DEVELOPMENT OF THE ORIGINAL PLAN, THREE ROUNDS OF PUBLIC WORKSHOPS WERE HELD THROUGHOUT THE PLANNING AREA AND IN EVERY COMMUNITY IN THE BASIN. MORE THAN THREE HUNDRED PEOPLE ATTENDED MEETINGS IN 1982 TO IDENTIFY LAND USE CONCERNS FOR THE TANANA BASIN. APPROXIMATELY 170 PEOPLE ATTENDED WORKSHOPS IN 1983 DEALING WITH ALTERNATIVE LAND USE PLANS, AND 358 PEOPLE COMMENTED ON DRAFT PLAN IN 1984. THESE WORKSHOPS ARE SUMMARIZED IN SEPARATE DOCUMENTS AVAILABLE FROM THE DEPARTMENT OF NATURAL RESOURCES.

THROUGHOUT THE PLANNING PROCESS, MEMBERS OF THE PLANNING TEAM AND D.N.R. STAFF MET WITH REPRESENTATIVES FROM MANY COMMUNITIES AND INTEREST GROUPS, TO INFORM THEM OF THE PLAN'S PROGRESS AND PROVIDE THEM THE OPPORTUNITY TO REVIEW RESOURCE DATA AND PLAN PROPOSALS.

INFORMATION GATHERED AT THESE MEETINGS AND THE WRITTEN COMMENTS WERE INSTRUMENTAL IN IDENTIFYING IMPORTANT ISSUES, GATHERING DATA ON LOCAL RESOURCE VALUES, DEVELOPING AND EVALUATING LAND USE ALTERNATIVES, AND SHAPING THE FINAL PLAN.

FOR ACCESSIBLE PORTIONS OF THE BASING, THIS PLAN DESIGNATES ABOUT 240,800 ACRES OF STATE LAND FOR AGRICULTURE, OF WHICH 195,540 IS RECOMMENDED FOR PRIVATE OWNERSHIP.

ABOUT 11.5 MILLION ACRES HAVE BEEN DESIGNATED PRIMARY USE WILDLIFE HABITAT.

ABOUT 1.8 MILLION ACRES HAVE BEEN DESIGNATED PRIMARY USE FORESTRY.

ABOUT 4.8 MILLION ACRES WILL BE RETAINED AND MANAGED FOR MULTIPLE USE, EMPHASIZING RECREATION.

AS YOU CAN SEE THERE WAS A LOT OF WORK DONE BY A LOT OF REASONABLE PEOPLE

AL PUGH

ALASKA STATUES UNDER 41.17.200-ARTICLE 3- STATE FOREST SYSTEM- STATES THE STATE FOREST PURPOSES AND SEC 41.17.210 FURTHER DEFINES IT -STATE FORESTS (A) THE GOVERNOR MAY PROPOSE ATO THE LEGISLATURE THE ESTABLISHMENT OF A STATE FOREST CONSISTING PRIMARILY OF COMMERCIALLY VALUABLE FOREST LAND-ETC.

SEC 41.17.230 UNDER (E) THE COMMISSIONER SHALL CONSIDER AND PERMIT THE FOLLOWING USES UNDER A MANAGEMENT PLAN UNDER (A) OR (B) OF THIS SECTION SUBJECT TO A DETERMINATION UNDER (F) OF THIS SECTION (1) COMMERCIAL TIMBER HARVEST AND RELATED ACTIVITIES AND THEN GOES ON TO LIST 13 MORE USES THAT ARE COMPATIBLE WITH TIMBER HARVEST.

THIS WAS TAKEN OUT IN 1990 BY A STEERING COMMITTEE SET UP TO LOOK AT THE FOREST PRACTICE ACT. UNDER PART 1-INTRODUCTION, IT STATES- TO ACHIEVE AN OBJECTIVE AND BALANCED REVIEW, THE REVIEW PROCESS INCLUDED REPRESENTATIVES OF TIMBER LAND OWNERS, STATE AGENCIES, AND USERS OF PUBLIC RESOURCE AFFECTED BY FOREST PRACTICES. ALSO, UNDER THE GENERAL PUBLIC, IT STATES-THE GENERAL PUBLIC IS INVOLVED THROUGH THE LEGISLATIVE PROCESS AND STANDARD AGENCY PROCESS FOR PROMULGATION OF NEW CONFORMING REGULATIONS. ALSO, UNDER 11, THE STEERING COMMITTEE A. MAKE UP THE STEERING COMMITTEE, MEMBERSHIP ON THE STEERING COMMITTEE WAS A COMPROMISE OF PREPRESENTATION FOR ALL WHO ARE AFFECTED BY THE FOREST PRACTICE ACT...ETC.

THERE WAS NO REPRESENTATION FROM THE INTERIOR AND THE TANANA VALLEY STATE FOREST AND THE HAINES STATE FOREST ARE THE ONLY STATE FORESTS IN ALASKA.

THIS COMMITTEE WAS TO COME TO A CONSENSUS, BUT THEY DID NOT.

AS SOON AS THIS REWRITE OF THE FOREST PRACTICE ACT WAS DONE BY THE STEERING COMMITTEE THE TRUSTEES FOR ALASKA FILED 8 LAWSUITS AGAINST THE STATE, STOPPING TIMBER SALES. FIVE YEARS AND \$109,563.00 LATER, THE STATE PREVAILED AND TIMBER SALES WERE SOLD.

I BELIEVE THE CHANGES MADE IN 1990 MAKE IT NEARLY IMPOSSIBLE TO PUT UP A TIMBER SALE THAT WON'T BE CHALLENGED IN COURT. WHEN A SUIT IS FILED, THE SALE GOES ON HOLD AND WE SET WITHOUT ANY TIMBER DUE TO THE SUIT AND THE SHORT TIME ON TIMBER SALES THAT WE MAY ALREADY HAVE.

AFTER THE CHANGE IN THE FOREST PRACTICE ACT IN 1990, THE STATE FOREST DOES NOT HAVE A PRIMARY PURPOSE. ALL OTHER STATE LAND CLASSIFICATIONS HAVE A PRIMARY PURPOSE.

THE TANANA VALLEY STATE FOREST ACREAGE IS JUST UNDER 1.8 MILLION ACRES, SO IF IT IS HARVESTED ON A 125 YEAR ROTATION BASIS WE COULD BE HARVESTING 14,400 ACRES PER YEAR. AT THE PRESENT TIME, WE ARE HARVESTING LESS THAN 1000 ACRES PER YEAR. AT THE PRESENT RATE OF HARVEST IT WOULD TAKE 1800 YEARS TO CUT THE EXISTING STANDS. THE LONGEST CONTRACTS NOW ARE 4 YEARS, SO AT ANY ONE TIME THERE IS STILL 1 MILLION 7 HUNDRED 96 THOUSAND ACRES AVAILABLE FOR OTHER USES.

