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10984 HOUSE RESOURCES

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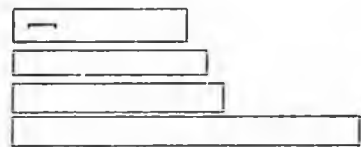

## Eight timber sales focus of possible injunction

By JOANNA MARKELL  
THE JUNEAU EMPIRE

Eight Southeast Alaska timber sales are getting much of the attention in federal courtroom this week.

U S. Forest Service officials, timber industry advocates, conservationists Southeast community leaders were in court today for the second of three testimony about a possible Tongass logging injunction.

U.S. District Judge James Singleton ruled last year that the Forest Service violated federal law when it failed to consider some areas for wilderness designation when it issued its 1997 Tongass Land Management Plan. He two-month injunction last year and is presiding over this week's hearing determine the need for and possible scope of a new logging ban.



So far, much of the discussion has focused on timber sales in southern and central Southeast Alaska. Viking Lumber and Silver Bay Logging use five of the sales to fuel sawmills in Wrangell on Prince of Wales Island this year. Conservationists argue the sale areas are better off left alone.

The Forest Service is working on a supplemental environmental impact study to evaluate areas for wilderness designation, as required by the court. It should be complete this fall, according to Department of Justice attorney Landon, who is representing the Forest Service.

The timber industry hopes to cut wood at Upper Carroll near Ketchikan, George on Etolin Island near Wrangell, South Arm on Prince of Wales Island, South Lindy near Petersburg and Four Leaf on southern Kupreanof Island this year. Testimony also has focused on the Crystal timber sale near Petersburg, Saook Bay on north Baranof Island and Canal Hoya near Wrangell.

Sitka Conservation Society Executive Director Pat Veasart testified Wednesday that timber harvest and road building would hurt wilderness values in these areas. The isolated sites provide wildlife habitat and opportunities for public recreation, he said.

"To me, wilderness is a place where one can experience a high degree of solitude," he said. "A place where one can see the Earth as created by it

Alaska Forest Association attorney Jim Clark said the sites don't have the attributes required to be classified as wilderness. Roads already have been built and timber harvest has already occurred, he said.

"Each is a work in progress," he said. "None of the drainages is undeveloped."

Whether the Forest Service should continue planning timber sales as the wilderness review occurs also is an issue of dispute in the case. So is the Lake-Lake Tyee electric intertie. The 57-mile power line would link Ketchikan and Wrangell.

The hearing continues Friday in Juneau.

*Joanna Markell can be reached at [joannam@juneauempire.com](mailto:joannam@juneauempire.com).*

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# ALASKA STATE SENATE



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**Senator Ralph Seekins**  
District D

## Senate Bill 88 Sponsor Statement

This Bill revises the riparian management standards of the Forest Resources Practices Act (FRPA) for Region III by strengthening protection for fish habitat and water quality in a manner that continues to support both the timber and fishing industries.

The current standards for Region III were adopted as an interim measure in the 1990 revision of the Act. Under these standards, harvesting can occur up to the bank of anadromous waters on both public and private land under some conditions. With the proposed Bill, all anadromous and high-value resident fish waters are classified and riparian standards are established for each classification.

The requirements are tailored to the characteristics and fish habitat needs of each stream type. A no-harvest buffer will be required on most anadromous and high-value resident fish waters. However, along glacial rivers where some of the most valuable timber occurs, the standards allow harvest of up to half the large white spruce in the landward half of the buffer. This allows landowners to capture some of the economic value within the riparian areas while keeping enough large trees to provide woody debris.

This bill is not a wholesale revision of the Act. It has substantive changes for riparian management standards applying to Region III only. Other technical revisions include changes to the statewide nomenclature for waterbody classes to prevent confusion between waterbody types in different regions. The bill also moves definitions of regional boundaries from the regulations to the Act and makes a minor change to the regional boundary on the Kenai Peninsula to better match the difference between forest types. Most forestland in the affected area is in federal ownership, so there will be minimal impact on other landowners.

SB 88 helps ensure that the FRPA continues to be certified for compliance with federal Clean Water Act and coastal zone management requirements. This means that the Act continues to provide "one-stop shopping" for the timber industry with respect to state and federal non-point source pollution and coastal management standards.

This bill is founded on the best science available including an extensive review of existing research and recommendations of an interdisciplinary Science & Technical Committee. The committee included experienced field staff from the state resource agencies and private sector as well as University of Alaska and federal scientists.

An Implementation Group that included representatives of the timber and fishing industries, Native corporations and environmental groups drafted language to implement the scientists' recommendations in a practical manner that works in the field. This bill is unanimously endorsed by the Board of Forestry and has support from a broad array of interest groups.

HB 131



FRPA Region III Riparian Management  
Standards



January 2003

- ◆ Briefing paper
- ◆ Bill text
- ◆ Map of FRPA regions
- ◆ List of supporters



## Briefing:

### Region III Forest Practices amendments

January 2003

DEPARTMENT OF NATURAL RESOURCES

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DIVISION OF FORESTRY

**Overview.** A bill to amend the Alaska Forest Resources and Practices Act (FRPA) for Interior Alaska (Region III) was introduced in 2001 as HB 131/SB 98. The bill sets standards for forestry activities in riparian areas. The bill ensures that Region III standards

- protect fish habitat and water quality,
- support healthy timber and fishing industries, and
- incorporate the best available science.

The bill is the product of two years of work by a broad array of interests. There is broad support for the consensus in the bill.

**Applicability.** In Region III, the FRPA applies to commercial forestry operations on all land ownerships where the operation borders surface waters or a riparian area, or where the operation is more than 40 acres and the landowner owns more than 160 acres in total.

**Background.** This bill is based on work by an interdisciplinary Science & Technical Committee and an Implementation Group that represented affected interests. The Science & Technical Committee reviewed relevant research and published an annotated bibliography of the results, drafted a stream classification system, and recommended changes to current riparian management standards. Committee members had expertise in fisheries, forestry, hydrology, and soils. Members included scientists and experienced field staff from the resource agencies, the University of Alaska, the U.S. Geological Survey, and the private sector.

The Implementation Group discussed how to implement the recommendations of the Science and Technical Committee in a manner that works on the ground, and drafted language for changes to the FRPA and regulations. The group included representatives from the departments of Natural Resources, Fish and Game, and Environmental Conservation; private forest owners, the timber and fishing industries, and environmental groups.

The Board of Forestry reviewed and concurred with the recommendations from the Implementation Group. The recommendations were incorporated into draft legislation, which the Board endorsed. The legislation was introduced as HB 131/SB 98. In 2001-2002, this bill was heard in the House Special Committee on Fisheries, House Resources Committee, Senate Resources Committee, and Senate Finance Committee, and passed out of all committees without opposition. The House also passed the bill without opposition. The bill was not scheduled for vote on the Senate floor, and must be reintroduced. There is interest from legislators in reintroducing the bill in 2003.

**Summary of key provisions.** The bill defines three types of water bodies, and sets riparian standards for each type as follows:

- On large non-glacial waters and glacial backwater sloughs (Type III-A): a no-cut buffer of 66' on private land, and 100' on public land. Harvesting can occur in the landward 33' of the buffer on public land with the concurrence of ADF&G.

- On other glacial waters (Type III-B): a 66' riparian area on private land and a 100' riparian area on public land. The half closest to the waterbody is a no-cut buffer. In the landward half, up to 50% of the large white spruce may be harvested.
- On small non-glacial waters (Type III-C, <3' wide): a 100' special management area in which harvesting may occur, but must be consistent with maintenance of important habitat. ADF&G and DNR will do more research on this stream type to determine the extent of occurrence within commercial forests and to assess needed management measures.

The bill also

- Changes the statewide nomenclature for waterbody classes, to prevent confusion between waterbody types in different regions.
- Moves definitions of regional boundaries from the regulations to the Act.
- Makes a minor change to the regional boundary on the Kenai Peninsula to better match the difference between forest types. Most forest land in the affected area is in federal ownership, so there will be little impact on landowners.

For more information, contact:

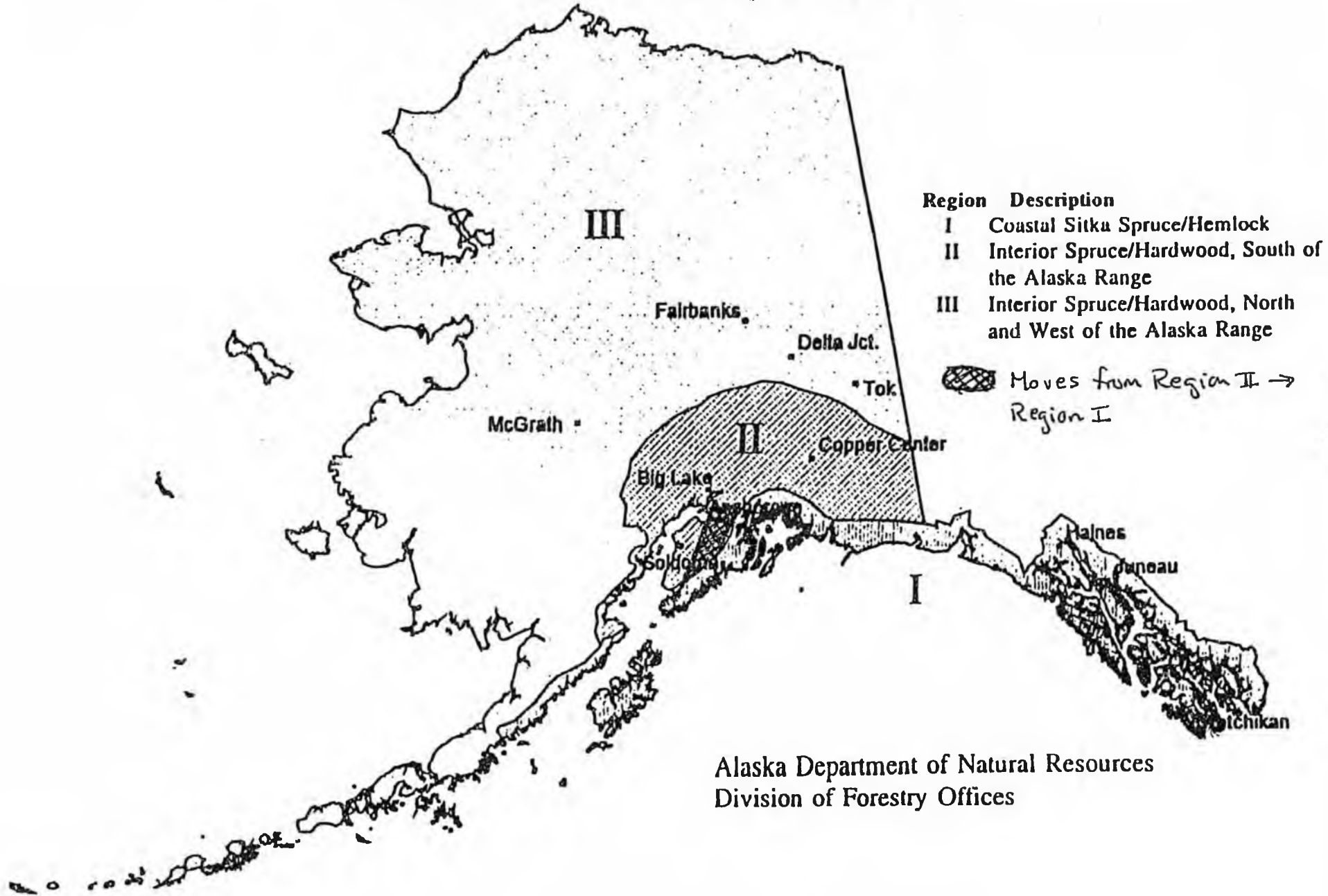
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# Alaska Forest Resources & Practices Regions

as defined in 11 AAC 95.800 Designation of Regions



Alaska Department of Natural Resources  
Division of Forestry Offices

**Organizations and Individuals Testifying in Support of HB 131  
During 2001-2002 sessions**

- Yukon River Drainage Fisheries Association (Jill Klein, Bill Fliris, Chris Stark)
- Bering Sea Fishermen's Association (Chris Stark)
- United Fishermen of Alaska (Jerry McCune)
- Northern Alaska Environmental Center (Nancy Fresco)
- Board of Forestry members (Larry Hartig, Bill Jeffress, Rick Smeriglio)
- Larry Smith, individual

**Written support for HB 131 during 2001-2002 sessions**

- Alaska Forest Association (Jack Phelps, executive director)
- Society of American Foresters, Alaska Chapter (John Fox, chair)
- White Spruce Enterprises (Leslie and Jerry Gustafson)
- Tanana Valley State Forest Citizens' Advisory Committee (Trish Wurtz, chair)
- Alaska Conservation Alliance (Danielle Brown)
- Yukon River Drainage Fisheries Association (Jill Klein, executive director)
- Fairbanks Chamber of Commerce (John Burns, chair)
- Individuals
  - Frederick Dean, Fairbanks
  - Tom Paragi, Fairbanks
  - Jim Reynolds, UAA Emeritus Professor of Fisheries, Fairbanks

HOUSE BILL NO. 131 February 26, 2001

"An Act relating to standards for forest resources and practices; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. AS 41.17.087(b) is amended to read:

(b) The commissioner shall adopt regulations that specify the standards under which a variation will be granted for harvesting timber within the riparian area of

(1) a low gradient Type I-A [TYPE A] water body with a width of five feet or less; and

(2) other appropriate water body types.

Sec. 2. AS 41.17.116 is repealed and reenacted to read:

Sec. 41.17.116. Riparian standards for private land. (a) Private forest land adjacent to the following types of waters and located in Region I is subject to the riparian protection standards established in this subsection:

(1) along a Type I-A water body,

(A) operations within 100 feet of the water body or to the break of the slope, whichever area is smaller, shall be conducted in compliance with slope stability standards established in regulations adopted under this chapter; and

(B) harvest of timber may not be undertaken within 66 feet of the water body;

(2) along a Type I-B water body,

(A) operations within 100 feet of the water body or to the break of the slope, whichever area is smaller, shall be conducted in compliance with slope stability standards established in regulations adopted under this chapter; and

(B) harvest of timber may not be undertaken within 66 feet of the water body or to the break of the slope, whichever area is smaller;

(3) along a Type I-C water body,

(A) operations within 100 feet of the water body or to the break of the slope, whichever area is smaller, shall be conducted in compliance with slope stability standards established in regulations adopted under this chapter; and

(B) the operator shall, where prudent, retain low value timber within 25 feet of the water body or to the limit of the area described in (A) of this paragraph, whichever area is greater, where the width of the water body is

(i) greater than 13 feet at the ordinary high water mark; or

(ii) greater than eight feet at the ordinary high water mark if the channel is incised;

(4) along a Type I-D water body,

(A) operations within 50 feet of the water body or to the break of the slope, whichever area is smaller, shall be conducted in compliance with slope stability standards established in regulations adopted under this chapter; and

(B) the operator shall, where prudent, retain low value timber within 25 feet of the water body or to the limit of the area described in (A) of this paragraph, whichever area is greater, where the width of the water body is

(i) greater than 13 feet at the ordinary high water mark; or

(ii) greater than eight feet at the ordinary high water mark if the channel is incised.

