

United States
Department of
Agriculture

Forest
Service

Region 10
Tongass National Forest

Chatham Area
204 Siginaka Way
Sitka, Alaska 99835
(907) 747-6671

Reply To: 1920

Date: February 4, 1991

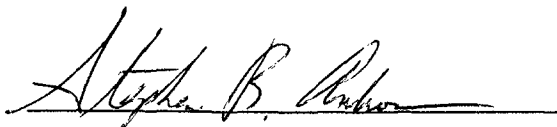
Dear Friend:

On November 28, 1990, President Bush signed P. L. 101-626 (Tongass Timber Reform Act) into law. The Act affects how the Tongass National Forest will be managed under the 1979 Land Management Plan (the Plan). Enclosed is an amendment to the 1979 Plan which incorporates changes made by the new Act.

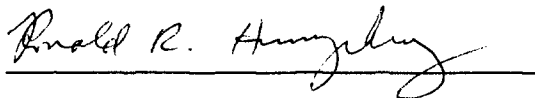
This Plan amendment does not include all of the direction in the Act. It is limited to the changes that Sections 103, 201, and 202 of the Act mandate regarding standards and guidelines and land use designations.

In addition to this Plan amendment, an amended map will be available in the near future, as cartographic and printing schedules permit. The map will display the changes in land use allocations as a result of the new Act.

We appreciate the opportunity to provide you with this information.



STEPHEN R. AMBROSE
Acting Forest Supervisor, Ketchikan Area



RONALD R. HUMPHREY
Forest Supervisor, Stikine Area



GARY A. MORRISON
Forest Supervisor, Chatham Area

901218 0820 PL 1920 JS

TONGASS LAND MANAGEMENT PLAN
AMENDMENT
December 1990

Introduction

On November 28, 1990, the President signed into law P.L. 101-626, the "Tongass Timber Reform Act" (hereinafter the "Act"). This Act, in part, amends the Alaska National Interest Lands Conservation Act of December 2, 1980. The Act directs changes in Tongass National Forest management which amend the Tongass Land Management Plan (1979, as amended Winter 1985-86; hereinafter the "Plan").

This Plan amendment does not address all the provisions of the Act. It is limited to Sections 103, 201, and 202 of the Act, regarding standards and guidelines and land use designations.

Provisions of the Act which Immediately Amend the Plan

- 1) **Fisheries protection** - Section 103 of the Act requires the maintenance of a buffer zone of not less than one hundred feet in width on each side of all Class I streams and on those Class II streams which flow directly into a Class I stream, within which commercial timber harvesting is prohibited. The terms "Class I stream" and "Class II stream" are as defined in the Aquatic Habitat Management Handbook (FSH 2609.24), June 1986.

Exceptions in the Act are independent timber sales that were sold prior to March 1, 1990, or where long term contract volume has been released prior to March 1, 1990 to either of the two long term timber sale contract companies. If such an independent timber sale or released volume is within the buffer zone, every effort shall be made to relocate the sale or released volume to an area outside of the buffer zone, with the purchaser's agreement.

The Act also directs that Best Management Practices will be used to assure protection of riparian habitat on streams or portions of streams not subject to buffer zones in accordance with the Soil and Water Conservation Handbook (FSH 2509.22), January, 1990.

- 2) **LUD II Areas** - Section 201 of the Act directs that the following areas will be managed in perpetuity in accordance with Land Use Designation II (LUD II), as described in the Plan: Yakutat Forelands, Berners Bay, Anan Creek, Kadashan, Lisianski River/Upper Hoonah Sound, Mt. Calder/Mt. Holbrook, Nutkwa, Outside Islands, Trap Bay, Point Adolphus/Mud Bay, Naha, and Salmon Bay. Direction for management of these specifically designated LUD II areas is as described on pages 8 and 9 of the Plan.

- 3) **Wildernesses** - Section 202 of the Act directs that the following lands are designated as wilderness, subject to valid existing rights, and therefore as components of the National Wilderness Preservation System: Pleasant/Lemesurier/Inian Islands, Young Lake Addition (to the Admiralty Island National Monument and Kootznoowoo Wilderness), South Etolin Island, Chuck River, Karta River, and Kuiu. Management of the newly designated Wildernesses will be in accordance with the direction shown on pages 7 and 8 of the Plan and Forest Service Manual 2320, Supplement 46.

Action

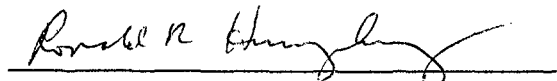
The changes in the Plan described in items 1, 2, and 3 in the Provisions section of this document are amendments to the Plan as enacted by Congress. This amendment to the Plan incorporates legislated management direction for the Tongass National Forest and is therefore not subject to administrative appeal.

Implementation of this Amendment will occur immediately.



Date: 2/4/91

STEPHEN R. AMBROSE
Acting Forest Supervisor, Ketchikan Area



Date: 2/4/91

RONALD R. HUMPHREY
Forest Supervisor, Stikine Area



Date: 2/4/91

GARY A. MORRISON
Forest Supervisor, Chatham Area

Statement of Senator Frank Murkowski

Upon Final Passage of the House/Senate Conference Agreement on H.R. 987

Mr. President, as the Senate prepares to take action on the Conference Report on the Tongass National Forest reform bill it is appropriate that I make a few brief remarks.

Let there be no doubt, Mr. President, that this legislation is extremely important to the people of Southeast Alaska and to me personally. There are those who have waged a public relations campaign based on mischaracterizations of our forest management practices to cause serious damage to the economic and social fiber of Southeast Alaska.