THERE ARE OVER 195 MILLION ACRES IN ALASKA THAT IS OFF LIMITS TO ANY TIMBER CUTTING DUE TO LAND CLASSIFICATIONS SUCH AS PARKS, WILDERNESS AREAS, WILDLIFE RESERVATIONS, ETC.

IF WE ARE GOING TO HAVE ANY TIMBER INDUSTRY IN THE INTERIOR, WE MUST HAVE H.B. 212 PASSED SO WE CAN HAVE A WORKING FOREST AS IT WAS ORIGINALLY INTENDED.

THANK YOU  
ALBERT H. PAGH  
CHAIRMAN  
INTERIOR ALASKA FOREST ASSN.

My name is Gayle Stevens I have lived in Nenana Alaska For 24 years. I own an RV Park, commercial fish and do the bookkeeping for the local grocery store. I have served on the Nenana City council for 9 years. Myself and my family utilize the natural resources and the forests in many ways. We trap, hunt and subsistence fish.

I have many concerns regarding logging in the Tanana Valley, as a fisherman I am well aware of the devastation to the fishery resource throughout our Nation, much of the problems have come from habitat destruction. Most of the studies that have been conducted in Alaska pertain to areas other than the interior. I believe that we must error on the side of conservation, until studies can be done that apply to our area. The Interior is unique and studies must be done that are area specific rather than taken from information from other areas. We have watched as our fish runs have suffered due to over harvest in the oceans and we must not allow any unnecessary destruction of the habitat or spawning areas to add to the problems. Fishing has played an important role in the lives of the river people since Alaska became inhabited, we must look out for these people as a priority and not allow their lives to be altered for a few quick bucks for big business.

I have watched logs leave the Alaska Railroad loading area for ~~about~~ <sup>many</sup> years and there has not been any benefit to the local area. There has been no local hire, the companies do not purchase any thing locally or in any way benefit the local economy. At the same time, I have been out in the forests and have seen the destruction that is left. There are huge piles of logs left in the woods and large areas of clear cut.

We have many people in the interior that depend on the forest for their livelihood and these jobs can not be sacrificed for the benefit of others, especially outside companies. We must give equal consideration to all resource users. Many people depend on fishing, tourism, trapping and dog mushing. I have been out on a historically established trails in the winter and come upon logging trucks bearing down on me or an impassable snow berm.

My concerns are for the people left behind that must live in the area after the logging is done and are still here trying to survive. If we allow logging, even in the name of dead timber, along the rivers we will be putting

at risk all other resource users and the people that live along the river systems. Habitat needs the filtering, cooling and stability that nature provides and we could face diminished fish runs, flooding and loss of wildlife if we allow logging near the river systems. The rivers are so forceful that they can take large areas of land in a few years, if we cut the established stands of trees, we put the wildlife habitat at even greater risk.

We must keep in place all regulation that require equal consideration for all forest user groups and not make special rules for any state owned property. We can not allow special rules for dead or at risk trees. We must look at what effect all logging will have on the other resources or user groups in all cases.

AK RR only entity that has profitted from timber  
sides in our area.

Nenana has stunk  
slow growth

Gayle Stevens  
Box 38  
Nenana, AK



## Northern Alaska Environmental Center

218 DRIVEWAY STREET  
FAIRBANKS, ALASKA 99701-2806  
PHONE: (907) 452-5021 FAX: (907) 452-3100  
E-MAIL: naec@econet.org

House Resources Committee  
September 19, 1995  
Comments on HB 212

### The Northern Alaska Environmental Center opposes HB 212.

Founded in 1971, we represent 1,300 members and remain committed to the sustainable multiple use of forests on state lands and the perpetuation of those uses and values. We support logging as one of the legitimate uses of the forest, yet we believe that of the many potential and actual uses of multiple use state lands, large-scale logging remains one of the few which has the potential to utterly destroy other interests, values, and uses. HB 212 will only help Alaska repeat the mistakes of other communities. Our community is not prepared to suffer from the consequences of ill-considered decisions leading us into the maw of large-scale export logging. We treasure this land and our outdoor lifestyles and intend to raise our families here. For these reasons, we know that you will carefully consider the consequences of endorsing HB 212.

For our part, the Northern Center has actively monitored logging plans in the Interior since 1990 and have warily listened to proposals for increased logging in the slow-growing boreal forest. Alaska has long been used as a source for raw resources with little heed for the interests of residents. We recognize the faces on the other side of this debate: the robber barons of the 1950's are the timber barons of today. During the past 16 months as the environmental representative on the Tanana Valley State Forest Citizens' Advisory Committee, we have routinely advocated for other seats/interests which are often poorly represented at the table: subsistence, hunting, trapping, recreation, tourism and the general public. The Northern Center strongly opposed SB 310 the day it was introduced and opposed it to the end. At the March 25 Fairbanks Forest Summit we offered an alternative proposal to provide small operators with greater access to state timber without eliminating or circumventing public notice and planning requirements. In short, we have participated, challenged, and cooperated as we felt necessary and appropriate. Due to our involvement in, and up-close understanding of the public debate over increased logging in the Interior, we feel completely justified in pointing out the dangers of HB 212 and confident in our analysis that this bill is neither necessary nor acceptable.

With its history of placer mining and the construction of the pipeline, the Interior is no stranger to industrial development or economic cycles. Yet, we will not willingly let our community get used. Most of the logs from the relatively small-scale existing logging operations have been directly shipped out of state in unprocessed form. And if you listen carefully to the large-volume logging proposals, you will find they offer nothing in the way of a guarantee of sustainable benefits for local employment or value-added in-state



processing. The social, economic, and environmental costs of such operations are destructive and unacceptable to the vast majority of residents.

HB 212 is touted as a "small loggers bill" by its sponsors, and although we agree that sections of the bill may help small operations, the overall effect of this legislation will be to open up forest land throughout the entire state to destructive large-scale logging.

The bill designates forestry the primary use on all state forests, regardless of the value of those lands for other public resources or uses. It does not provide a process for resolving conflicts or excluding lands where the public finds forestry would be incompatible with more or equally important public values. There are no requirements for DNR to identify, protect and maintain fish and wildlife habitats nor are they required to minimize impacts to these habitats. The proposed changes ignore potential impacts to other forest user groups and does not include measures to assess impacts to other public resources.