(b) Private forest land adjacent to the following types of waters and located in Region III is subject to the riparian protection standards established in this subsection:

(1) along a Type III-A water body, harvest of timber may not be undertaken within 66 feet of the water body;

(2) along a Type III-B water body, harvest of timber may not be undertaken within 33 feet of the water body; between 33 feet and 66 feet from the water body, up to 50 percent of standing white spruce trees having at least a nine-inch diameter at breast height may be harvested without requiring a variation;

(3) along a Type III-C water body, harvest of timber within 100 feet of the water body must be located and designed primarily to protect fish habitat and surface water quality as determined by the department with due deference to the Department of Fish and Game.

(c) The commissioner shall adopt regulations for private land in Region II that designate the areas that are subject to riparian protection standards, and the restrictions on timber harvesting operations within those areas that are necessary for their protection under the management goals established in AS 41.17.115.

(d) In this section,

(1) "low value timber" means timber that the owner or operator determines, at the time of harvest, to be uneconomic to harvest and market;

(2) "prudent" means that the requirement can be met using reasonably available means or technology, that complying with the requirement is not likely to create significant impairment of the productivity of the land and water, and that the cost of achieving the requirement is not out of proportion to the benefits that can reasonably be expected to be achieved in the particular situation.

**Sec. 3. AS 41.17.118(a)** is repealed and reenacted to read:

(a) The riparian standards for state land are as follows:

(1) on state forest land managed by the department that is located in Region III,

(A) along a Type III-A water body, harvest of timber may not be undertaken within 100 feet of the water body, except that between 66 feet and 100 feet from the water body harvest of timber may be undertaken where consistent with the maintenance of important fish and wildlife habitat as determined by the department with the concurrence of the Department of Fish and Game;

(B) along a Type III-B water body, harvest of timber may not be undertaken within 50 feet of the water body; between 50 feet and 100 feet from the water body, up to 50 percent of standing white spruce trees having at least a nine-inch diameter at breast height may be harvested;

(C) along a Type III-C water body, harvest of timber within 100 feet of the water body must be consistent with the maintenance of important fish and wildlife habitat as determined by the department with due deference to the Department of Fish and Game.

(2) on state forest land managed by the department that is in Region I or Region II,

(A) harvest of timber may not be undertaken within 100 feet immediately adjacent to an anadromous or high value resident fish water body;

(B) between 100 and 300 feet from the water body, harvest of timber may occur but must be consistent with the maintenance of important fish and wildlife habitat as determined by the department with due deference to the Department of Fish and Game.

**Sec. 4. AS 41.17.119** is repealed and reenacted to read:

body," means a water body that, under normal conditions, does not receive significant surface flow from a glacier;

(26) "ordinary high water mark" or "OHWM" means the mark along the bank or shore up to which the presence and action of the tidal or nontidal water are so common and usual, and so long continued in all ordinary years, as to leave a natural line impressed on the bank or shore and indicated by erosion, shelving, changes in soil characteristics, destruction of terrestrial vegetation, or other distinctive physical characteristics;

(27) "Region I" means all land in Southeast Alaska, plus all land that is south of the crest of the Chugach and St. Elias Mountains and east of a line running from the crest of the Chugach Mountains to O'Malley Peak, then southerly to Gull Rock, then southwesterly to the eastern junction of Skilak Lake Road and the Sterling Highway, then southwesterly to the mouth of the Fox River, then southwesterly through Kachemak Bay to Mt. Douglas, plus all land on the Alaska Peninsula between Mt. Douglas and Cape Kumliun that is east of the crest of the Aleutian Range, plus all islands in the Gulf of Alaska north of 56° 23' North latitude;

(28) "Region II" means all land in the state south of the Nutzotin and Mentasta Mountains, south of the Alaska Range, and east of the Aleutian Range, except for the area within Region I and peninsular and island land south of Cape Kumliun;

(29) "Region III" means all land in the state outside of Regions I and II;

(30) "Type III-A water body" means in Region III, a  
(A) non-glacial high value resident fish water body greater than three feet in width at the ordinary high water mark;  
(B) non-glacial anadromous water body; or  
(C) backwater slough;

(31) "Type III-B water body" means in Region III, a glacial high value resident fish water body or a glacial anadromous water body; "Type III-B water body" does not include glacial backwater sloughs;

(32) "Type III-C water body" means in Region III, a non-glacial high value resident fish water body that is less than or equal to three feet in width at the ordinary high water mark (OHWM) and that does not contain anadromous fish.

**Sec. 11.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. (a) To the extent that the regulations are not inconsistent with the language and purposes of this Act, regulations relating to forest resources and practices adopted by the Department of Natural Resources under AS 41.17 and in effect before the effective date of secs. 1 - 10 of this Act remain in effect and may be administered and enforced by the Department of Natural Resources.

(b) Notwithstanding sec. 13 of this Act, the Department of Natural Resources may proceed to adopt regulations to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory change.

**Sec. 12.** Section 11(b) of this Act takes effect immediately under AS 01.10.070(c).

**Sec. 13.** Except as provided in sec. 12 of this Act, this Act takes effect September 1, 2001.

**Sec. 41.17.119. Minimum riparian standards for other public land.**

The riparian standards for other public land are as follows:

(1) in Regions I and II, harvest of timber may not be undertaken within 100 feet of an anadromous or high value resident fish water body;

(2) in Region III, the standards are the same as for state land under AS 41.17.118 and regulations adopted under this chapter.

**Sec. 5.** AS 41.17.950(13) is amended to read:

(13) "riparian area" means

(A) the areas subject to riparian protection standards SPECIFIED in AS 41.17.116(a) and (b) on private land in Regions I and III [THE COASTAL FOREST OF SPRUCE OR HEMLOCK];

(B) the areas subject to riparian protection standards [SPECIFIED] in regulations adopted by the commissioner under AS 41.17.116(c) [AS 41.17.116(b)] on private land in Region II [OUTSIDE THE COASTAL FOREST OF SPRUCE OR HEMLOCK];

(C) the area 100 feet from the shore or bank of [OR] an anadromous or high value resident fish water body on state land managed by the department and on other public land;

**Sec. 6.** AS 41.17.950(19) is amended to read:

(19) "Type I-A [TYPE A] water body" means in Region I, an anadromous water body that is

(A) a stream or river of any size having an average gradient of eight percent or less, with banks held in place by vegetation, channels that are not incised, and a substrate composed of rubble, gravel, sand, or silt;

(B) wetlands and lakes, including their outlets; [AND]

(C) an estuarine area delimited by the presence of salt-tolerant vegetation;

**Sec. 7.** AS 41.17.950(20) is amended to read:

(20) "Type I-B [TYPE B] water body" means in Region I, an anadromous water body that does not meet the definition of a Type I-A [TYPE A] water body; [AND]

**Sec. 8.** AS 41.17.950(21) is amended to read:

(21) "Type I-C [TYPE C] water body" means in Region I, a water body that is not anadromous, that is a tributary to a Type I-A [TYPE A] or Type I-B [TYPE B] water body, and that has a gradient of 12 percent or less;

**Sec. 9.** AS 41.17.950(22) is amended to read:

(22) "Type I-D [TYPE D] water body" means in Region I, a water body that is not anadromous, that is tributary to a Type I-A [TYPE A] or Type I-B [TYPE B] water body, and that has a gradient greater than 12 percent.

**Sec. 10.** AS 41.17.950 is amended by adding new paragraphs to read:

(23) "backwater slough" means a water body that

(A) has sluggish flow, is warm in summer, and is typically only connected to the main stem or a side channel at one end of the water body;

(B) carries river current only under high water conditions; and

(C) may have only a seasonal connection to the main stem or side channel;

(24) "glacial water body," as used in the phrases "glacial high value resident fish water body" and "glacial anadromous water body," means a water body that, under normal conditions, receives significant surface flow from a glacier; "glacial water body" includes water bodies that receive a mix of glacial water and water from other sources;

(25) "non-glacial water body," as used in the phrases "non-glacial high value resident fish water body" and "non-glacial anadromous water

**Journal Text**

02-16-2001

House Journal

0346

HB 131

HOUSE BILL NO. 131 by the House Rules Committee by request of the Governor, entitled:

"An Act relating to standards for forest resources and practices; and providing for an effective date."

was read the first time and referred to the House Special Committee on Fisheries and the Resources Committee.

The following fiscal note(s) apply:

1. Zero, Dept. of Natural Resources

The Governor's transmittal letter dated February 15, 2001, appears below:

"Dear Speaker Porter:

Alaska is recognized as a world leader in protecting the habitat and spawning capacity of anadromous and resident fish in our streams and rivers. Our Forest Resources and Practices Act establishes high standards of protection while promoting timber development.

Two years ago, the Legislature amended Alaska's Forest Resources and Practices Act (FRPA) as it applies to the Southeast region of our state. That legislation reflected consensus between the timber and fishing industries and state land management agencies. This bill I transmit today continues to improve the FRPA and its ability to protect fish habitat and water quality in a manner that supports both the timber and fishing industries. This current phase of the FRPA revision addresses management standards in interior Alaska (Region III) and, once again, represents a consensus of interested constituents.

This bill is the result of hard work by many people over the last two years. It is founded on the best science available, including an extensive review of existing research, and recommendations of an interdisciplinary science and technical committee. The committee included experienced field staff from the state resource agencies, and University of Alaska, private, and federal scientists. Their recommendations were passed on to a group that included representatives of the timber and fishing industries, Native corporations, and environmental groups. Together, they crafted language to implement the scientists' recommendations in a practical manner that will work in the field. Finally, the Board of Forestry unanimously endorsed this legislation. The result of this public effort is an amended FRPA that has support from a broad array of interest groups.

The current interim standards for Region III were adopted in 1990. Under these standards, harvesting can occur up to the bank of anadromous waters on both public and private land under certain conditions. Under this bill, all anadromous and high-value resident

fish waters are classified and riparian standards are established for each water body type. The requirements are tailored to the characteristics and fish habitat needs of each stream type. On most anadromous and high-value resident fish waters, a no-harvest buffer will be required. However, along glacial rivers where some of the most valuable timber occurs, the standards allow harvest of up to half the large white spruce in the landward half of the buffer. This lets landowners capture some of the economic value within the riparian areas while keeping enough large trees to provide appropriate habitat for fish and wildlife.

This bill has substantive changes only for riparian management standards in Region III. Other revisions are technical in nature, such as changes to the statewide nomenclature for waterbody classes to prevent confusion between waterbody types in different regions. The bill also moves definitions of regional boundaries from the regulations to the Act, and makes a minor change to the regional boundary on the Kenai Peninsula to better match the difference between forest types. Most forest land in the affected area is in federal ownership, so the change will have little impact on private landowners.

This bill helps ensure that the FRPA continues to be certified for compliance with federal Clean Water Act and coastal zone management requirements. This means that the Act keeps providing "one-stop shopping" for the timber industry with respect to state, federal and coastal management standards.

I look forward to working with you on the passage and implementation of this bill.

Sincerely,  
/s/  
Tony Knowles  
Governor"

Bill Root:

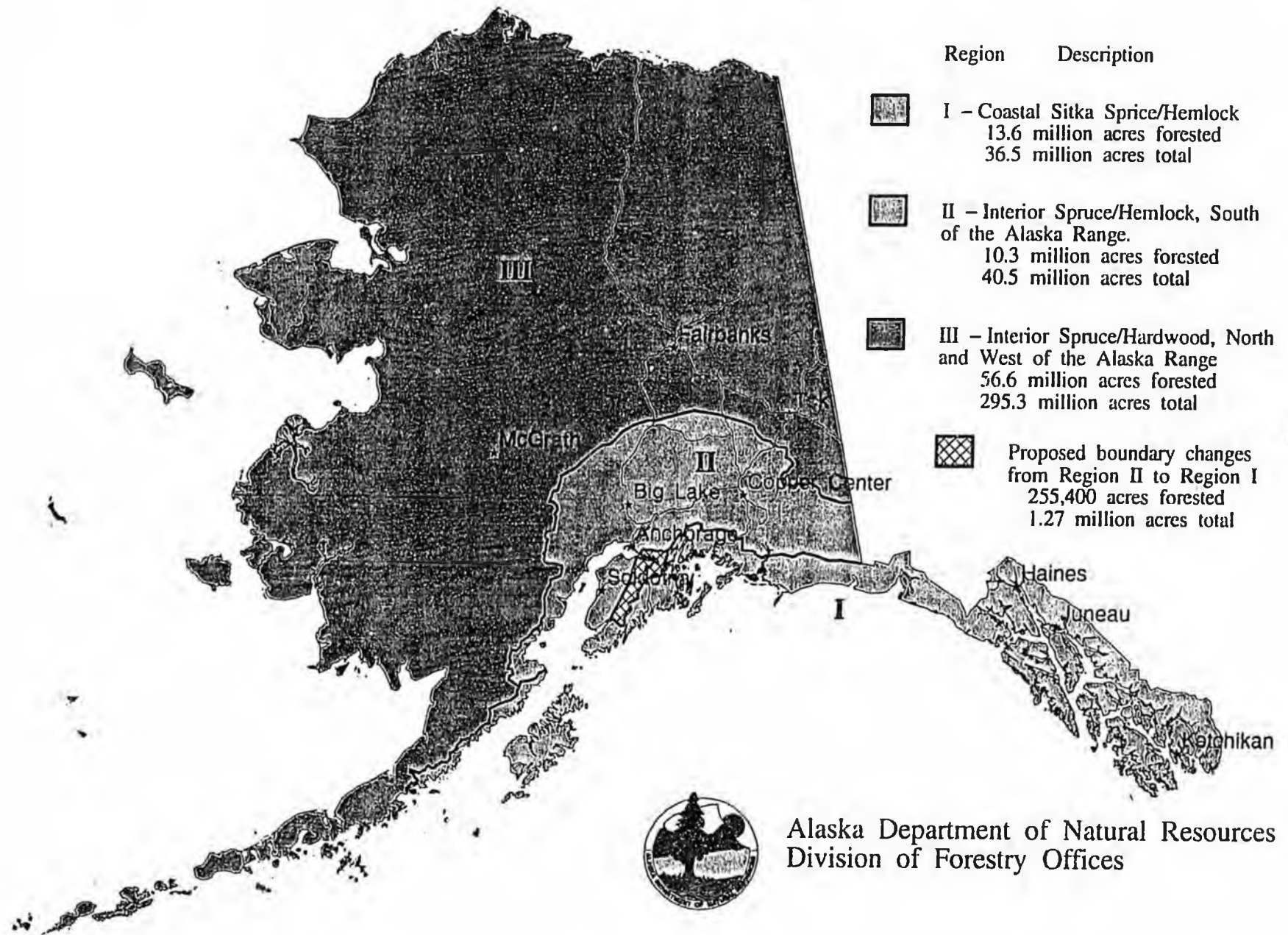
Display Bill Root



TO REPORT PROBLEMS WITH BASIS INQUIRY

# Alaska Forest Resources & Practices Regions

Proposed Boundary changes - Spring 2003



Alaska Department of Natural Resources  
Division of Forestry Offices

# ALASKA STATE SENATE



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**Senator Ralph Seekins**  
District D

## MEMORANDUM

Date: May 6, 2003

To: Office of Representative Hugh Fate

From: Senator Ralph Seekins

Re: Request for Hearing of SB 88

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Attached please find Senate Bill 88 along with a corresponding Sponsor Statement and supporting documentation.

This Bill revises the riparian management standards of the Forest Resources Practices Act for Region III by strengthening protection for fish habitat and water quality in a manner that continues to support both the timber and fishing industries.

It is important to note that SB 88 is identical to HB 131 introduced in the 22<sup>nd</sup> Legislature. While HB 131 enjoyed broad support across the political spectrum it was a victim of the end of session rush last year.

I respectfully request a hearing before your committee on this Bill at your earliest convenience. Thank you.

AMENDMENT

(to conform to Executive Order 107)

OFFERED IN THE HOUSE RESOURCES

BY \_\_\_\_\_

COMMITTEE

TO: SB 88

1 Page 1, line 5:

2 Delete "commissioner"

3 Insert "state forester"

4

5 Page 3, line 17:

6 Delete "department"

7 Insert "state forester"

8

9 Page 3, line 18:

10 Delete "Department of Fish and Game"

11 Insert "deputy commissioner"

12

13 Page 3, line 19:

14 Delete "commissioner"

15 Insert "state forester"

16

17 Page 4, line 8:

18 Delete "department"

19 Insert "state forester"

- 1 Page 4, lines 8 - 9:
- 2 Delete "Department of Fish and Game"
- 3 Insert "deputy commissioner"
- 4
- 5 Page 4, line 16:
- 6 Delete "department"
- 7 Insert "state forester"
- 8
- 9 Page 4, line 17:
- 10 Delete "Department of Fish and Game"
- 11 Insert "deputy commissioner"
- 12
- 13 Page 4, line 24:
- 14 Delete "department"
- 15 Insert "state forester"
- 16
- 17 Page 4, line 25:
- 18 Delete "Department of Fish and Game"
- 19 Insert "deputy commissioner"
- 20
- 21 Page 5, line 8:
- 22 Delete "commissioner"
- 23 Insert "state forester [COMMISSIONER]"

**Amendment to SB 88**  
**Explanation**

Senate Bill 88 was drafted prior to the introduction of Executive Order 107, which transferred the permitting functions of ADF&G's former Division of Habitat and Restoration to the Department of Natural Resources. Therefore, the language in the bill referring to ADF&G functions is no longer appropriate. This amendment is needed to ensure that SB 88 conforms to E.O. 107.

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: SB 88  
 (S) Publish Date: 4/29/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Natural Resources  
 Title: Forest Resources & Practices Standards BRU: Forest Management & Development  
 Component: Forest Management & Development  
 Sponsor: Sen. Seekins  
 Requester: (S) RES Component No. 435

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

Based on current levels of harvesting on non-state land, and current funding levels, DNR will not need additional operating funds to implement the changes in this bill. If the amount of harvesting on non-state land increases substantially, or if FRPA funding, including federal Section 319 funding declines significantly, additional funds would be needed for field inspections of riparian buffers. On state land, the revised riparian standards can be incorporated into the existing sale design and sale administration process.

Prepared by: Jeff Jahnke, Director Phone 907-269-8474  
 Division: Forestry Date/Time 4/22/2003  
 Approved by: Tom Irwin, Commissioner Date 4/22/2003  
 Agency: Natural Resources

**Organizations and Individuals Testifying in Support of HB 131  
During 2001-2002 sessions**

- Yukon River Drainage Fisheries Association (Jill Klein, Bill Fliris, Chris Stark)
- Bering Sea Fishermen's Association (Chris Stark)
- United Fishermen of Alaska (Jerry McCune)
- Northern Alaska Environmental Center (Nancy Fresco)
- Board of Forestry members (Larry Hartig, Bill Jeffress, Rick Smeriglio)
- Larry Smith, individual

**Written support for HB 131 during 2001-2002 sessions**

- Alaska Forest Association (Jack Phelps, executive director)
- Society of American Foresters, Alaska Chapter (John Fox, chair)
- White Spruce Enterprises (Leslie and Jerry Gustafson)
- Tanana Valley State Forest Citizens' Advisory Committee (Trish Wurtz, chair)
- Alaska Conservation Alliance (Danielle Brown)
- Yukon River Drainage Fisheries Association (Jill Klein, executive director)
- Fairbanks Chamber of Commerce (John Burns, chair)
- Individuals
  - Frederick Dean, Fairbanks
  - Tom Paragi, Fairbanks
  - Jim Reynolds, UAA Emeritus Professor of Fisheries, Fairbanks

**Additional support in 2003**

- Tanana Valley State Forest Unit 2 Planning Team

**Comments**

**Tanana Valley State Forest  
Unit 2 Planning Team**  
3700 Airport Way  
Fairbanks, AK 99709

February 10, 2003

Jeff Jahnke, State Forester  
Alaska Division of Forestry  
550 West 7<sup>th</sup> Avenue, Suite 1450  
Anchorage, AK 99501-3566

Dear Mr. Jahnke:

The members of the Unit 2 Tanana Valley State Forest Planning Team are working to determine how to manage the lands and resources in Unit 2. We understand the efforts of the many scientists and natural resource professionals that worked together to revise the riparian standards and stream classification system for Region III (Interior Alaska) of the Forest Resources and Practices Act. During our meeting on December 16<sup>th</sup>, the Planning Team unanimously resolved to support the Region III riparian standards agreement by passing the following:

*The Tanana Valley State Forest Unit 2 Planning Team commends the interdisciplinary Science and Technical Committee and the Implementation Group for their work in developing the Region III riparian standards and stream classification system. These agreements are the result of effective consensus building among diverse user groups and are based on the best available scientific information. The Unit 2 Planning Team recommends prompt passage of legislation containing these agreements as written.*

Our stakeholder planning team has been convened to advise the Division of Forestry on how Unit 2 should be managed. We represent the diverse interests of the people who use the State Forest. We hope that you will endorse our recommendation by forwarding this letter to the various heads of legislative committees who will consider legislation on these agreements.

Sincerely,

Members of the Tanana Valley State Forest Unit 2 Planning Team

Doug Bowers (Tolovana Lodge)  
Tom Bucceri (DNR Division of Oil and Gas)  
Jim Durst (Department of Fish and Game)  
Chris Foley (Department of Environmental Conservation)  
Nancy Fresco (Northern Alaska Environmental Center)  
Victor Joseph (Tanana Chiefs Conference)  
Edna Hancock (Toghotthele Corporation)  
Paul Maki (DNR Division of Forestry)  
Steve McGroarty (DNR Division of Mining, Land and Water)  
Tom Paragi (Department of Fish and Game)  
Eric Pyne (timber industry)  
Ron Silas (Minto resident, member of the Fish and Game Advisory Council)  
Roselynn Ressa Smith (DNR Division of Mining, Land and Water)

*Paul Maki*

*Tom Paragi*

*Tom Bucceri*

*Roselynn Ressa Smith*

*James W Durst*

*Eric Pyne*

*Nancy Fresco*

*Doug Bowers*

*Steve McGroarty*

From: John D. Fox, Jr. [mailto:sjfox@gci.net]  
Sent: Monday, March 18, 2002 5:43 AM  
To: Senator\_John\_Torgerson@legis.state.ak.us;  
Senator\_Gary\_Wilken@legis.state.ak.us;  
Senator\_Rick\_Halford@legis.state.ak.us;  
Senator\_Robin\_Taylor@legis.state.ak.us;  
Senator\_Ben\_Stevens@legis.state.ak.us;  
Senator\_Kim\_Elton@legis.state.ak.us;  
Senator\_Georgianna\_Lincoln@legis.state.ak.us; jjahnke@dnr.state.ak.us  
Subject: HB 131 Support

March 18, 2002

Members of the Alaskan State Legislature  
Senate Resources Committee

RE: HB 131

Dear Alaskan Legislator:

The Alaska Society of American Foresters represents nearly 200 professional foresters in Alaska. We appreciate the work that you and your staff have done to be informed, fair and balanced representatives of the people of Alaska. This letter is to give our statewide support for passage of HB 131 dealing with modifications to the Alaska Forest Resources and Practices Act riparian regulations for Region III.

Many of our members were among those who worked hard on the Science and Technology committee to provide a sound scientific base for these recommendations. Subsequently, there was wide representation in negotiations among stakeholders to work out a viable approach to riparian zone management in Region III. We think it is in the best interest of Alaska and its people to pass this broadly supported legislation during the current legislative session.

As members of the national scientific and educational organization representing the forestry profession in the United States, our mission is to advance the science, education, technology, and practice of forestry; to enhance the competency of our members; to establish professional excellence; and, to use the knowledge, skills, and conservation ethic of the profession to ensure the continued health and use of forest ecosystems and the present and future availability of forest resources to benefit society.

Again, we thank you for your service and continue to offer ours as needed and consistent with our mission and code of ethics.

Sincerely,

John D. Fox, Jr., Chair  
Alaska Society of American Foresters  
(907) 479-6533  
sjfox@gci.net

cc/ Jeff Jahnke, Alaska State Forester



## Alaska Society of American Foresters

Cook Inlet Chapter  
Dixon Entrance Chapter  
Juneau Chapter  
Sitka Chapter  
Stikine River Chapter  
Yukon River Chapter

December 05, 2001

1520 Scenic Loop  
Fairbanks, AK 99709

Tony Knowles  
Governor of the State of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

Rick Halford  
President of the Senate, The Alaska State Legislature  
P.O. Box 190  
Chugiak, AK 99567-0190

Brian Porter  
Speaker of the House, The Alaska State Legislature  
716 W 4<sup>th</sup> Suite 300  
Anchorage, AK 99501-2133

2001 DEC 7 PM 1 44  
RECEIVED  
DIVISION OF FORESTRY  
CENTRAL OFFICE

Dear Governor Knowles and Legislative Leaders:

The Alaska Society of American Foresters (AKSAF) would like to thank this Administration and Legislature for their support of responsible forest management on state, federal and private lands. Many Alaskan and other US communities rely on a multiple-use policy and appropriate access to public resources to provide the much needed diversity to their economies in both good times and in bad.

We also wish to reiterate our support for the proposed changes to the Alaska Forest Resources and Practices Act as put forth last year in the Legislature. Many of our members were involved on the science and technology advisory panel that worked diligently to summarize the state of our knowledge on riparian practices and stream classification. Others were involved in the subsequent administrative and political

negotiations and some local SAF chapters have written letters of support for the proposed changes. This is consistent with our view that professional managers need to respond to new knowledge, changing conditions, and community values.

It is from this background of support and within the context of the challenge to continually improve our decision-making process, that the AKSAF passed a motion at our 2001 annual meeting in May. The motion was to recommend to Alaskan officials that the professional forester seat on the Alaska Board of Forestry (BOF) be officially designated to be filled by a member of the Society of American Foresters. We recognize that the Governor appoints individuals to the Board of Forestry. However, we feel that specifying that the appointee be a member of and represent the Society of American Foresters, makes it clear that he or she is representing the professional perspective and not that of the individual's current employer or other affiliation.

The Society of American Foresters (SAF) is the national scientific and educational organization representing the forestry profession in the United States. Founded in 1900 by Gifford Pinchot, it is the largest professional society for foresters in the world. The mission of the Society of American Foresters is to advance the science, education, technology, and practice of forestry; to enhance the competency of its members; to establish professional excellence; and, to use the knowledge, skills, and conservation ethic of the profession to ensure the continued health and use of forest ecosystems and the present and future availability of forest resources to benefit society. SAF is a nonprofit organization meeting the requirements of 501 (c) (3). SAF members include natural resource professionals in public and private settings, researchers, CEOs, administrators, educators, and students. The SAF is not a lobbying organization. It is the sole academic accrediting body for forestry degree programs in the United States and like all true professional bodies, the SAF has a detailed Code of Ethics. It is subscription to the aforementioned mission and code of ethics, supported with SAF's continuing education and certification programs, that separates its members from non-members.

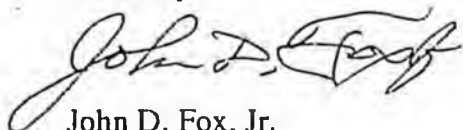
The AKSAF wishes to be very clear that this recommendation does not reflect any complaints or dissatisfaction with current members of the BOF. This recommendation is solely a feeling on our part, that it would be most appropriate and beneficial in a long-range sense, to identify the "professional forester" seat as an "SAF seat", thereby explicitly invoking the mission and code of ethics and making it clear to the individual, the board, and the public, that he or she is representing professional forestry in an institutional sense, not in an employment sense. Accordingly, we also recommend that the employment restrictions on the person filling this seat be dropped with the exception of the restriction that the individual not be a current, non-university,

employee of the State of Alaska. The latter is to avoid any appearance of conflict of interest or any opportunity for, or threat of, retribution.