HB 212 undermines the state Forest Resources and Practices Act. The Act was revised in 1990 under a consensus among industry, state agencies and public interest groups. The initiation of significant changes without going through a consensus process will violate the spirit of the Forest Resources and Practices Act.

Additionally, the Northern Center opposes Section 2 and the last sentence of Section 9 of HB 212 which eliminate an important requirement that the state use the best available data to evaluate the cumulative effects of forestry activity on both the trees and non-timber resources. These sections prevent concerns over impacts to salmon habitat from being addressed without complete scientific analysis. The Northern Center believes there is still much to learn about ecological functioning and relationships within the boreal forest, especially with regard to the riparian corridors. Thus, the Northern Center believes management actions must be conservative where scientific data are limited. We encourage further research to ensure that the best possible data are available for understanding the long-term, cumulative effects of management decisions on the forest, fish, wildlife and people of the region. Without adequate funding for the Habitat Division of Fish and Game, and time to complete the research, this information will not be available. It would seem that this Legislature is unwilling to ensure that this level of funding remains available.

Our greatest concerns are contained in Sections 4 and 5 which could be interpreted to expand the Department of Natural Resources' ability to offer timber sales of any size without the requirement that the sale be listed twice in the annual 5-year schedule of sales, thus reducing awareness of the sale and limiting public participation in the decision process.

We object to the provisions in HB 212 Section 7 which change the primary purpose of state forests from one of multiple use, where all interests have equal consideration in the planning, to one of timber production, where logging interests will have primary say in the management of our forest. The Northern Center believes that the boreal forest has intrinsic as well as commodity values. Commodity production, while important

economically, is but one of the many uses of the forest. Proper stewardship of public forests should involve a balance among beneficial uses to minimize conflicts and preserve options for future generations. Forest management that meets multiple use objectives must begin with sustained forest diversity and function at the landscape level, not the yield of any commodity.

If the true intent of HB 212 is to help small logging operations acquire wood to be used in local high value-added products, the Northern Center believes that this can be accomplished, without legislation, under the existing statutes with a few minor changes in regulations. We introduced the Community Woodlot concept this past spring at the forum sponsored by the Lt. Governors' office. The Woodlot, a copy of which is attached to my written comments, would enable smaller operators to have easier access to timber and still satisfy the concerns of the other forest users. I have also included a report that addresses how the woodlot could be enacted with new regulations.

At the present time there is broad opposition to large-scale logging operations in the state's forests from groups including commercial and subsistence fishers, small logging operators, Native interests, local residents and conservation groups. We must remember that both Titles 38 and 41 were products of a long-term consensus process, and to gut these statutes with special interest legislation is unacceptable to the people of Alaska.

We believe that the answer to any problems with the management of our state forest land does not lie in special interest legislation from Juneau, but in broad-based community planning efforts. The Northern Center believes the impacted people of the region should have a major role in forest management decisions. Local residents are most directly affected by management decisions and must be fully involved in the formulation of legislation and agency policies which affect management and use of the Tanana Valley State Forest. We especially encourage collaborative efforts such as consensus building, to bring differing interests together to mutually resolve problems. We believe that effective public participation will ultimately lead to management decisions that are best for the forest and the wildlife, fish, and people that depend on the Forest.

We urge you to take a close look at the particulars of this forest debate, support an expanded planning process with meaningful public involvement, and oppose special interest timber legislation.

Thank you for the opportunity to testify before you today.

Dan Ritzman  
Boreal Forest Coordinator

Submitted by: the Northern Alaska Environmental Center  
Date: March 25, 1995

## Community Woodlot Proposal\*

The purpose of this proposal is to explore alternatives to the present system of timber sales in the Tanana Valley State Forest. Under the current system small operators are unable to acquire small sales. This proposal will allow Department of Natural Resources/Division of Forestry (DNR/DOF) to offer more small sales economically, and keep the two year public notice provisions of the current 5-year schedule system.

- 5 woodlots, each
  - 100 acres
  - different species (spruce, birch, aspen)
  - different ages
  - different regions of the valley
- Listed annually in the 5-year schedule

Within each woodlot there will be smaller sale units of 10 acres. These smaller units will be offered either as competitive bid sales or as negotiated sales. There will be a stipulation that no individual may have more than three "woodlot" sales at any one time. This provision would insure that the "woodlots" remained for the local timber operators.

This process would reduce the cost to DNR/DOF. Instead of 10 Forest Land Use Plans (FLUP), there will be one FLUP with 10 cutting units in it. There will be some increased costs, more site visits etc. but these should be minimal.

Two benefits of Community Woodlots:

- Social -- supports community utilization of forest resources and local needs.
- Economic -- typically small operators spend a higher percentage of their money within the local economy, generating additional jobs.

DNR/DOF will have to make some adjustments in the regulations, but if all parties are agreeable to this these changes could be made in a timely matter.

\* This is an initial draft for consideration/input. Specifics should be adjusted to suit small logging operations with a high value-added emphasis.

Good Morning. To those of you visiting from other parts of the state, welcome to our beautiful boreal forest. These precious weeks of September are an essential time to absorb the golden warmth of the forest before winter's snow sets in to remain here for the next 7 1/2 months. You are fortunate to visit at this near Equinox time, when the changing forest clearly forces to accept the earth's swing of seasons and the tilt away from the sun.

W2

I am going to speak from my own experience, but I believe I speak for many Fairbanks people, who were not privileged to be invited to speak to you today. If you doubt this truth, please call a public hearing for next week, and listen to the hundreds of people who would come speak to you.

I first came to Fairbanks 30 years ago. I have hunted in this forest, picked berries and mushrooms, selected Christmas trees and boughs for wreaths, I have camped in this forest, warming my body around many a camp fire, saving my life around several of those fires, I have written poems, and books about living here, I have filmed a TV feature in this forest, aired in 17 countries. I have lived in 4 log cabins, notched of logs from this land, heated 29 winters with firewood from this forest floor. I have hiked, canoed, mushed, driven, and flown over much of this forest, admiring the repeating patterns from all these different views. I have earned my living working with visitors who chose Alaska because of the natural beauty in this state, and for Fairbanks, our beauty is the forest and the rivers that run through it. I have eaten the animals and fish. I have studied the regrowth after wildfire, and after logging. I have carefully counted the rings of an old white spruce. I know it takes 300 years to grow a tree this large.

h  
x  
my

In short, this is my home. This is where I love to live. I wrote letters of support when Betty Farhenkamp proposed we make a multiple use forest in the Tanana Valley. When I hear you say you want to reverse this fair status it makes me very upset.

*cheated. 12 years to make a higher status than*

~~ON WHAT GROUNDS DO YOU TRY TO EXCLUDE MY VOICE- IN HELPING MAKE DECISIONS THAT WILL DRASTICALLY AFFECT MY LIFE?~~

ing  
is

IN THE PAST 4 YEARS, PEOPLE IN FAIRBANKS REPEATEDLY STATED THEY WANTED A PLANNING PROCESS THAT INCLUDED THE PEOPLE FROM THE BEGINNING, as is the NATIONAL TREND . The people who live in this forest want to be included. For example, north east of Fairbanks , near Two Rivers, dog mushers were having trouble running their dogs near logging operations, because the logging roads would cross trails and leave high steep burms. Several mushers had dogs inhured and eve killed. DOF

met with the mushers and worked out a multiple use system that allowed both users to co-exist. Under your new balance, the loggers would have to listen to the mushers concerns. But this forest, this land really does belong to all of us. We all have a right to be part of the process.

DOF IS TO BE COMMENDED FOR MOVING IN THAT DIRECTION WITH THE 5 YEAR PLAN REVIEW PROCESS.. HB 212 IS A GIANT STEP BACKWARDS AND WILL ONLY DEEPEN THE CONFLICT IN THE FUTURE. ALL FOREST USES DESERVE FAIR AND EQUAL TREATMENT.

Mary Shuebs  
PO Box 80961  
Fairbanks Alaska  
99708

## HB 212 - against

September 19, 1995

I have been asked to speak before you at an unbelievably busy time of year for myself and my family. I initially did not believe I could make it, but these issues are so important that I decided to forego sleep to be here.

I have lived in the Interior of Alaska since 1975. Since then I have been a subsistence fisherman and dogmusher, and since 1984 my family and I have made our living through commercial fishing and tourism. (river tours-fishing-dogmushing rides and expeditions). We have had some lean years: during the Fall fishing crisis of two years ago, we barely had enough to live on. I had to put my children on the federal hot lunch program at the school. It was difficult. But, we love our lifestyle and the close proximity to Nature, and feel that the way we live teaches our children valuable lessons about man's interconnectedness with the earth and its creatures. They understand that our rewards are equal to our labors, and that resources are finite and must be treated with respect. We have a lot of variety in our lives: commercial fishing for salmon, and the trips we take our clients on to enjoy the unspoiled beauty of this land in the summer by boat and in the winter by dogsled to our remote lodge west of Nenana. Our guests come from around the world, from places that have been logged over and developed, and they love it here, simply because they can see the handiwork of God: in abundant trees and the wildlife they nurture. It is the untouched forests that keep them coming back again and again. Here are a few samples from our guest book.

"Thank you, otter beaver, moose, eagle, mosquito, and all nature for wonderful time. We will come back again." - Keizo Funatsu, Japan and now here (he relocated because of the beauty)

"A great country, wonderful fishing - we particularly liked the eagles, swans, and moose." - Gary and Pete Ubelhoer, Florida

"We stayed three days at Tolovana- watching nature. This will be on a world map." -Yvonne Nylunsing, Holland

As the previous manager of the Nenana Visitors' Center, I can attest to the 10,000 signatures recorded each summer in the guest book. The majority related to the beautiful country around us and the

abundance of salmon. My favorite was -"A civilized jewel in the midst of awesome wilderness."

Tourism provides initiative for diverse, economic expansion that reaches most businesses and encourages new ones in our area. Tourism is probably the largest private industry employer in the Tanana Valley. We buy fuel locally, hardware, many groceries for our guests. They stay in Bed and Breakfasts, motels and RV Parks. They eat meals out that we do not serve. They buy souvenirs, arts and crafts and smoked fish from local vendors. We use flight charter services as well. At this time, Ecotours are the fastest growing segment in the world tourism market. Such diversity allows people individual pride in their own accomplishments. It would not be the same if we all worked at the local saw mill.

As commercial and subsistence fishermen our very lives and that of our sled dogs depend on the salmon. We bought a commercial fishwheel permit in the late 80's for \$12,000, a substantial investment. At that time a good fisherman could support his family on fishing alone on the Tanana and Yukon Rivers. That is no longer true because of cut-backs in our fish openings. Who will buy our permits if the fish disappear? It has been demonstrated globally the negative affects of excessive logging, especially to the water's edge. Clear streams are crucial to spawning salmon. The world's fish are in a decline from habitat degradation and overfishing. Once it is gone, the cost of rebuilding, as is being attempted in Washington and Oregon and the East coast, far exceeds that of timber production. At this time we do not have scientific data from Forestry or Fish and Game that even begins to address these concerns. There simply has been little funding directed towards it.

Fishing is a way of life. It involves often the entire family. Many are also boat-builders, mechanics, welders. There are skills and personal pride inherent in such endeavors that are non-existent in such occupations as working 9 to 5 for the local mill. Rural people are hard-working and diverse, and making the state forest's primary use as logging quite simply sacrifices the lives and livelihoods of not only fisherman and tourism operators, but trappers, dogmushers and recreational users.

Do I use wood ? You bet. I live in a log home. I heat with wood. I use wood products daily. I support a small local operation (there is one at this time in Nenana). But, we do not support it if it takes precedence

over all other livelihoods. We live in the forest, with the forest. We use it, like we use the fish and a moose once a year. This allows others to do the same. We do not take everything for ourselves, which has been the history of the logging industry.

I have to get on with the daily activities of my life. These hearings do not take into consideration our lifestyles and the timing of nature that we depend on. Think of the many of us on the great rivers of this state and why we chose to live here when decisions are made. We are not voiceless, we are simply busy.

Thank you.

*Kathryn Lenniger*

Kathryn Lenniger  
Box 254  
Nenana, Alaska 99760



**VanGo**<sup>inc</sup>  
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**House Resources Committee Worksession on Timber  
September 19, 1995**

Thank you for the opportunity for public comment.

As an owner and operator of a local tourism business and as a member of AWRTA (Alaska Wilderness Recreation & Tourism Association) - a statewide industry organization, I'd like to talk about the role of tourism as it regards the forest.

Tourism has been traditionally viewed as a service industry. This is old thinking. The tourism industry - like the forest industry or mining industry or fishing industry - is a 'resource industry'. We are *directly dependent* on the natural resources of Alaska for our livelihood.