The SAF charter does not allow political lobbying. Yet, we have a mission to inform the public and decision-makers on the scientific and technical aspects of managing our forest resources. Accordingly, we do not presume to recommend a mechanism whereby our recommendation should be implemented. We also do not wish to jeopardize any existing legislation such as the proposed changes to the Forest Resources and Practices Act. However, we hope that this recommendation is seriously considered. The Alaska SAF and its chapters and members remain willing and able to provide information and expertise with the full backing and resources of the national SAF organization. It is in this spirit that we put forth this recommendation. While many BOF members may be, or may have been SAF members, it has not been explicit that the mission, code of ethics and professional perspective be the mandate of their appointments. We think our recommendation will make the mandate of the professional forester seat very clear.

The Alaska Society of American Foresters offers its services to the Governor, legislators and the Board of Forestry to assist in this process from a professional perspective. We appreciate your favorable consideration of this recommendation and would be happy to answer any questions you may have.

Sincerely,

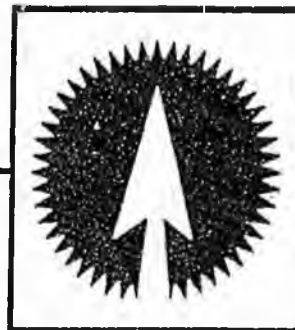


John D. Fox, Jr.

Chair, Alaska Society of American Foresters  
(907) 479-6522 <sjfox@gci.net>

cc/ ✓ Jeff Jahnke, State Forester, State of Alaska  
Lawrence L. Hartig, Board of Forestry  
William R. Jeffress, Board of Forestry  
Adrian LeCornu, Board of Forestry  
Craig Lindh, Board of Forestry  
Richard Smeriglio, Board of Forestry  
Chris Stark, Board of Forestry  
Gayle Ramey Stevens, Board of Forestry  
John Sturgeon, Board of Forestry  
Cindy Smith, Coordinator, Boards & Commissions, State of Alaska

# Alaska Forest Association, Inc.



111 STEDMAN STREET, SUITE 200  
KETCHIKAN, ALASKA 99901-6599  
Phone 907-225-6114  
FAX 907-225-5920  
Web Site [www.akforest.org](http://www.akforest.org)

March 6, 2001

The Honorable Drue Pearce  
Alaska State Senate  
State Capitol, Room 119  
Juneau, AK 99801

DIVISION of Forestry  
Central Office

Dear Senator Pearce,

Thank you for introducing Senate Bill 98 in the Senate Rules Committee. SB 98 proposes changing the state's Forest Resources and Practices Act (AS 41.17). This measure is a top legislative priority for AFA in 2001.

SB 98 is a direct result of a proposal presented to the Alaska Board of Forestry last year, after a collaborative process involving the timber industry, the fishing industry and the resource agencies of the state. Both the process and the substance of this effort were based upon sound science and a balancing of interests commensurate with the Forest Resources and Practices Act of 1990.

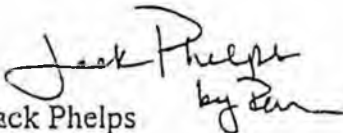
Alaska's current forest practices law is based on good science and is very effective in protecting important fish habitat while recognizing the unique relationship between private land rights and related public resources. The law, which was developed through a cooperative process in 1989 and 1990, involves the Division of Forestry, the Division of Habitat and Restoration, and the Division of Air and Water Quality in monitoring and enforcing standards governing forestry practices. In 1999, as you may recall, changes to the laws' riparian standards for Alaska's coastal forests were approved by the legislature. The Forest Resources and Practices Act enables timber operators in Alaska who conduct their harvest activities according to best management practices to have the assurance that they are operating in compliance with a variety of laws under which they would otherwise be individually scrutinized. That alternative would cost both the industry and the state more time and money than is necessary under the present system.

Current law also provides for ongoing examination of the effectiveness of Alaska's forest practices standards, so that the law and regulations can be adjusted to reflect new scientific knowledge as it is developed. Throughout 2000, the timber industry participated in a thorough review of the science related to logging near anadromous fish rivers, streams, and tributaries in Alaska's Interior forests. The review was conducted under the rubric of the Science and Technical Committee appointed by the Board of Forestry with the support of Governor Knowles. The proposed changes will mandate forested buffers along Alaska's Interior fish streams after harvest. The Committee's report and the

subsequent stakeholders' meeting led to the introduction of SB 98. Your willingness to introduce SB 98 through the Rules Committee is greatly appreciated and enjoys broad support.

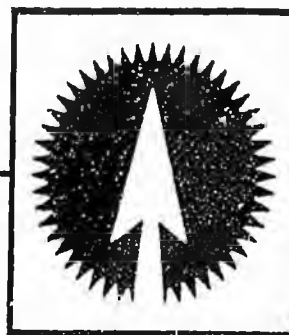
In summary, SB 98 addresses a real need and represents a balanced approach to resolving an important issue affecting Alaska's forest products sector. This is a bill that can and should enjoy full, bi-partisan support. Thank you again for allowing SB 98 to be introduced in the Senate Rules Committee.

Sincerely,

  
Jack Phelps  
Executive Director

cc: Governor Knowles

# Alaska Forest Association, Inc.



111 STEDMAN STREET, SUITE 200  
KETCHIKAN, ALASKA 99901-6599  
Phone 907-225-6114  
FAX 907-225-5920  
Web Site [www.akforest.org](http://www.akforest.org)

March 6, 2001

The Honorable Pete Kott  
Alaska House of Representatives  
State Capitol, Room 204  
Juneau, AK 99801

Dear Representative Kott,

Thank you for introducing House Bill 131 in the House Rules Committee. HB 131 proposes changing the state's Forest Resources and Practices Act (AS 41.17). This measure is a top legislative priority for AFA in 2001.

HB 131 is a direct result of a proposal presented to the Alaska Board of Forestry last year, after a collaborative process involving the timber industry, the fishing industry and the resource agencies of the state. Both the process and the substance of this effort were based upon sound science and a balancing of interests commensurate with the Forest Resources and Practices Act of 1990.

Alaska's current forest practices law is based on good science and is very effective in protecting important fish habitat while recognizing the unique relationship between private land rights and related public resources. The law, which was developed through a cooperative process in 1989 and 1990, involves the Division of Forestry, the Division of Habitat and Restoration, and the Division of Air and Water Quality in monitoring and enforcing standards governing forestry practices. In 1999, as you may recall, changes to the laws' riparian standards for Alaska's coastal forests were approved by the legislature. The Forest Resources and Practices Act enables timber operators in Alaska who conduct their harvest activities according to best management practices to have the assurance that they are operating in compliance with a variety of laws under which they would otherwise be individually scrutinized. That alternative would cost both the industry and the state more time and money than is necessary under the present system.

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subsequent stakeholders' meeting led to the introduction of HB 131. Your willingness to introduce HB 131 through the Rules Committee is greatly appreciated and enjoys broad support.

In summary, HB 131 addresses a real need and represents a balanced approach to resolving an important issue affecting Alaska's forest products sector. This is a bill that can and should enjoy full, bi-partisan support. Thank you again for allowing HB 131 to be introduced in the House Rules Committee.

Sincerely,



Jack Phelps *by Ben*  
Executive Director

cc: Governor Knowles

**WHITE SPRUCE ENTERPRISES, INC.**

10293 Old Valdez Trail - Salcha, AK 99714

Telephone 907-488-3004

Fax 907-488-2551

[whitespruce@mosquitonet.com](mailto:whitespruce@mosquitonet.com)

March 20, 2002

Senator Gary Wiken  
State Capitol, Room 514  
Juneau, AK 99801-1182  
Fax: 907-485-4714

Dear Gary,

RE: HB 131

We would like to request your support for HB 131 (the bill establishing a stream classification system and stream protection measure in Interior Alaska). This is a bill that many groups can live with—loggers, environmental interests, and personal land holders. It was an interdisciplinary effort of scientists and technical experts and members of many user groups who came to a consensus solution (not an easy task!).

We would appreciate your support to move this bill forward. We have been to many meetings to work this to an acceptable ruling for the timber industry.

Sincerely,



Jerry and Leslie Gustafson  
White Spruce Enterprises, Inc.

**WHITE SPRUCE ENTERPRISES, INC.**

10293 Old Valdez Trail - Saloha, AK 99714

Telephone 907-488-3034

Fax 907-488-2551

[whitespruce@mosquitonet.com](mailto:whitespruce@mosquitonet.com)

March 20, 2002

Senator John Torgerson  
State Capitol, Room 427  
Juneau, AK 99801-1182  
Fax: 907-456-4779

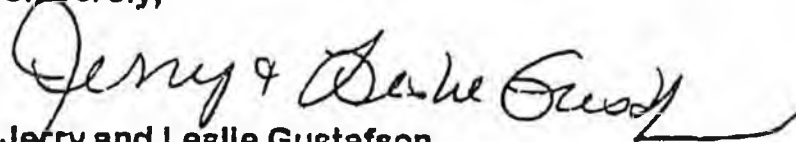
Dear Senator Torgerson,

RE: HB 131

We would like to request your support for HB 131 (the bill establishing a stream classification system and stream protection measure in Interior Alaska). This is a bill that many groups can live with—loggers, environmental interests, and personal land holders. It was an interdisciplinary effort of scientists and technical experts and members of many user groups who came to a consensus solution (not an easy task!).

We would appreciate your support to move this bill forward. We have been to many meetings to work this to an acceptable ruling for the timber industry.

Sincerely,



Jerry and Leslie Gustafson  
White Spruce Enterprises, Inc.

Tanana Valley State Forest  
Citizens' Advisory Committee

3700 Airport Way  
Fairbanks, AK 99709

March 18, 2002

Senator John Torgerson, Chair  
Senate Resources Committee  
State Capitol, Room 427  
Juneau, AK 99801-1182  
Fax: (907) 465-4779

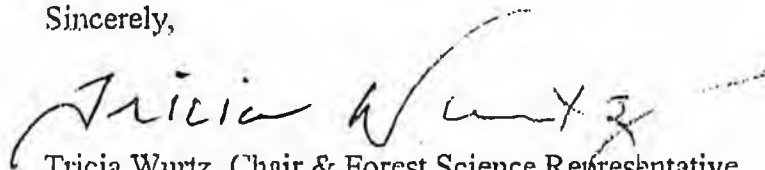
Dear Senator Torgerson,:

As you know, the Tanana Valley State Forest Citizens' Advisory Committee advises the State Forester on matters regarding the management of the Tanana Valley State Forest. We have been tracking the efforts of the many scientists and natural resource professionals working to revise the riparian standards and stream classification system for Region III (Interior Alaska) of the Forest Resources and Practices Act. On March 19, 2001, the Citizens' Advisory Committee unanimously resolved to support the language of HB131 by passing the following:

*The TVSF CAC commends the interdisciplinary Science & Technical Committee and the Implementation Group for their work in developing the provisions of HB13. This bill is the result of effective consensus-building among diverse user groups and is based on the best available scientific information. The TVSF CAC recommends prompt passage of this bill as written.*

During our meeting on December 5, 2001, we voted to re-issue this letter. We still support prompt passage of these bills as written.

Sincerely,



Tricia Wurtz, Chair & Forest Science Representative  
Tanana Valley State Forest Citizens' Advisory Committee

CC: Marty Welbourn Freeman

Tanana Valley State Forest  
Citizens' Advisory Committee

3700 Airport Way  
Fairbanks, AK 99709

December 6, 2001

Jeff Jahnke, State Forester  
Alaska Division of Forestry  
550 West 7th Avenue, Suite 1450  
Anchorage, AK 99501-3566

Dear Mr. Jahnke:

As you know, the members of the Tanana Valley State Forest Citizens' Advisory Committee have been tracking the efforts of the many scientists and natural resource professionals working to revise the riparian standards and stream classification system for Region III (Interior Alaska) of the Forest Resources and Practices Act. During our regular meeting on March 19, 2001, the Citizens' Advisory Committee unanimously resolved to support the language of HB131 and SB98 by passing the following:

*The TVSF CAC commends the interdisciplinary Science & Technical Committee and the Implementation Group for their work in developing the provisions of HB131 and SB98. These bills are the result of effective consensus building among diverse user groups and are based on the best available scientific information. The TVSF CAC recommends prompt passage of these bills as written.*

During our meeting on December 5, 2001, we voted to re-issue this letter. We still support prompt passage of these bills as written.

As an advisory committee to the State Forester on matters regarding the management of the Tanana Valley State Forest, the members of the Citizens' Advisory Committee hope you will endorse our recommendation by forwarding this letter to the various heads of legislative committees that will be considering HB131 and SB98.

Sincerely,



Tricia Wurtz, Chair & Forest Science Representative  
Tanana Valley State Forest Citizens' Advisory Committee

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DIVISION OF FORESTRY  
CENTRAL OFFICE

2001 DEC 10 PM 12 59

CC: John C. "Chris" Maisch

*Tanana Valley State Forest  
Citizens' Advisory Committee  
3700 Airport Way  
Fairbanks, AK 99709*

RECEIVED  
MAY 29 2001

Division of Forestry  
Central Office

May 29, 2001

Jeff Jahnke, State Forester  
Alaska Division of Forestry  
550 West 7th Avenue, Suite 1450  
Anchorage, AK 99501-3566

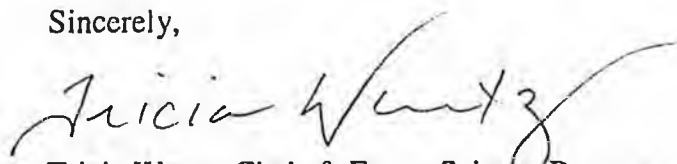
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Sincerely,



Tricia Wurtz, Chair & Forest Science Representative  
Tanana Valley State Forest Citizens' Advisory Committee

CC: John C. "Chris" Maisch

**Subject: RE: HB 131-Forest practices**

**Date:** Wed, 5 Dec 2001 13:22:50 -0900

**From:** "James B. Reynolds" <ffjbr@uaf.edu>

**To:** Marty Welbourn <marty\_welbourn@dnr.state.ak.us>

Hi Marty,

Thanks for the briefing document on HB 131. I noticed a confusing phrase in the third item under "Summary of key provisions"; it says "...area in which harvesting may occur where harvesting may occur,..." and appears to be a typo. As you request, I'll send some letters to Interior legislators in support.