Tourism is the third largest private sector industry in this state, following oil and fishing. Ecotourism is the fastest growing segment of the tourism industry, growing over 20% a year. The ecotourism/soft adventure sector of the tourism industry makes significant financial contributions to local communities and hires local residents. This has been documented in recent research from ISER (the University's Institute of Social & Economic Research). The research shows that our clients - ecotourism clients - spend more and stay longer than other visitors to the state.

I'll give you an example from my business. This past March I had a group of 10 clients on a trip which would be described in the industry as ecotourism. The cost of the trip was \$3900/per person - which was money all spent locally, as it did not include airfare to Alaska. The clients also collectively spent over \$8000 shopping over a 2 day period in locally owned shops. This is one group. Multiple this times many more and you can get a picture of the significant economic contribution to our local economy.

These kind of clients come to Alaska because of our natural resources, because of the physical beauty, because of the opportunity to experience nature, because of wilderness, because it is different than anywhere else. The forest of the Interior is a valuable resource to my business, both summer and winter.

State agencies so often lump tourism with 'recreation.' Yes the clients are on vacation and recreating BUT the services that Alaska businesses provide for them is not recreation. It is business activity. And again it is the 3rd largest private sector industry in Alaska. The state is always touting 'private sector development' / 'private & public partnerships' / 'infrastructure development for private sector' - Well the forest *is infrastructure* for my industry - for the visitor



**VanGo**<sup>inc</sup>  
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PLACES

industry / tourism. What the state does regarding forest management and development very directly impacts tourism. We seem to be left out of HB 212.

Also it often appears to me, as a small business owner that the state is often in conflict with itself about public policy. A recent example related to the forest is a project of the ATMC, Alaska Tourism Marketing Council, who receives state funding. Their advertising agency in Anchorage sends out sends a biweekly promotional piece called "Headline News From the Last Frontier" to journalists across the country in hopes of interesting them in Alaska travel-related editorial .... a recent one promotes Alaska's fall colors - the forest's colors. It touts Alaska's trees as a fall destination over New England. *(See attachment)*

Is it jobs and job creation that motivated this bill? Then let's look forward - to growing industries, to world trends, to the technological changes in our society that are forging a global economy that operates very differently from one grown in the industrial revolution.

I read a lot of tourism focused business information from newsletters, industry trends & data, specific periodicals, conference findings, etc. to stay current on the market - what people want, what they are going to pay for, what's in, etc. You might be interested to know that what Alaska is - essentially undeveloped, a place of raw natural beauty, a place with true wilderness - is one of the very few places in the world where this can be had. The value of a river that 'just is' / a mountain that 'just is' / a forest that 'just is' / has value now and it will have an even higher value in the future.

I don't believe in everything being quantifiable - but if you need to look at things that way you might consider an analogy between the price tag of a gallon of water in Saudi Arabia and the future price tag for 'admission' to a natural place - especially when there is almost none to be had anywhere in the world.

Administration of forest land and the management of timber must include the perspectives of the tourism industry in a serious manner. HB 212 does not provide for tourism interests in an adequate way. This is why I am opposed to HB 212.

Sincerely,

Patricia Walsh

3601 C street, suite 700  
 ANCHORAGE, ALASKA 99503-5935  
 (907)563-2289 / (907)563-3575 fax  
 TDD (907)465-5437



MEMORANDUM

TO: All "Headline News From the Last Frontier"  
 News Sources

FROM: Robbie Graham/Bernholz & Graham *RG*

RE: Deadline for Reviewing Attached Copy

DATE: Sept. 14, 1995

COPY: David McCormick  
 David Karp, ATMC  
 John Litten, ATMC

Recently, you spoke with David McCormick regarding the attached story, and provided him with very interesting information and quotes for our headline news stories. As he explained, the Alaska Tourism Marketing Council sends these timely headlines out every other Monday to journalists around the country in hopes of interesting them in Alaska travel-related editorial. If they are interested in a headline, they can request a full text of the story for publication or further reporting.

There is no guarantee these stories will be used. However, there also is the likelihood that if they are used, the editors or writers may want to contact you for further information.

Since you have contributed to the background of this story, we want you to know what is being sent out. Please take a moment to review the story and let us know if there are any factual errors or incorrect spellings of names, tours, places, etc. We are not asking you to edit the stories or comment on the content. Rather, we are simply asking you to make sure that your portion is correct, and to providing you with the information being sent out in case you are contacted for further details.

Please contact me by noon on Friday, Sept. 15 at 561-4488 if there are any changes or corrections to be made to your specific mention. Otherwise, we must assume that all the information is correct and available for distribution. Headlines will be faxed via PR Newswire on Monday, Sept. 18, and stories will be available on the same date.

Thank you in advance for your help with this story, and we will look forward to working with you again in the near future.

Wednesday, September 13, 1995 2:12:24 PM (907) 783-3412

### Alaska in Autumn Shows Nature at Its Best

ANCHORAGE, Alaska \_ Combine shirtsleeve weather, eye-popping colors and the smallest crowds of the year and you've got what many consider to be Alaska's finest season: autumn.

With many Eastern states suffering a second straight year of early and lackluster fall foliage, some tour operators are focusing on the seasonal splendor of Alaska.

"We've got a tour that just went through Denali National Park, and everybody said the scenery was just spectacular," said Silke Busche, manager of tours for St. Tours in Sarasota, Fla.

Like many operators, St. Tours takes advantage of Alaska's off-season rates to offer lower-cost excursions throughout September, when fall colors are at their peak.

Alaska offers a unique autumn palette, contrasting stands of yellow birch and golden aspen against deep green spruce. Looming above treeline is a vast expanse of tundra in a thousand shades of red, purple and orange.

Fall is also prime time for wildlife viewing. Along the coast, whales are making their annual migration to winter feeding grounds and salmon can be seen spawning in shallow streams. Further inland, bull moose and caribou are locking antlers in preparation for mating season.

"It's a time when the north country is entering its essence: preparing for winter," said Pat Walsh, owner of VanGo Tours and Alaska Places, a tour operator based in Fairbanks who offers custom itineraries with a nature/environmental orientation. "Fall is a fantastic time of year here, and probably the least crowded."

John Hall, president of Anderson House Tours in Wabasha, Minn., began offering fall tours of Alaska six years ago. "My goal was to fill one trip," he said. "We ended up selling four. This year we're doing eight."

"I do a lot of tours to New England," he said, "but as an all-around fall color tour, I don't think you can beat Alaska."

A growing number of conventions as well as tour groups are choosing Alaska in autumn, said Keith Fernandez, communications director with the Anchorage Convention and Visitors Bureau.

Wednesday, September 13, 1995 2:12:24 PM ☐(907) 783-3412

"Trying to sell Alaska outside the summer can be tough," he said, "so we bring a lot of people up here to let them see for themselves what it's like. Once they're here, the scenery sells itself."

(Media contacts: Silke Busche at St. Tours, 813-957-4880. John Hall at Anderson House Tours, 800-325-2270. Pat Walsh, VanGo Tours and Alaska Places, 907-455-6499. Keith Fernandez, Anchorage Convention and Visitors Bureau, 907-276-4118)



Greater Fairbanks **Chamber** of Commerce

709 Second Avenue  
Fairbanks, Alaska 99701

(907) 452-1105  
FAX: (907) 456-6968

September 25, 1995

Mr. Jack E. Phelps  
Aide to the House Committee on Natural Resources  
716 West Fourth, Suite 380  
Anchorage, AK 99501

Dear Mr. Phelps:

The Greater Fairbanks Chamber of Commerce recently passed Resolution 95-0918 in support of House Bill 212 and Resolution 95-0918.2 in support of House Bill 344, with some specified changes.

We strongly support reducing the bureaucratic process that is required for small loggers and small mill owners to obtain timber. The Fairbanks chamber also supports the governor's bill, which provides incentives for the local manufacture of high value-added wood products.

The Fairbanks chamber represents over 600 businesses with over 5,000 employees. Please take our membership into consideration as you review our resolutions.

If you have any questions regarding Resolution 95-0918 and Resolution 95-0918.2, please feel free to call me at 907-452-1105.

Sincerely,

William J. Robertson  
President/CEO

WJR/kjh

enclosures



Greater Fairbanks

**Chamber**

of Commerce

709 Second Avenue

(907) 452-1105

Fairbanks, Alaska 99701

FAX: (907) 456-6968

**Introduced by: Natural Resources Committee**

**Date Introduced: September 18, 1995**

**Date Passed: September 18, 1995**

**Date Transmitted: September 19, 1995**

**RESOLUTION 95-0918**

**A RESOLUTION OF THE GREATER FAIRBANKS CHAMBER OF  
COMMERCE SUPPORTING HB 212.**

**WHEREAS**, a bill is pending before the Legislature which would reduce the bureaucratic processes required for small loggers and small mill owners to obtain timber, and

**WHEREAS**, the Greater Fairbanks Chamber of Commerce, by and through its duly elected Board of Directors, (the Fairbanks Chamber) finds that this legislation is important and necessary to support and stimulate the local, small forest products industry,

**NOW THEREFORE BE IT RESOLVED** that the Greater Fairbanks Chamber of Commerce supports HB 212.

**BE IT FURTHER RESOLVED** that this resolution be distributed to:

cc: Fairbanks North Star Borough  
The City of Fairbanks  
The Honorable Tony Knowles, Governor of the State of Alaska  
Legislative Information Office  
John Shively, Commissioner of the Department of Natural Resources  
Honorable Frank Murkowski, United States Senate  
Honorable Ted Stevens, United States Senate  
Honorable Don Young, United States Representative

**PASSED** on September 18, 1995 by the Greater Fairbanks Chamber of Commerce Board of Directors.

B.B. Allen  
Chairman

William J. Robertson  
President/CEO

Knowles' Administration testimony on CS HB212 (RES),  
presented to the House Resources Committee Meeting of  
12/05/95 in Anchorage.

Presented on behalf of the Administration by Marty Rutherford,  
Deputy Commissioner/Department of Natural Resources

## CS HB212 (RES) (K)

### Overall Comment

Good Morning. I'm Marty Rutherford, Deputy Commissioner of the Dept. of Natural Resources and I'm here today to present the Knowles' Administration's testimony on the Resources' Committee Substitute for House Bill 212.

I appreciate the opportunity to be here and to have further discussions with you about this bill. I will be providing some comments about the specific sections and then Tom Boutin, the State Forester, and I are available to answer questions. Much like in Fairbanks, we are looking forward to a good exchange of information.

The Administration continues to support the general direction of the House Bill 212 and this Committee Substitute is a much improved bill. As I said on September 19th, it is a high priority of the Knowles' Administration to provide a predictable supply of timber and we are working hard to accomplish that.

I'm also aware that the House Resources Committee is very supportive of the state timber sale program and that is both important and appreciated.

I'd like to commend the House Resources Committee for a good process on HB 212, for listening and considering every one of our comments, and for adopting the majority of our recommendations. We especially appreciate your involving the Board of Forestry, your September hearing in Fairbanks where you used a very effective panel process, and for inviting us back to talk with you today.

The Committee Substitute comes most of the distance we need to go. While not every part of every section is exactly as we recommended on September 19th, most of our concerns have been deleted and, as I indicated, our suggested language was adopted in many instances. Looking at the Committee Substitute sectionally, there are 6 sections where most, or all, of our recommendations were adopted in an important way.

Now to our specific comments sectionally:

Section 1: We continue to support this section. And we thank you for resisting any pressure to raise the Forest Land Use Plan (also known as the FLUP) exemption from the 10 acres in the bill (which is as we recommended to you "in the strongest possible terms"). This language ensures your goal of providing efficiencies in the state timber sale program without diminishing the public process. If anyone previously had any doubts about that, this Committee Substitute should put them at ease.

Section 2: We recommended deletion of this section when we spoke to you on September 19 because of public process concerns. While the Committee Substitute is less objectionable, we continue to recommend deletion of this section. And while we admit that the section could help in a future lawsuit defense, people who rely on thorough public process and evidence of the most comprehensive and far-reaching analysis in resource management need to be able to require that the analysis be long-term and collective.

The Division of Forestry has about 50 meetings a year in the course of the state timber sale program. Through those meetings we are able to develop a very good sense of what is important to the concerned public and we firmly believe that the deletion of the cumulative aspects of this bill will be very contentious.

I do want to thank you for coming part way with this section.

Section 3: The Committee Substitute adds back in public process by requiring 38.04.065(b) considerations (ie: sustained yield and multiple use) where there is not an Area Plan or a State Forest management plan. This is an improvement over the original bill and is the strongest possible evidence that the House Resources Committee recognizes the importance of public process in public resource management.

Section 4: We thank you for adding the word "the" back into 38.05.113(b) (5 Year Sale Schedule) on Line 17. This assures the public that when they look at a 5 Year Schedule of Timber Sales, they are seeing virtually all of the sales that will be sold during the next period of time. This one word ensures that we cannot take a controversial sale off the schedule for a few years and then offer it again without bringing it for public review through the 5 Year Schedule process.