Best wishes for the holidays,

--jim

Dr. James B. Reynolds  
Emeritus Professor of Fisheries  
School of Fisheries and Ocean Sciences  
University of Alaska Fairbanks  
P.O. Box 757220  
Fairbanks, Alaska 99775

Carol - I don't know if  
Jim sent letters - I haven't  
seen copies - Marty

**Subject: HB 131**

**Date: Mon, 18 Mar 2002 07:31:49 -0900**

**From: Frederick Dean <deansfs@alaska.net>**

**To: Senator Gary Wilken <Senator\_Gary\_Wilken@legis.state.ak.us>,  
Senator Georgianna Lincoln <Senator\_Georgianna\_Lincoln@legis.state.ak.us>**

Dear Senators Wilken and Lincoln,

Last December I wrote you expressing my strong personal support for HB131 and the Senate counterpart. Now that the House bill has moved to the Senate for hearings, I want to reiterate this very strong support. I sat in as an observer an unofficial contributor to the meetings of the Science and Technical Committee that developed the basis for this bill. I was an official member of the Implementation Group that tried to put the recommendations of the S&TC into a form that could be used to draft legislation. Consequently, I feel well-acquainted with the issues and the outcome.

I hope that you will work very hard to insure passage of HB131 which addresses changes in the Forest Resources and Practices Act. The most critical part of this for the Interior is the set of stipulations for operations within the riparian zone. These have been carefully designed to reduce negative impacts on fish and fish habitat and to also insure a continued supply of large woody debris (LWD) being added to the rivers. LWD has been shown to be an important habitat component; it provides cover, reduces current velocity, and forms good habitat for many food organisms. While there is still much to learn about LWD and its roles in interior Alaska, we do know enough to realize that it is important in many waters. Standing trees along the bank provide shading and thus thermal buffering, especially in slower waters, and visual cover because of the patchy light patterns.

A great deal of time and effort went into crafting a set of practices that would be clear and easily followed on both public and private lands. Provisions have been made to accommodate small-scale operations in rural villages. The final bill, as it passed the House, represents a striking job of getting representatives of all possible interested parties to participate in collecting the underlying information, crafting the proposed standards, and supporting the proposed revisions to the FRPA. If the rest of our government could function this well, we would be way ahead. Please do all you can to insure the passage of HB131, hopefully without any modification.

Sincerely,  
Fred Dean

Frederick C. Dean  
810 Ballaine Rd.  
Fairbanks, AK 99709

907-479-6607

**Subject: HB131 Forest Resources and Practices Act**

**Date: Mon, 18 Mar 2002 07:30:51 -0900**

**From: Frederick Dean <deansfs@alaska.net>**

**To: Senator John Torgerson <Senator\_John\_Torgerson@legis.state.ak.us>**

Dear Senator Torgerson,

I am sending this letter to you as Chair of the Senate Resources Committee. I want to express my strong personal support for HB131 and the Senate counterpart. Now that the House bill has moved to the Senate for hearings, I want to emphasize this very strong support. I sat in as an observer an unofficial contributor to the meetings of the Science and Technical Committee that developed the basis for this bill. I was an official member of the Implementation Group that tried to put the recommendations of the S&TC into a form that could be used to draft legislation. Consequently, I feel well-acquainted with the issues and the outcome.

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Sincerely,  
Fred Dean

Frederick C. Dean  
810 Ballaine Rd.  
Fairbanks, AK 99709

907-479-6607

**Subject: Modifications of the Forest Resources and Practices Act**

**Date:** Tue, 18 Dec 2001 13:57:22 -0900

**From:** Frederick Dean <deansfs@alaska.net>

**To:** Senator Pete Kelly <Senator\_Pete\_Kelly@legis.state.ak.us>,  
Senator Georgianna Lincoln <Senator\_Georgianna\_Lincoln@legis.state.ak.us>,  
Senator Gene Therriault <Senator\_Gene\_Therriault@legis.state.ak.us>,  
Senator Gary Wilken <Senator\_Gary\_Wilken@legis.state.ak.us>,  
Senator John Coghill <Representative\_John\_Coghill@legis.state.ak.us>,  
Representative John Davies <Representative\_John\_Davies@legis.state.ak.us>,  
Representative Hugh Fate <Representative\_Hugh\_Fate@legis.state.ak.us>,  
Joe Hayes <Representative\_Joe\_Hayes@legis.state.ak.us>,  
Representative Jeannette James <Representative\_Jeannette\_James@legis.state.ak.us>,  
Representative Jim Whitaker <Representative\_Jim\_Whitaker@legis.state.ak.us>

Hello to all,

I want to reiterate my personal support for HB 131 and its companion Senate bill. Last year, when these were introduced, I sent you a note in favor of passage of these bills. Some problems developed that related to SE Alaska. My understanding is that these have been resolved. I hope that the bills can be passed without delay this year.

I have attached a briefing paper prepared by the Division of Forestry regarding HB131 for your use if you wish to refresh yourself on the matter. Salient points are that the changes are needed, particularly in Region III (the Interior), that the proposed changes in riparian practices were developed by a very well composed scientific committee, that that group's work was translated into recommended provisions by a widely-based implementation group, and that all concerned seem to feel that the proposed modifications should be adopted.


If there are any questions you think I may be able to answer, please feel free to contact me.

I hope that you will take this opportunity to join a broad spectrum of those interested in Interior forests and forest industry by actively helping to get these bills passed this year.

Frederick Dean  
810 Ballaine Rd.  
Fairbanks, AK 99709

907-479-6607  
<deansfs@alaska.net>

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Dear Senator Torgerson:

I ask you to support hearings on SB 98, which amends the Alaska Forest Resources and Practices Act for Interior Alaska (Region III). Several interest groups, including the timber and fishing industries and environmental groups, have worked over the last year with scientific experts in fisheries, forestry, and hydrology to derive riparian standards for timber harvest that make sense for the Interior. The state Board of Forestry reviewed and concurred with the recommendations of this Implementation Group and has endorsed the draft legislation introduced as SB 98. This legislation would clarify standards that allow the timber industry to operate in some of the most productive forest lands north of the Alaska Range while affording the necessary protection to fisheries that provide income and food to many Interior residents year in and year out. Please help our local industries to move forward with sustainable development by supporting this legislation in the current session. Thank you.

Tom Paragi  
P.O. Box 81288  
Fairbanks, AK 99708



# Alaska Conservation Alliance

*Uniting for Alaska's Future*

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## Alaska Conservation Alliance Alaska Conservation Voters

### HB 131 ~ Standards for Forest Resources and Practices

To: House Resources Committee  
Date: February 6, 2002

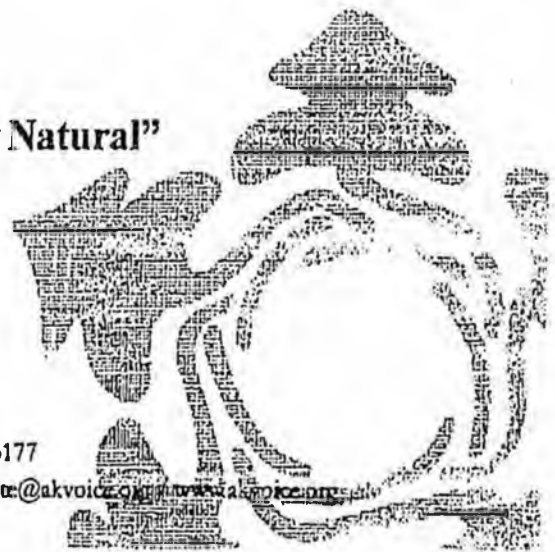
Alaska Conservation Voters is a nonprofit organization dedicated to protecting Alaska's environment through public education and advocacy. Our 32 member organizations represent over 35,000 registered Alaskan voters. Our members support the conservation of Alaska's forests for the long-term protection of habitat values and the benefits our forests provide humans, wildlife and fish.

House Bill 131, which amends the Alaska Forest Resources and Practices Act (FRPA) in Region III for Interior Alaska, improves both the clarity and content of current regulations and practices. HB 131 is based upon an extensive review of existing scientific research, field data, and public comment, and is the result of a consensus-based, public process that encompassed a broad group of stakeholders including fisherman, loggers, scientists, and land managers.

HB 131 would implement buffer zones along lakes and streams in Interior Alaska, for logging on both private and public land. These substantive changes would allow logging activities to continue in a more ecological and sustainable manner in our interior forests. This bill has incorporated open public process throughout every step of the way. Alaska Conservation Voters urges you to support this legislation.

Danielle B. Brown

**"Conserve Alaska: It's Only Natural"**



750 W. 2nd Ave. #109, Anchorage AK 99501 / Ph. 907-258-6171 / Fax 907-258-6177

P.O. Box 22151, Juneau AK 99802 / Ph. 907-463-3366 / Fax 907-463-3312 / [unit@akvoice.org](mailto:unit@akvoice.org) / [www.akvoice.org](http://www.akvoice.org)

April 1, 2002

Senator John Torgerson  
Resources Committee, Chair  
State Capitol, Juneau, AK 99801-1182  
Room 427

Re: HB 131 an act relating to standards for forest resources and practices  
Submission of written testimony

Dear Senator Torgerson:

The Yukon River Drainage Fisheries Association (YRDFA) works with commercial and subsistence salmon fisheries on the Yukon River. We were formed in 1990 when fishermen gathered in Galena to foster communication and cooperation between historically competing fishermen, to promote cooperative management between fishermen and agencies and to increase returns of salmon through habitat restoration and enhancement projects.

YRDFA was invited to join in the implementation group that was created to include various interests when making recommendations to the Forest Resources and Practices Act. Through the participation of Board members and staff, YRDFA was able to be part of the decision-making process and to ensure that the voice of the fishery resource and the fishermen were at the table.

We support the process that took place and the outcome that resulted in recommendations to the classification of stream types and riparian buffers for public and private lands in region III under the Forest Practices and Resources Act. H.B. 131 is good for both fishing and timber because it strengthens protection for interior fish habitat and does it in a manner that is practical for the timber industry to implement.

Thank you for your consideration of my testimony.

Sincerely,

Jill Klein  
Executive Director

Introduced By: Natural Resources  
Date Introduced: March 19, 2001  
Date Passed: March 26, 2001  
Date Transmitted: March 27, 2001

**RESOLUTION 01-0326a**

**A RESOLUTION BY THE GREATER FAIRBANKS CHAMBER OF  
COMMERCE TO SUPPORT THE PASSAGE OF HOUSE BILL (HB)  
131 FOR FOREST PRACTICES AMENDMENTS IN INTERIOR  
ALASKA (REGION III)**

**WHEREAS** Alaska is recognized as a world leader in protecting fish habitat for anadromous and high value resident fish species while promoting timber development; and

**WHEREAS** HB-131 and it's companion bill SB-98 are the result of a two year process that was initiated by the Board of Forestry and involved an interdisciplinary Science and Technical Committee and an Implementation Group that represented affected interests; and

**WHEREAS** the Science and Technical Committee had members with expertise in fisheries, forestry, hydrology, and soils and included scientists and experienced field staff from state resource agencies, the University of Alaska, the U.S. Geological Survey, Tanana Chiefs Conference, and Alaska Biological Research; and

**WHEREAS** the Implementation Group was comprised of private forest owners, the timber and fishing industries, environmental groups, and members from the departments of Natural Resources, Fish and Game and Environmental Conservation; and

**WHEREAS** this legislation is founded on the best science available and is the result of a public effort that has support from a broad array of interest groups, and the Board of Forestry; and

**WHEREAS** under this legislation, all anadromous and high value resident fish waters are classified and riparian standards are established for each water body type based on the unique characteristics and habitat needs of fish for each stream type; and

**WHEREAS** on most anadromous and high value resident fish waters a no-harvest buffer will be required and along glacial rivers where some of the most valuable timber occurs, the standards allow harvest of up to half the large white spruce in the landward half of the buffer, thus capturing some of the economic value within the riparian zone; and

**NOW THEREFORE BE IT RESOLVED** that the Greater Fairbanks Chamber of Commerce Board of Directors joins Alaska's Governor Tony Knowles, the Board of Forestry, state agencies, the timber and fishing industry, environmental groups and members of the public in supporting the passage of this legislation during the current session.

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

Alaska State Legislature  
Governor Tony Knowles  
Board of Forestry  
Commissioner of Natural Resources  
State Forester

**PASSED** in Fairbanks, Alaska this 26<sup>th</sup> day of March, 2001 by the Greater Fairbanks Chamber of Commerce Board of Directors.

\_\_\_\_\_  
John Burns  
Board Chair

\_\_\_\_\_  
Howard "Buzz" Otis  
Chair Elect

Dear Senator Torgerson:

I ask you to support hearings on SB 98, which amends the Alaska Forest Resources and Practices Act for Interior Alaska (Region III). Several interest groups, including the timber and fishing industries and environmental groups, have worked over the last year with scientific experts in fisheries, forestry, and hydrology to derive riparian standards for timber harvest that make sense for the Interior. The state Board of Forestry reviewed and concurred with the recommendations of this Implementation Group and has endorsed the draft legislation introduced as SB 98. This legislation would clarify standards that allow the timber industry to operate in some of the most productive forest lands north of the Alaska Range while affording the necessary protection to fisheries that provide income and food to many Interior residents year in and year out. Please help our local industries to move forward with sustainable development by supporting this legislation in the current session. Thank you.

Tom Paragi  
P.O. Box 81288  
Fairbanks, AK 99708

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: SB 88  
 (S) Publish Date: 4/29/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Natural Resources  
 Title: Forest Resources & Practices Standards BRU: Forest Management & Development  
 Component: Forest Management & Development  
 Sponsor: Sen. Seekins  
 Requester: (S) RES Component No. 435

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

Based on current levels of harvesting on non-state land, and current funding levels, DNR will not need additional operating funds to implement the changes in this bill. If the amount of harvesting on non-state land increases substantially, or if FRPA funding, including federal Section 319 funding declines significantly, additional funds would be needed for field inspections of riparian buffers. On state land, the revised riparian standards can be incorporated into the existing sale design and sale administration process.