At the September 19th Hearing the Board of Forestry asked that Section 4 be modified to require that sales of 160 acres or less be required to appear in at least one 5 Year Schedule and we agreed with that. We would still rather have that requirement.

Finally, we also appreciate the change in the Committee Substitute to an acreage limit. I might note that, if this section becomes law, whenever we can we will continue to put all sales in the 5 Year Schedules - without regard to sale size.

Section 5: The language the Administration suggested at the September 19th Hearing was adopted. This adds to public process and should be appreciated by all who believe that public process is important. It is certainly appreciated by the Administration.

Section 6: Our recommendation was adopted, adding back in the detailed plan of operations requirement to land not managed by the division. This adds to agency process, assuring the public that the processes agreed in what became the Forest Resources and Practices Act will be carried out.

Section 7: On September 19, we told you that Section 7 was the most polarizing part of HB212. We gave you substitute language and you took it exactly as given. We thank you for this change.

Section 8: On September 19, we asked you to delete this entire section. You chose not to do that. And while the committee substitute deletes what you may feel were the most objectionable parts - high productivity in forest growth and increased production of edible wildlife, we remain unable to support this section without two more deletions.

On Line 20, Page 4, we would like the words "the fullest" (practicable access to) deleted. Statewide, the people who are most troubled by timber harvest find roading to be the most objectionable aspect of harvest. Since we try to minimize road building to that level that is absolutely necessary to bring the wood out, this change would not bring any difficulty to our timber sale program.

On Line 22, we would like the word "only" deleted. It's certainly true that this is the operative word in the clause. But we worry that such a serious and broad restriction could lead to much deliberation and even litigation. For example, if a use needs to be restricted while timber harvest is going on, we need to be certain we can make that restriction.

Section 9: This is a new section but it is only added for coordination with other statute changes. If AS 38.05.112(d) becomes part of AS 41.17.230 then this section is necessary. We accept Section 9.

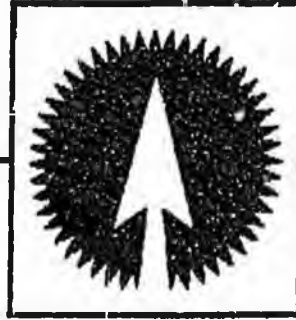
Section 10: This is Section 9 of the original bill. We asked that it be deleted and you deleted the most objectionable part ("scientific data as a requirement"). We realize that this was a large concession and it is appreciated. We can accept Section 10 as it now reads.

Section 11: On September 19, we asked that this entire section be deleted. Within the Administration, we had considerable discussion about the same section appearing in the committee substitute. In the spirit of compromise, and in acknowledgment of all the changes you did make at our request, we are asking that one word be changed. Please change the word "consumption" to "use". Then the key phrase becomes, "high level of sustained yield for human use through habitat improvement techniques." This better reflects the full range of management action available to the Board of Game.

Section 12: On September 19, we asked that this be deleted, but only because we were asking that another section be deleted. If Section 10 remains (and the Administration will now accept Section 10 - and, Section 10 now includes the reference giving DNR direction to limit the time and area for which a land use is incompatible) then this section needs to remain. We accept Section 12.

### Summary

In summary, the Administration appreciates the marked changes reflected in the Committee Substitute. Most of these changes were requested by the Administration at your September 19th Hearing in Fairbanks. We now ask that you delete Section 2, delete 3 words in Section 8 and change one word in Section 11. We're getting very close. Thank you and Tom Boutin and I are both available to answer any questions.

**Alaska Forest Association, Inc.**

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Phone 907-225-6114  
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**ALASKA FOREST ASSOCIATION, INC.  
TESTIMONY REGARDING CS FOR HB-212  
PRESENTED TO THE HOUSE RESOURCES COMMITTEE  
JANUARY 17, 1996**

**Thank you for the opportunity to present testimony regarding the draft Committee Substitute for House Bill 212.**

**My name is Elizabeth West and I am the Director of Communications for the Alaska Forest Association. The Association represents thousands of Alaskans who work in the State's timber industry, with a \$45 million annual payroll and an estimated \$140 million economic impact to the state.**

**The Alaska Forest Association and its members support the passage of HB 212. This bill will improve the way the state conducts timber sales and will result in secure jobs, better quality of life for our members and improved economies in our communities. This bill also satisfies concerns about the intent of the state's Forest Practices Act for those of us who depend upon a healthy and sustainable forest industry in Alaska. It is a necessary first step in much needed reform for sustained use of our state forests.**

**The members of our association have long believed in balanced use of our forests and other natural resources. By basing land use plans on sound science and current data from all available sources, valid decisions may be made for multiple and**

**H 212 Testimony  
January 17, 1996  
Page 2**

sustained use. And over the course of time, as best management practices have changed and improved, our industry has been flexible in its approach to management techniques. The concept of responsible use of commercial timber resources while protecting multiple, sustained use management principals is the best way to benefit all areas of public interest.

We applaud the philosophy that will allow the fullest practical access to and use of our vast, renewable resources. We are pleased to see a reversal of the out-dated presumption of harm that was associated with any human access to public land. We support to the fullest, and in complete confidence, the wording that state land managers have the authority and power to modify access as the need arises. Commercial timber harvest is not an incompatible use of these resources and should be allowed unless specific, scientific data justifies its restriction. With this provision, all concerns about personal bias and political agendas are removed from interfering with utilizing our forest resources to the maximum extent consistent with the public interest. We are agreeable to the possible exclusion of portions of the forest at the discretion of the Commissioner of the DNR as a reliable, impartial authority rather than the possible personal or political bias of a non-commissioned officer.

We support Section 11. The establishment of clear wildlife objectives for the Tanana State Forest makes sense within this bill. Clearly, timber management with habitat issues and related concerns on the Tanana is a prime example of what this bill is about.

In conclusion, I would like to restate the Alaska Forest Association's position in support for HB 212. We appreciate this opportunity to comment and thank the committee for its time.

To House Resources Com. RE HB 212  
From Mary Shields - Fairbanks

Jan. 17, 1996

I'm sorry I couldn't get to the hearing this morning. Thank you for considering my concerns.

First of all I am relieved to see that multiple use is still the recognized management goal of the State Forests. We learn from nature that diversity is the wisest plan for future success of life systems, and the forest is certainly ruled by these same principles, as well as Alaska's economy.