Prepared by: Jeff Jahnke, Director  
 Division: Forestry  
 Approved by: Tom Irwin, Commissioner  
 Agency: Natural Resources

Phone 907-269-8474  
 Date/Time 4/22/2003  
 Date 4/22/2003

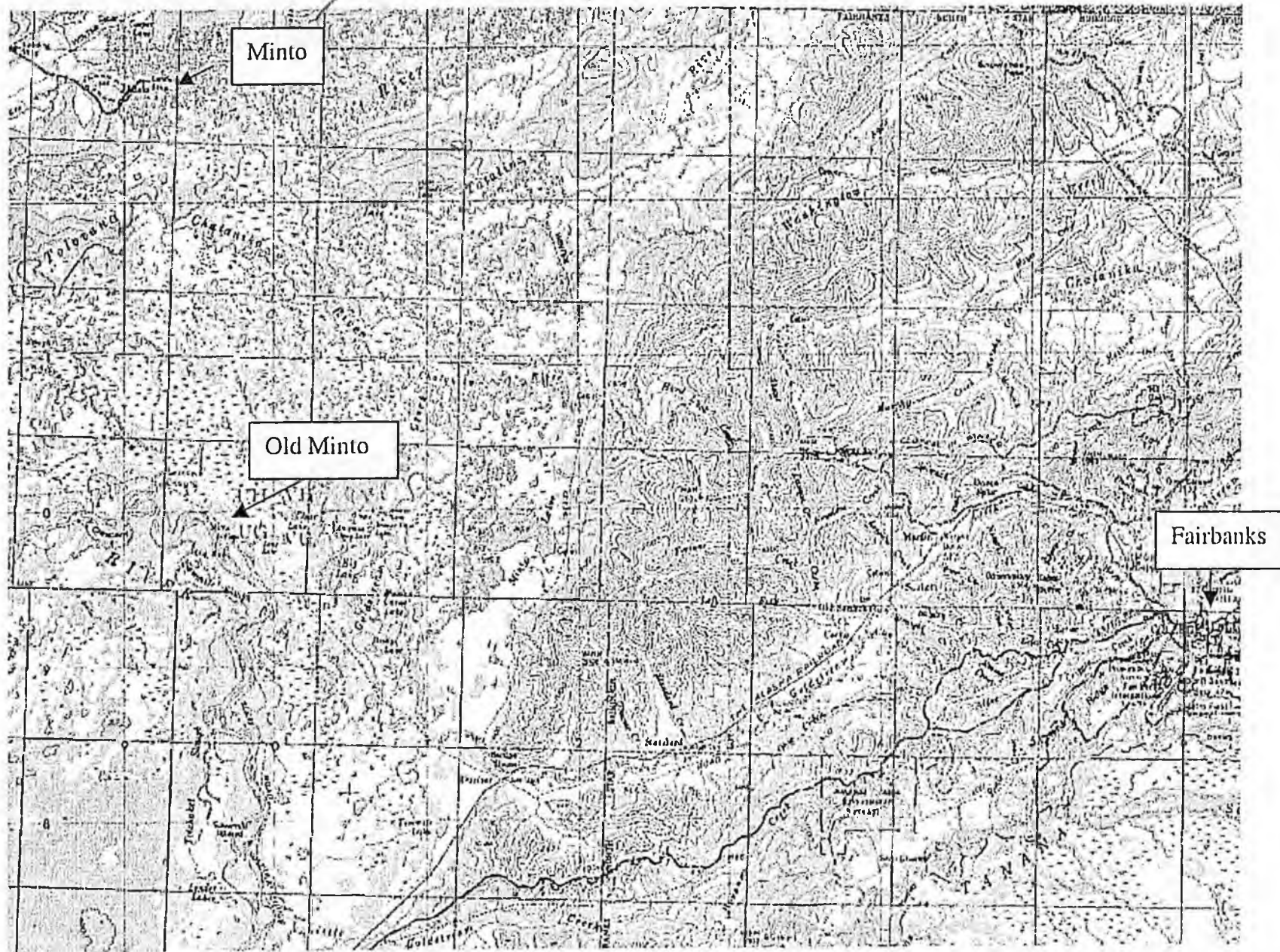
SB

132

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES

32.8 acres

Moved in 1969 to old site



23-LS0578\U  
Bullock  
5/6/04

**HOUSE CS FOR CS FOR SENATE BILL NO. 132(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

b-y  
2-d

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): SENATORS LINCOLN, Olson, Wilken, Guess, Hoffman, Cowdery, French, Ellis, Elton, Davis,  
Wagoner**

**REPRESENTATIVES Kookesh, Morgan**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act removing the Old Minto townsite from the Minto Flats State Game Refuge;**  
2 **and authorizing the Department of Natural Resources to convey certain land at the**  
3 **historic Old Minto site to the Native Village of Minto."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 **LEGISLATIVE FINDINGS.** The legislature finds that

8 (1) the Old Minto Site has been historically used by the community of Minto  
9 for spiritual, cultural, and community purposes; and

10 (2) the conveyance of the site to the Native Village of Minto serves a public  
11 purpose and is in the public interest.

12 **\* Sec. 2.** AS 16.20.037(3) is amended to read:

13 (3) Township 1 North, Range 8 West, Fairbanks Meridian  
14 Sections 1 - 16

1 Sections 21 - 28, excl. ASLS 95-37

2 Section 35: E1/2

3 Section 36;

4 \* Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to  
5 read:

6 CONVEYANCE OF LAND AT THE HISTORIC OLD MINTO SITE. (a) Subject to  
7 valid existing rights, including land leases or sales contracts, easements, reservations, rights-  
8 of-way, and any vested and accrued water rights, and excepted and reserved from the  
9 conveyance a right-of-way for ditches and canals constructed by the authority of the United  
10 States under 43 U.S.C. 945 (Act of August 30, 1890, 26 Stat. 391), the commissioner of  
11 natural resources shall convey to the Native Village of Minto, without cost, the following  
12 land: Alaska State Land Survey No. 95-37, within unsurveyed Section 28, Township 1 North,  
13 Range 8 West, Fairbanks Meridian, containing approximately 31.42 acres, more or less,  
14 according to the survey plat filed in the Nenana Recording District on May 7, 1997, as plat  
15 no. 97-4.

16 (b) The conveyance shall be made subject to the following reservations: "The party  
17 of the first part, Alaska, hereby expressly saves, excepts and reserves out of the grant hereby  
18 made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores,  
19 minerals, fissionable materials, geothermal resources, and fossils of every name, kind or  
20 description, and which may be in or upon said land above described, or any part thereof, and  
21 the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials,  
22 geothermal resources, and fossils, and it also hereby expressly saves and reserves out of the  
23 grant hereby made, unto itself, its lessees, successors, and assigns forever, the right to enter by  
24 itself, its or their agents, attorneys, and servants upon said land, or any part or parts thereof, at  
25 any and all times for the purpose of opening, developing, drilling, and working mines or wells  
26 on these or other land and taking out and removing therefrom all such oils, gases, coal, ores,  
27 minerals, fissionable materials, geothermal resources, and fossils, and to that end it further  
28 expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and  
29 assigns forever, the right by its or their agents, servants and attorneys at any and all times to  
30 erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, power  
31 lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said

1 land or any part thereof for the foregoing purposes and to occupy as much of said land as may  
2 be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees,  
3 successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land,  
4 whether herein expressed or not, reasonably necessary or convenient to render beneficial and  
5 efficient the complete enjoyment of the property and rights hereby expressly reserved."

6 (c) The conveyance shall also be made subject to the following terms and conditions:

7 (1) the Native Village of Minto waives any claim to sovereign immunity, if  
8 any, with respect to the land or activities on the land;

9 (2) the land remains under the civil, criminal, and regulatory jurisdiction of the  
10 state;

11 (3) the Native Village of Minto shall submit the waiver required under (1) of  
12 this subsection, in writing, before the land is conveyed;

13 (4) the Native Village of Minto may not transfer the land to any other private  
14 or governmental entity for any purpose or duration unless approved in advance by the  
15 legislature.

16 (d) Unless the commissioner finds that it is not in the public interest, the management  
17 of all existing land leases or sale contracts on the land described in (a) of this section shall  
18 pass with the conveyance to the Native Village of Minto.

**CS FOR SENATE BILL NO. 132(RES)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY THE SENATE RESOURCES COMMITTEE**

**Offered: 4/28/04**  
**Referred: Rules**

**Sponsor(s): SENATORS LINCOLN, Olson, Wilken, Guess, Hoffman, Cowdery, French, Ellis, Elton, Davis, Wagoner**

**REPRESENTATIVES Kookesh, Morgan**

**A BILL**  
**FOR AN ACT ENTITLED**

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29 assigns forever, the right by its or their agents, servants and attorneys at any and all times to  
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31 lines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said

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4 whether herein expressed or not, reasonably necessary or convenient to render beneficial and  
5 efficient the complete enjoyment of the property and rights hereby expressly reserved."

6 (c) The conveyance shall also be made subject to the following terms and conditions:

7 (1) the Native Village of Minto waives for itself and for its lessees, successors,  
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10 (2) the land remains under the sovereign jurisdiction of the state;

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14 of all existing land leases or sale contracts on the land described in (a) of this section shall  
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## Senator Georgianna Lincoln

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Alaska State Legislature, District C  
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-3737 • Fax (907) 465-2652  
E-mail: Senator\_Georgianna\_Lincoln@legis.state.ak.us

### MEMORANDUM

TO: Representative Nancy Dahlstrom, Co-Chair  
Representative Bev Masek, Co-Chair  
House Resources Committee

FROM: Senator Georgianna Lincoln *Georg*

RE: Committee Hearing for CS SB132 (RES)

DATE: May 5, 2004

---

I respectfully request you schedule CS SB132 (RES), "An Act removing the Old Minto townsite from the Minto Flats State Game Refuge" as soon as possible. This bill simply removes the Old Minto townsite from the Minto Flats State Game Refuge and authorizes the Department of Natural Resources to convey 32.4 acres of land to the Native Village of Minto.

Attached please find my sponsor statement and letters of support. Please contact my staff, Mark Stopha, extension 2847, with any questions on this legislation.



## Senator Georgianna Lincoln

---

Alaska State Legislature, District C  
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-3737 • Fax (907) 465-2652  
E-mail: Senator\_Georgianna\_Lincoln@legis.state.ak.us

### Sponsor Statement for Senate Bill 132

**“An Act removing the Old Minto town site from the Minto Flats State Game Refuge and authorizing the Department of Natural Resources to convey certain land at the historic Old Minto site to the Native Village of Minto.**

Senate Bill 132 will allow for the transfer of approximately 32 acres of land located at the Old Minto village site from the Minto Flats State Game Refuge to the Native Village of Minto. Currently, the Interior Athabascan Cultural Heritage Education Institute (ACHEI), operated by the Native Village of Minto, holds a “Public and Charitable Lease” for a Youth Encampment on the site until 2052. The Native Village of Minto would become the landlord and administrator of the ACHEI lease.

Old Minto village is located on the banks of the Tanana River, about 50 miles northwest of Fairbanks. Old Minto village was the home of the Minto Band of Athabascan Indians from the time of its settlement in 1915 to 1969, when the people relocated to the present village site of Minto due to flooding and erosion. The residents of Minto never intended to give up their ancestral lands at Old Minto when they were forced to move. Despite relocation, the people of Minto continue to maintain a strong spiritual attachment to Old Minto. Elders and their descendents go there to camp, and keep up graves of their ancestors. The cabins, church, community hall and store building still exist today.



*Dedicated to preserving the Athabascan way of life.*

**CULTURAL HERITAGE & EDUCATION INSTITUTE**  
 P.O. Box 73030 • Fairbanks, Alaska 99707 • (907) 451-0923 • FAX (907)451-0910  
 website-<http://www.ankn.uaf.edu/chei> Email-Chei@mosquiltonet.com

4-1-04

Senator Georgianna Lincoln  
 Senator Ralph Seekins  
 Senator Gary Wilken  
 Senator Therrialt

Representative Al Kookeah  
 Representative Carl Morgan  
 Representative Hugh "Bud" Fate  
 Representative David Guttenberg  
 Representative James A. Holm  
 Representative Jim Whitaker  
 Representative John B. Coghill, Jr.

With Respect to Senators and Representatives,

The Cultural Heritage and Education Institute would like to strongly support and recommend your affirmative vote of bill 132. This bill allows for the transfer of approximately 32 surveyed acres of land, the Old Minto Village site, section 28, township 1 north, range 8 west and Fairbanks Meridian, from the Minto Flats Wildlife Refuge to The Native Village of Minto.

Founded in the year 1915 by Chief Charlie, Old Minto is a Historic and Traditional site where Athabascan Elders feel their connection to the earth the strongest, indeed it is the spiritual center of their people. For the Minto peoples, it is here that one goes to for healing, for spiritual connection, and to visit the old resting places of their ancestors. The village was moved in 1969 due to bank erosion and flooding, but the people continue to have strong ties to their homeland. Knowing where one comes from is important to the cultural identity of Minto Athabascans.

The Cultural Heritage and Education Institute has held many important culture, heritage, language and recovery camps for the people of Minto as well as for others in the spirit of sharing Athabascan culture, wisdom, and traditional native ways of knowing. The Minto Family Recovery Camp has helped hundreds of people since 1989. It is the place where the stories are told, and where they can be heard in the setting most conducive for youth to learn. The people of Minto continually visit this special place, by boat, dog sled or snow machine. Whether it

*"In the old days . . . everybody belonged to a clan. In Minto, there are four: Caribou (Bedzeyh Ti Xwi'ana). Fishtail (Ch'echalvu). Ptarmigan (Tehkhuw) and . . ."*



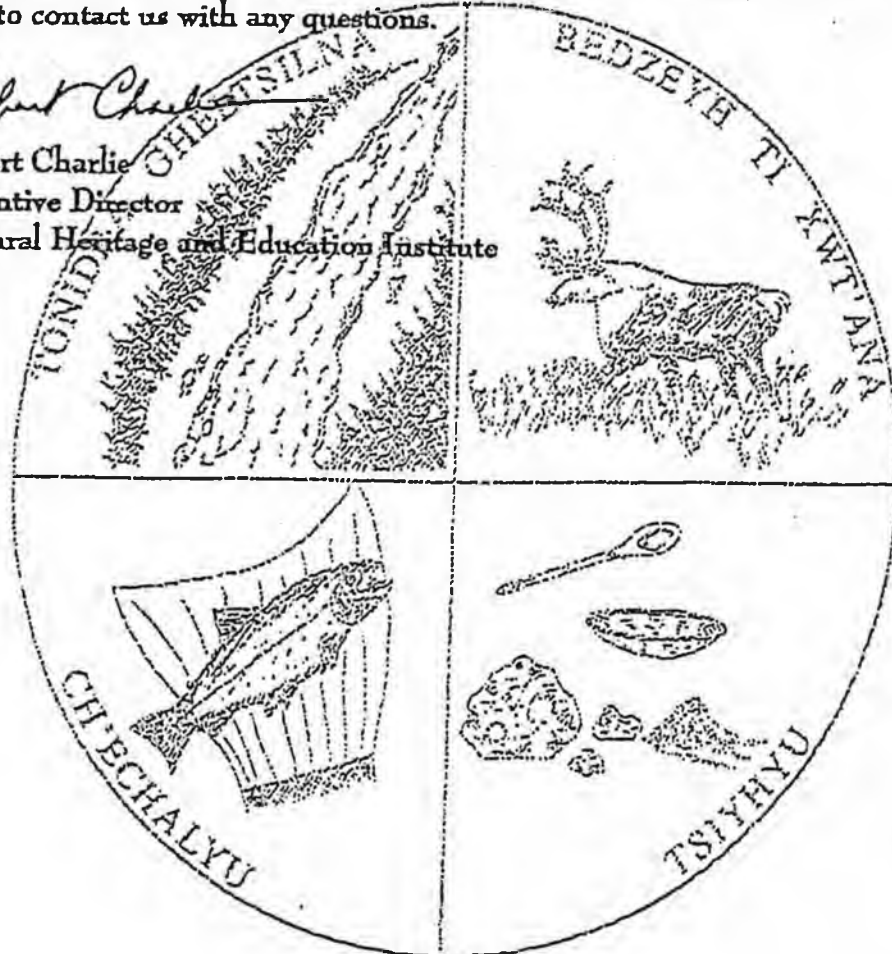
*Dedicated to preserving the Athabascan way of life.*

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 P.O. Box 73030 • Fairbanks, Alaska 99707 • (907) 451-0923 • FAX (907)451-0910  
 website-<http://www.arkn.uaf.edu/chel> Email-[Chei@mosqultonet.com](mailto:Chei@mosqultonet.com)

*is hunting, fishing, basket making or storytelling, the message for the youth is the same; this is our place, where we belong and where our ancestors speak to the spirit of our peoples.*

This land has always belonged to these peoples. It is our belief that it should remain with them. Thank you for your attention to this important matter. Feel free to contact us with any questions.