I am alarmed that you might remove measures to know the big picture of what is going on. The forest is a biological system that knows no ownership boundaries. What we do to one part of the forest affects the remainder. What we do to the forest we do to ourselves. Please keep requirements to keep track of the immediate and longterm effects of all forest uses. Section 2

Also it is mandatory that we keep all sales on the 5 year Harvest Schedules. 160 is a large sale in the Tanana valley State Forest. Many in the last few years that I have looked at are smaller than 160. As a member of the public concerned with the forest, I want to have input into the system from the beginning...not just react to things after they occur. All sales need to be listed so the public can evaluate them. Section 4

I am also concerned about the wildlife management goals. I don't agree that providing more game for man's use is the ultimate purpose of the forest. The forest is home to many forms of life. All have a role to play and have evolved with the forest over thousands of years. Our wildlife management goal should be to maintain a healthy ecosystem for all forms of life. This in the long run will assure a healthy balance of species, and man will be able to use a portion of those for food. Section 11

*Mary Shields*  
455-6469

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To <i>Rep. Williams</i>	From <i>FRAN</i>		
Co. <i>H RESOURCES</i>	Co. <i>FBX L10</i>		
Dept.	Phone # <i>452-4118</i>		
Fax # <i>456-3346</i>	Fax # <i>456-3346</i>		

*WRITTEN TESTIMONY FILED 1/17/96 TELEPHONICALLY 1/17/96*

**Testimony of Karl Ohls  
Lead Resources Specialist — Division of Trade and Development  
Department of Commerce and Economic Development**

**House Resources Committee  
Alaska State Legislature**

**Wednesday, January 16, 1996**

**CS For House Bill No. 212 (Res)**

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

Mr. Chairman, members of the committee, thank you for the opportunity to speak about CS for House Bill 212. My name is Karl Ohls. I am the lead resources specialist for the Division of Trade and Development in the Department of Commerce and Economic Development. With me this morning is Jim McAllister, regional forester for the Division of Forestry, Department of Natural Resources.

My testimony today reflects the views of the Governor's Office, the Department of Natural Resources, and the Department of Fish and Game, as well as the Department of Commerce.

At your two previous hearings on HB212, you heard from DNR Deputy Commissioner Marty Rutherford and State Forester Tom Boutin. They had a prior commitment to attend the Governor's meeting with the forest industry this morning and asked me to convey their apologies that they could not be here.

One of Knowles administration priorities is to provide a predictable, reliable supply of timber to Alaska's forest products industry. The administration recognizes that the timber industry is critical to a healthy economy and the creation of new jobs.

The House Resources Committee is very supportive of the state timber sale program. This support is important and greatly appreciated.

First, the administration would like to thank this committee and the committee staff for all of your good faith efforts in preparing the committee substitute for HB 212. The entire process has been a positive experience and a model for communication between the legislative and executive branches of government. We look forward to seeing this process continue.

We wish to thank you again for involving the Board of Forestry in the process, for having the panel testimony at the September hearing, and for inviting

the administration to each hearing. In my testimony, I'll review the administration's comments on the bill during the interim and the changes that were made in response.

On Section 1, we asked the committee to resist what we know was heavy pressure to raise the Forest Land Use Plan exemption above the 10 acres in the bill. We know that some organizations and individuals urged that this limit be raised. The committee substitute does not modify the bill in any way, but instead stays on the side of public process.

In September, we asked that Section 2 be deleted. The committee didn't do that but, instead, added back in "forest activities on the timber base and on other uses," as we had suggested.

We also said that if Section 2 stayed, the administration would continue to look at information on the immediate and long-term effects of individual and collective forest activities. We would still like the committee to keep "immediate and long-term" and "individual and collective" in AS 38.05.112. This is now our sole disagreement with CSHB 212. While Section 2 could help in the defense against future lawsuits, we believe that people who rely on thorough public process and evidence of the most comprehensive and far-reaching analysis in resource management need to be able to require that the analysis be long-term and collective.

Also on this section, we are amenable to the change on Lines 12 and 13, where the words, "base a forest land use plan on" are replaced with "consider."

On Section 3, the administration appreciates the committee's protection of the language for the public process by adding the language that Department of Natural Resources and the Department of Fish and Game proposed early last year.

On Section 4, the committee, at our request, added a "the" back into line 17, assuring the public that when they look at a five year timber sale schedule they see virtually all of the sales to be sold during the next period. This was another good change.

Also on Section 4, the Division of Forestry will continue to put all sales in the 5 year schedule whenever possible, whether or not it is required by statute.

On Section 5, the administration thanks the committee for using our exact language, which retains the credibility of the 5 year state timber sale schedule. We know this has caused concern to some of the original supporters of HB 212, but the current draft firmly supports good public process in our timber sale program.

On Section 6, the committee's use of this language adds back an important process.

In September, the administration testified that Section 7 was the most

polarizing part of HB 212. We gave the committee language that had been suggested by the Division of Governmental Coordination and accepted throughout the administration. The committee substitute incorporates the language exactly as written. We know that this was not easy and that some interests saw Section 7, as originally submitted, as the heart of the bill. However, the CS language protects and is important for the public process.

The administration supports Section 8 following the committee's deletion of the most objectionable part, "...high productivity in forest growth and increased production of edible wildlife."

Section 9 is needed for drafting accommodation.

On Section 10, the administration appreciates the committee's removal of the language that we found objectionable, "sound scientific data."

Section 11 is now acceptable with the change of "consumption" to "use".

The final section, Section 12, is needed for drafting accommodation

To recap the administration's position . . . we cannot overstate our support of the process the House Resources Committee has followed on CSHB 212. Our only concern with Committee Substitute Version M, which is the result of that process, is on lines 14 and 15 of Page 1. But if the bill was law, the state would continue to consider the immediate and long-term effects and the individual and collective forest activities.

Thank you again for inviting us to this hearing, and for responding so well to our concerns over the past several months. I would be pleased to try to answer any questions.

12/05/95

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PUBLIC HEARING

HOUSE RESOURCES

LOCATION:FAIRBANKS

HB 212

MR.

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HB 212

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Terry Hermich

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Joe Young ✓  
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Thank you -

12/05/95

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PUBLIC HEARING

HOUSE RESOURCES

LOCATION:KETCHIKAN

HB 212

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HB 212

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# Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCES  
committee name

committee on HB 212, dated 12/5/95  
bill/subject

KEEP ~~THE~~ JOB IN THE STATE.

DO NOT LET THE EXPORT OF LAW  
AND ORDER FROM ALASKA  
LEAVE THE STATE.

Signed: [Signature] TERRY HERMACH  
Testifier

Representing (Optional)  
BOX 2493 VALDEZ AK 99686  
Address  
835 5473  
Phone No.