*Robert Charlie*  
 Robert Charlie  
 Executive Director  
 Cultural Heritage and Education Institute



*"In the old days . . . everybody belonged to a clan. In Minto, there are four: Caribou (Bedzevh TI Xwt'ana)*

# Tanana Chiefs Conference

Chief Peter John Tribal Building

122 First Avenue, Suite 600

Fairbanks, Alaska 99701-4897

(907) 452-8251 Fax: (907) 459-3850

April 7, 2004

## SUBREGIONS

### KUSKOKWIM

McGroth  
Medfra  
Nikolai  
Takotna  
Tallad

Senator Georgianna Lincoln  
Senator Ralph Seekins  
Senator Gary Wilken  
Senator Therrialt

Representative Al Kookesh  
Representative Carl Morgan  
Representative Hugh "Bud" Fate  
Representative David Guttenberg  
Representative James A. Holm  
Representative Jim Whitaker  
Representative John B. Coghill, Jr.

### LOWER YUKON

Arvik  
Grayling  
Holy Cross  
Shageluk

### UPPER TANANA

Dor Lake  
Eagle  
Healy Lake  
Nainway  
Tanacross  
Tetlin  
Tok

## Honorable Senators and Representatives:

I am writing today to express support for SB 132 on behalf of Tanana Chiefs Conference (TCC) and the Old Minto Family Recovery Camp. TCC operates the Old Minto Family Recovery Camp, an alcohol and drug rehabilitation facility, on the land that would be transferred by SB 132. As an affected entity, TCC supports and recommends passage of SB 132, which would transfer of approximately 32 acres of land at the Old Minto Village site from the Minto Flats Wildlife Refuge to the Minto Village Council.

The Old Minto Family Recovery Camp has held many substance abuse treatment sessions at the Old Minto site building resiliency for patients in recovery by sharing Athabascan culture, wisdom, and traditional Native ways of knowing. In this way the Old Minto Family Recovery Camp has helped hundreds of people since its opening 1989. It is a place where stories are told, and where they can be heard in a setting most conducive for patients to become sober.

The people of (New) Minto continue to visit this special place, by boat, dog sled, and snow machine throughout the year, checking on staff and patients to support them on their journey to sobriety. The people of Minto also support our yearly Sobriety Potlatch with hundreds of people in attendance. The sober Elders of Minto share their stories of sobriety with the patients during a 4-day period as they show the patients how to prepare traditional foods. These lessons are invaluable to the patients, helping them to recover who they are as sober Alaska Native people.

The land at Old Minto has always belonged to the Minto people. And it is our belief that it should remain with them. Cultural Heritage Education Institute's letter of support on SB 132 details the history of Old Minto as follows:

"Founded in the year 1915, by Chief Charlie, Old Minto is a Historic and Traditional site where Athabascan Elders feel their connection to the earth the strongest, indeed it is the spiritual center of their people. For the Minto peoples, it is here that one goes to for

### YUKON FLATS

Arctic Village  
Beaver  
Birch Creek  
Canyon Village  
Chalkyitsak  
Circle  
Fort Yukon  
Venetie

### YUKON KOYUKUK

Galena  
Huslia  
Kaitag  
Koyukuk  
Nulato  
Ruby

### YUKON TANANA

Alatna  
Alikakel  
Evansville  
Fairbanks  
Hughes  
Lake  
Minchumina  
Manley Hot  
Springs  
Minto  
Nenana  
Rampart  
Stevens Village  
Tanana

healing, for spiritual connection, and to visit the old resting places of their ancestors. The village was moved in 1969 due to bank erosion and flooding, but the people continue to have strong ties to their homeland. Knowing where one comes from is important to the cultural identity of Minto Athabascans... Whether it is hunting, fishing, basket making or storytelling, the message for the youth is the same; *this is our place, where we belong and where our ancestors speak to the spirit of our peoples.*"

It cannot be said any better than this so. Please include Tanana Chiefs Conference and the Old Minto Family Recovery Camp as supporters of the land being returned to the Minto people.

Thank you for your attention to this important matter. Feel free to contact me with any questions.

Sincerely,

TANANA CHIEFS CONFERENCE

A handwritten signature in black ink, appearing to read "Harold Brown", with a long horizontal flourish extending to the right.

Harold "Buddy" Brown, Esq.  
President and Chairman

cc: Old Minto Recovery Camp

## *Old Minto Village Site*

### Minto Tribal Council Resolution # 03 - 06

Whereas, The land is like our parent, providing us with nourishment and the foundation of our culture, and

Whereas, The Minto people have lived on the land of the Minto Flats continuously for centuries, relocating from the Old Village Site to the present location due to flooding conditions at the Old Site, and

Whereas, Even though the people had to relocate to a new village site, the people of Minto continuously travel to and stay at the Old Village Site to renew the spiritual connection to the site, and participate in cultural activities, and

Whereas, The Old Village Site is still the home of the people who were born there, the connection has never left them, and if the land were granted to the people of Minto this connection would be secure for future generations, and

Whereas, The Minto Village Council is the governing body of the Native Village of Minto, representing all the Minto people, and as such is the most appropriate entity to receive the land and to care for it for generations to come, and

Whereas, The Minto Village Council is a responsible land manager and has the ability to protect the land and its resources, including the important services provided by the Old Minto Recovery Camp that is so valuable for alcohol treatment, as well as the Cultural Heritage and Education Institute.

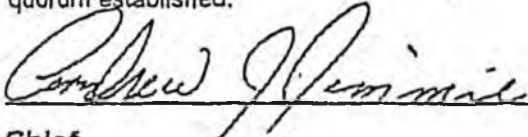
Whereas, It is in the best interest of the State of Alaska to protect the rich cultural heritage of Alaska's indigenous people by transferring the Old Minto

Village Site land, and the responsibility of caring for its cultural significance, to the Native Village of Minto.

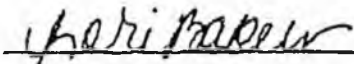
Now Therefore Be It Resolved that the Minto people support the transfer of approximately 32 acres of land at the Old Minto Village Site from the Minto Flats Wildlife Refuge to the Native Village of Minto through the most expedient way available to the State to make such transfer.

#### Certification

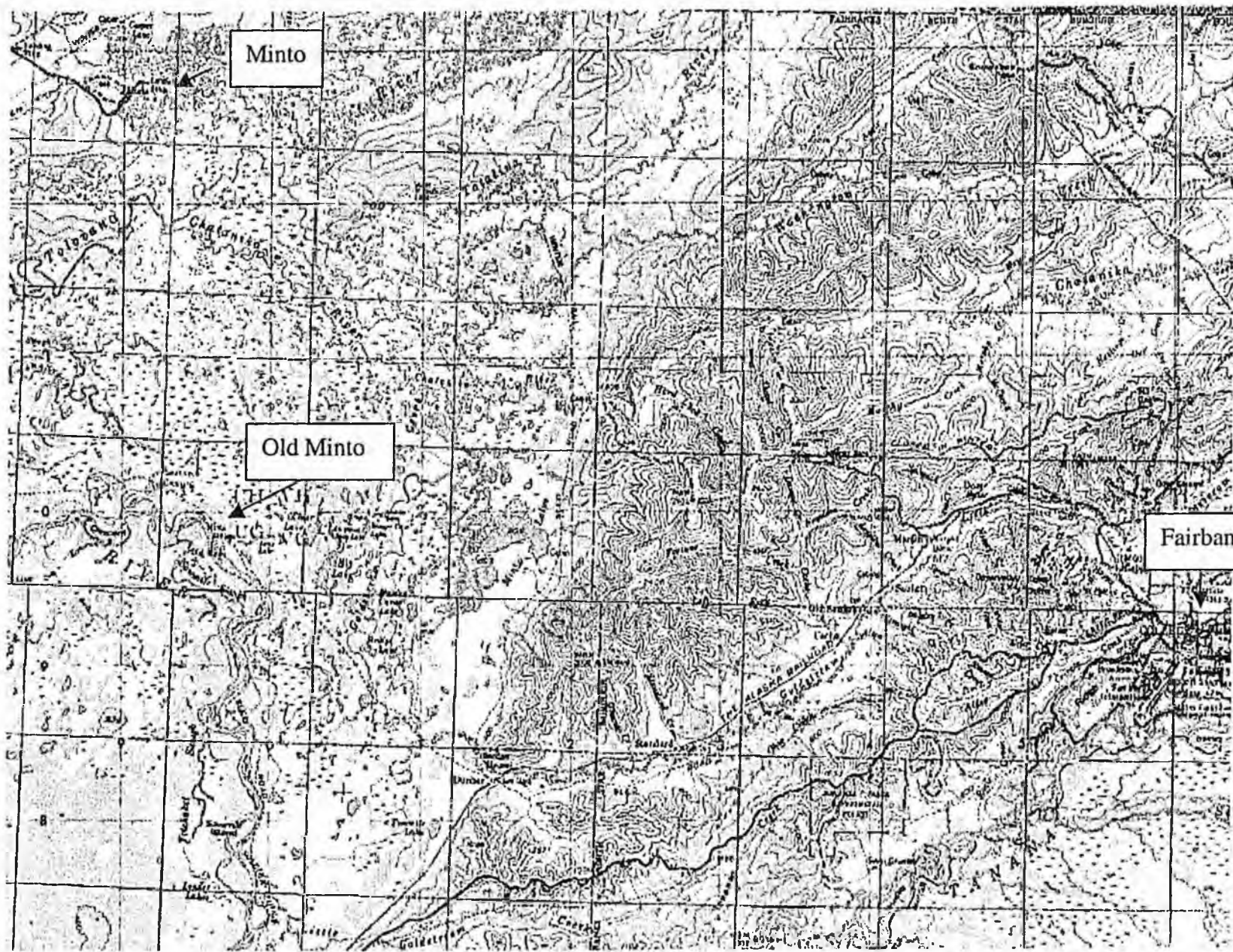
This resolution was adopted by the Minto Village Council by a vote of 5 in favor, 0 opposed, and \_\_\_ abstaining, at a meeting of the Tribal Council where notice was posted and a quorum established.

  
\_\_\_\_\_

Chief

  
\_\_\_\_\_

Secretary/Treasurer



Minto

Old Minto

Fairbanks

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB132CS(CRA)-DNR-LSME  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): 4/15/2004 Dept. Affected: Natural Resources  
 Title: Minto State Game Refuge and Townsite RDU: Resource Development  
 Component: Land Sales and Municipal Entitlement  
 Sponsor: Sen. Lincoln  
 Requester: Sen RES Component No.: 2460

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES (GF 1004)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This legislation directs DNR to convey a parcel of state land to the Minto Village Council. This proposed Legislation will have no fiscal impact on the department.

Prepared by: Bob Loeffler, Director  
Mining, Land and Water  
 Approved by: Thomas Irwin, Commissioner  
 Agency: Natural Resources

Phone 269-8600  
 Date/Time 4/15/04  
 Date 4/15/04

**SB**

**147**

# ALASKA STATE LEGISLATURE



*Interim:*

600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax

*Session:*

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
(907) 465-3805 Fax

## SENATOR LYDA GREEN SENATE DISTRICT G

### Senate Bill 147 Sponsor Statement

"An Act relating to control of nuisance wild animals; and providing for an effective date."

This legislation will provide authority to the Alaska Board of Game to adopt regulations to allow issuance of permits and licenses to sanctioned designees to control nuisance wild birds and nuisance wild small mammals. Currently, there is no statutory authority for nuisance wildlife control and the means by which ADF&G can sell a license or issue a permit.

This legislation would allow licenses for commercial exterminators and permits for homeowners, corporations, agricultural enterprises, state agencies and other entities that are beleaguered by nuisance wildlife.

Some examples of species which may fall under the category of nuisance wild animals are: beaver, porcupine, marmot, weasel, mink, muskrat, coyote, fox, marten, squirrel, woodchuck, otter, lynx, pigeon, woodpeckers, gray jay, ravens, crows, bats, magpie, sea gulls, Canadian geese and snow geese. However, an effective date of July 2004 has been placed on this legislation to allow ample time for regulations to be written by the Department of Fish and Game.

# ALASKA STATE LEGISLATURE



*Interim:*  
600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax

*Session:*  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
(907) 465-3805 Fax

## SENATOR LYDA GREEN SENATE DISTRICT G

### MEMO

DATE: 5/05/2003

To: House Resources Committee  
Representative Hugh Fate  
Attn: Jim Pound

From: Senator Lyda Green  
Jacqueline F Tupou

RE: Scheduling for Senate Bills 147  
"Nuisance Wild Animals"

A handwritten signature in cursive script that reads "Lyda Green".

---

I am requesting Senate Bills 147 be heard in House Resources Committee at your earliest convenience. I have attached copies of the bill, fiscal note, and sponsor statement. Thank you in advance for your time and effort in this matter.

If you have any questions or need additional information please call Jacqueline x3775.

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: SB 147  
 (S) Publish Date: 4/17/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Fish and Game  
 Title Control of Nuisance Wild Animals BRU Wildlife Conservation  
 Component Wildlife Conservation  
 Sponsor Senator Green  
 Requester Senate Resources Component No. 473

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009

CHANGE IN REVENUES ( 1024 )	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
	0.0	0.2	0.4	0.4	0.4	0.4

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The cost of modifying license forms, the increased burden of administration, and anticipated revenue generated by this legislation are all expected to be insignificant. Depending on how this legislation is implemented by the Board of Game, some staff time is likely to be required to review and/or monitor activities of licensees, but this is expected to be minor.

It is difficult to project the number of persons who would annually obtain the \$100 nuisance wild animal control license.

Prepared by: Ryan Scott, Wildlife Biologist Phone 465-6197  
 Division Wildlife Conservation Date/Time 4/14/03 3:39 PM  
 Approved by: Kevin C. Duffy, Commissioner Date 4/14/2003  
 Agency Alaska Department of Fish and Game

**Robert Doran**  
**HC 31 Box 5213B Wasilla, AK 99654**

May 9, 2003

House Resource Committee  
Juneau, AK

To Whom It May Concern:

The following is a testimony of my support for Senate Bill 147.

Southcentral Alaska is growing like never before. We are seeing more and more residential and commercial developments constructed very near to prime wildlife habitat. Despite this change in habitat, many species of birds and animals continue using these developed areas for protection and foraging. These factors, along with little or no hunting or trapping pressure, create the potential for confrontations to arise between people and wildlife. Even if the location allowed for regular hunting or trapping, many of these problems occur when the regular season for several species of animals is closed. A provision in Alaska state law allowing a licensed individual specializing in the control of problem wildlife to capture and remove the nuisance animal(s) out of the regular season would alleviate this problem. If properly regulated, many people in the public service industry would benefit.

Based upon conversations with state, borough and municipal agencies, including the Alaska Department of Fish and Game and Anchorage and Mat-Su Animal Control Shelters, I have found that these agencies often do not have the personnel, resources or time to adequately deal with these conflicts. Being able to refer problem wildlife calls to a licensed Nuisance Wildlife Control Operator (NWCO) would relieve these and other agencies from this responsibility. Local agencies could also benefit by gathering data from NWCO's to evaluate urban impact on local wildlife populations and their surrounding habitat. Evidence of these kinds of benefits can be seen in the 48 contiguous states where animal damage control companies are working in cooperation with their local game departments and offering a very valuable service to the public.

This is the time for this bill to be made into law. The public benefits as well as state, borough, city and federal agencies. ADFG would have more time to focus on biological research for our fish and wildlife. State and local law enforcement could concentrate on keeping our communities safe. Animal control would be able to keep their efforts centered on issues pertaining to domestic animals. Fish and Wildlife Protection would have more time to patrol our backcountry forests and rivers.

Yes, this is Alaska, The Last Frontier. But let's not be last in offering our residents this much needed public service, a service in which the need for it will only continue to grow.

MAY-09-03 FRI 07:40 AM MATSU LTD

**Robert Doran**  
**HC 31 Box 5213B Wasilla, AK 99654**

Thank you for devoting your time and energy to considering this bill and for serving the people of Alaska.

Sincerely,



Robert Doran

SB

149

# Alaska State Senate



**Senator Robin Taylor**  
District A

## **SB 149 – Timber sales and planning Sponsor Statement / Sectional Analysis**

Senate Bill 149 addresses the planning requirements for forest management, including forest management plans for legislatively designated state forests, Five-Year Schedules of Timber Sales (FYSTSs), and Forest Land Use Plans (FLUPs) for individual timber sales. Currently there are two legislatively designated State Forests, the Tanana Valley State Forest and the Haines State Forest Resource Management Area.

### Forest Land Use Plans

**Section 1 (AS 38.05.112 (a))** moves the guidance on when general planning requirements under AS 38.04.065 apply to Forest Land Use Plans from AS 38.05.112(c) to .112(a). It does not change the requirements.

**Section 2 (AS 38.05.112(b))** deletes the reference to consideration of information on collective effects of forest activities. Consideration of collective effects cannot be done on a sale by sale basis and is better addressed through regional planning under AS 38.04.065 and AS 41.17.230.

**Section 3 (AS 38.05.112(c))** deletes the list of specific uses that must be considered in Forest Land Use Plans. It replaces it with a requirement that FLUPs on land outside the State Forests consider non-timber forest resources and uses. This change will make preparation of FLUPs more efficient by deleting the requirement to consider uses and resources that may not be pertinent to individual sales.

### Five-Year Schedules of Timber Sales

**Section 4 (AS 38.05.113(a))** changes the Five-Year Schedule from an annual to a biennial requirement. This reduces the work required in preparing and reviewing the schedules, while keeping the industry and the public informed about proposed sales.

**Section 5 (AS 38.05.113(b))** changes the requirement that a sale be on the two Schedules preceding the sale to a requirement that the sale have been on one of the two Schedules preceding the sale. In combination, Sections 4 and 5 provide flexibility for the department to adjust sale offering dates to respond to market conditions and funding levels, while ensuring that the initial sale proposal has been on a schedule within no more than four years prior to the sale date. Individual sales will still be reviewed through the FLUP process.

**Section 16 (AS 38.05.113(d))** deletes the authority to reoffer sales for two years after their initial offering without relisting them on the Five-year Schedule. This provision is not needed due to the changes in Sections 4 and 5.

State Forest purposes and forest management plans

**Sections 8 and 9 (AS 41.15.315(a) and .320)** address management plans for the Haines State Forest. They replace the specific planning requirements for the Haines State Forest management area in AS 41.15.315(a) with the requirements for State Forest management plans in AS 41.17.230. With this change, the two State Forests would be subject to the same guidance for management plans. Specific requirements for consultation between the DNR and ADF&G, and between ADF&G and local fish and game advisory committees are retained in AS 41.15.320. These amendments also retain the requirement for a public hearing in Haines and Klukwan prior to plan adoption. They delete the requirements for the plan to be based on an inventory completed within the last 10 years and to revise the plan when a new inventory is done.

**Sections 11, 12, and 15 (AS 41.17.200(a), .220, and .400(c))** change the management emphasis in legislatively designated State Forests from a mix of multiple use that provides for timber management to timber management that allows other beneficial uses that are compatible with timber. These sections change the primary purpose of State Forests from "multiple use ... that provides for production, utilization, and replenishment of timber resources" to "timber management...while allowing other beneficial uses", and delete multiple use as a principle for managing a State Forest. These changes apply to the Tanana Valley State Forest. The Haines State Forest purpose is established in AS 41.15.300-.315 and is not changed by this bill.

**Section 13 (AS 41.17.230(a))** requires that forest management plans consider nontimber uses to the extent that such uses are compatible with timber management. In conjunction with Section 3, this moves the consideration of nontimber uses in State Forests from the individual Forest Land Use Plans to the management plan for the State Forest. This section would apply to both the Tanana Valley State Forest and the Haines State Forest.

**Section 14 (AS 41.17.230(b))** makes the timing requirement for review of forest management plans more flexible. Rather than requiring review every five years, review will be required "as necessary". This will preclude time-consuming reviews when they are not needed. This section will apply to both the Tanana Valley and Haines State Forest.

**Section 16 (AS 41.17.210(a)(3) and (4))** deletes the requirement for proposals of new state forests to include findings of incompatibility for the timber and nontimber uses previously listed in AS 38.05.112(c) and agency comments on such findings.

**Section 16 (AS 41.17.230(d))** deletes the requirement for forest management plans to be provided to the legislature after adoption.

The amendments on State Forests and forest management plans will not require revisions to the existing management plan for the Tanana Valley State Forests. *(Note: to prevent a need to reopen the Haines State Forest Management Plan, the new language in section 12 (AS 41.17.230) should be amended to refer to the "primary purpose of state forests under AS 41.17.200 or 41.15.300.)*

#### Riparian management standards

**Section 10 (AS 41.17.118(b))** revises the conditions for imposing riparian protection standards on state land that are more stringent than those established in the Forest Resources and Practices Act. This amendment deletes the reference to FLUPs as a basis for requiring more stringent standards on timber sales outside the State Forests. Within State Forests, additional standards could only be imposed if the DNR Commissioner makes a finding of compelling state interest.

#### Negotiated timber sales for local manufacture of wood products

**Section 6 (AS 38.05.123(d))** broadens the area where sales under this section may be offered. Currently offerings are limited to areas "designated for forestry uses" by an area plan, to areas where forestry is an allowed use. This would allow this sale type in areas that have more general designations such as "Resource Management" or "General Use". Review of proposed sales through the FYSTS and FLUP processes would continue to ensure that proposed sales are compatible with the management intent for the particular location.

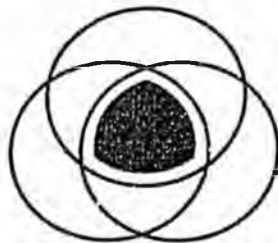
**Section 7 (AS 38.05.123(j))** makes the definition of "high-value added wood product" more flexible. The current definition is a list of specific products that qualify. Other products can only be added by regulation. New products are developed every year, and the regulatory process is an inefficient means to determine whether these products qualify as "high-value added". This amendment makes the statute more responsive to market and processing changes by allowing the DNR Commissioner to determine whether a product not on the existing list has received sufficient processing to qualify as a "high value-added wood product". At a minimum, a product must be processed beyond sawing and planing to qualify.

This amendment also

- adds dissolving pulp to the list of high value-added products,
- allows the use of any species in engineered products and paneled wood products, rather than only allowing hardwoods, and
- clarifies that drying must be kiln-drying to qualify as a high value-added process.

For "value-added wood products", this section

- deletes pulp and paneled wood products because they are moved to the high value-added category,
- adds "flitches" (cants milled on four sides), and
- allows the Commissioner to determine what additional products qualify as "value-added wood products".



Community  
Ecology  
Economy

# ALASKA BOREAL FOREST COUNCIL



*Sustaining our partnership with the land*

May 16, 2003

**TO: House Resources Committee Members**  
**From: Jan Dawe, Ph.D. and Director, Alaska Boreal Forest Council**  
**Re: Preferred wording for primary use of state forests, in CSSB 149(RES)**

Dear House Resource Committee Members,

In your packet you have several documents from the Alaska Boreal Forest Council. This letter provides you results to our email question responses to preferred wording for state forests:

From Natural Resource Professionals (pages 1-2)

From Members of General Public (page 2)

**\*\* from Natural Resource Professionals:**

1. **Edmond C. Packee, Sr., Ph.D.;** Certified Forester, Certified Professional Soil Scientist, Professional Forester, Member of the Society of Forsters,  
preferred option is to revise the change proposed in CSSB 149(RES) as follows:

"The primary purpose in the establishment of state forests is timber management that provides for the production, utilization, and replenishment of timber resources while allowing other beneficial, multiple uses of public land and resources."

[Note: On phone, Ed said (paraphrased by Jan Dawe): "I buy into this 100%. I believe, after just spending 3 days in SE forest stands, that I understand much more about this piece of legislation than I did before. From my understanding, industry is willing to buy that one word change to the primary purpose."]

2. **Carol E. Lewis, Ph.D. and MBA,** Dean, School of Natural Resources and Agricultural Sciences and Director, Agricultural and Forestry Experimental Station, University of Alaska Fairbanks, supports the above single-word revision of the CSSB 149(RES) wording.

3. **Bob Ott: private forester**

prefers option 2 only because it limits primary use to forest products. Option 1 is multiple use (of commercial ventures), which may be too close to the original wording.

4. **Bob Ritchie:** consultant (wildlife biologist) working regularly in the Tanana Valley State Forest: Prefers the existing state statute describes the primary purpose in the establishment of state forests as follows: "The primary purpose in the establishment of state forests is multiple use management that provides for the production, utilization, and replenishment of timber resources while perpetuating personal, commercial, and other beneficial uses of resources."

[Note: From Bob's email: "This is the only way our forests should be manage: multiple uses, representing needs of all of the public."]

5. **Audrey Magoun: Natural Resource Professional**, private consulting firm = Wildlife Research and Management (WRAM), **prefer Option 1 but I think Option 2 probably has a better chance of passing** and I wouldn't mind it if it stated "forest management" instead of timber management. Personally, I don't see how the legislature can remove "multiple use" from the primary purpose since it is woven throughout other state statutes and already allows for preferential use of timber if it best meets the present and future needs of the people of Alaska. See below. CSSB 149 presents the possibility that commercial interests could argue that timber production, utilization, and replenishment override the present and future needs for other uses of the people of Alaska on our state forests and that use of the state forest cannot be adjusted for changing needs and conditions--in other words, even if greater economic or commercial gain could be made from the state forests that conflicts with any timber use being currently conducted, the people of Alaska could be denied that gain--even this current legislature wouldn't want that, I'm sure.

**\*\* Members of the General Public:**

6. **Kimberley Maher (SNRAS/UAF graduate student): option 2**

7. **Joanne Groves, works at the University of Alaska Fairbanks): Option 1**

8, **haron Alden, Board of Directors, Alaska Boreal Forest Council,**  
**The existing state statute is my choice followed by Option 1.**  
The existing state statute language covers the timber harvesting adequately without sacrificing the other uses of the Tanana Valley Forest. By putting the timber harvesting first there is a greater danger of damage to the other uses.

9. **Arthur Hussey, Executive Director, Northern Alaska Environmental Center,**  
**option 2: gives more specificity and detail.**

10. **Richard McCaffrey, Alaska Boreal Forest Council staff, Option 2,** but would prefer different stating: "The primary purpose in the establishment of state forest is to sustain public land and forest resources by providing for the management of the forest's timber and non-timber products, and its other uses, values and benefits." (A very brief version might simply end with a period after "resources", or a slightly longer form might end after "non-timber products", and still work for me)

11. **Deidre Helferrich: Managing Editor, School of Natural Resources and Agricultural Sciences**  
**SNRAS/AFES Publications Office**

Prefers this reformulation: "The primary purpose in the establishment of state forests is multiple-use management that provides for production, utilization, and replenishment of forest resources while providing for other multiple uses of public land and resources."

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Products and Activities From  
The Tanana Valley Forest Use Survey  
1999 - 2000**



**A collaborative project of**

**The Alaska Boreal Forest Council  
The Alaska State Division of Forestry  
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