Nonetheless, Mr. President, Alaskans have risen to the challenge presented by those who would destroy their livelihood. Field hearings which I held in Alaska revealed that while there were many disparate opinions about Tongass management, a great effort was being made to develop a consensus Alaskan position. The Southeast Conference, a group of community leaders from throughout Southeast Alaska, had worked long and hard to build a detailed position that a majority of the communities could support. Their position was supported by the Governor at the hearing in Sitka and later became the foundation for the compromise bill advanced by Senator Johnston in Committee. This bill was reported unanimously by the Committee and passed unanimously, 99-0, by the full Senate.

The development of Tongass legislation in the Senate is in stark contrast to what has occurred in the House. The House passed measure took away the consideration given for 5.4 million acres of wilderness designations by the Congress in 1980, canceled existing timber contracts exposing the U.S. to potentially huge liability, and designated nearly 2

million acres of additional wilderness in the Tongass forest. This measure would have devastated the timber industry in my state -- an industry which is the economic underpinning of a region larger than West Virginia. This measure passed the House over the objections of the entire Alaska Congressional delegation and Alaska's Governor. To make matters worse, the House measure was advanced without a single hearing in Alaska.

Mr. President, the compromise crafted by the House and Senate conferees is less damaging than the House bill but still goes too far. I supported the Senate position because it was based on the input of Alaskans. The changes made to the Senate bill in conference were made in order to compromise with the House, but they went beyond the consensus concerns of the people of Southeast Alaska. I am concerned about the impact this compromise package might have on jobs in Southeast Alaska.

The conference bill would withdraw from the timber base more than 1 million acres. This is 345,000 acres more than the Senate bill and 781,000 acres less than the House bill. The House bill designated 1.8 million acres of new wilderness, while the Senate bill had none. The compromise creates 296,000 acres of new wilderness, within the total 1 million acre withdrawal.

The remaining withdrawal in the compromise bill, 722,482 acres, would be classified using the forest service's land use designation 2 (LUD 2). On LUD 2 lands, no commercial timber harvesting is permitted, but roads, hydroelectric projects, mining operations, fish hatcheries and other uses are permitted.

The compromise legislation repeals both the annual \$40 million appropriation for the U.S. Forest Service to enhance timber sales and a requirement for a specific amount of timber to be sold each year. It adds

instead a requirement for the USFS to seek to meet the market demand of the industry and to make economically marginal timber available to the industry.

Additionally, the USFS is directed to work with the Small Business Administration to identify the needs of small timber operators in the Tongass and do everything it can to meet those needs through timber sales. The legislation also includes Alaska in a program which allows small business purchasers to request the forest service to construct roads on small business timber sales.

The conference bill adopted the Senate approach to buffer requirements alongside streams by requiring buffers only on anadromous fish streams and on tributaries to those streams that have resident fish. This approach contrasts with the House proposal that would have required buffers on all streams and tributaries regardless of fish content.

Under the conference bill existing timber contracts with the major pulp mills would not be cancelled but they would be modified. The modifications will ensure the USFS decides where mills harvest timber, will prohibit the mills from cutting only the best timber, and will ensure the mills pay a fair market value for their timber.

The important thing is that the mill operations will remain viable. The timber volume requirement of the contracts are protected, which means the jobs related to the mill operations are preserved.

Mr. President, the conference bill adds 345,562 acres of additional land designations to the Senate bill. To meet the needs of the small communities in Southeast Alaska, I had proposed during pre-conference

discussions with the House six of the seven additional areas included in the conference bill. However the total acreage and specific boundaries differed in many instances.

The problem is that key areas of commercial forest land are taken away--timber desperately needed for the industry. These are areas with very little community support and reflect little more than a timber grab by the national preservationists. The total impact of the conference bill may be to delete somewhere between 40 million and 60 million board feet of timber annually from the available base.

Mr. President, I want to point out that while this legislation errs too far on the side of preservation, it does go very far toward meeting the concerns expressed during field hearings by the people of Southeast Alaska. Important land additions to the Senate bill are Port Althorp, Idaho Inlet, Mud Bay, Point Adolphus, Pleasant Island, Lemesurier Island, Inian Island, Salmon Bay Lake, Anan Creek, and the Naha River. These areas have been of great concern to the communities of Gustavus, Elfin Cove, Hoonah, Petersburg, Wrangell, and Ketchikan and were not included as LUD 2 areas in the Senate bill. In fact, protection of the important sockeye salmon habitat at Salmon Bay Lake, an area very important to fishermen in Petersburg, is addressed even though this area was not included in either the Senate or House bills.

Where the House bill simply prohibited the completion of a road between the communities of Tenakee Springs and Hoonah, at my urging the conference bill provides a veto to these communities over the completion of this road, following the premise that the best resolution of this issue is to leave it up to the people themselves.

In an effort to finally resolve as many land allocation questions in the Tongass as possible, the conference bill also includes a provision accelerating the land selection rights of the Haida Native Corporation. The lands Haida will receive are traditional lands, but are located in a very important transportation corridor. Therefore, the conveyance of these lands will be subject to an easement in the United States to allow a public transportation corridor through the area, leaving the rights to the timber with Haida Corporation. It is my understanding that Haida Corporation is to retain full control over the timber and surface estate covered by the easement, except to the extent the government needs to exercise control for road building activities. This will best serve the interests of Haida and the State of Alaska in the use of this area.

However, Mr. President, I must point out that all communities and interested groups were not served well by this legislation. A proposed land trade involving the Goldbelt Native Corporation was deleted from the final Tongass compromise. Goldbelt deserved better treatment than they were given by this conference. This is the second time Congress has dealt them a bad deed. The first time was in 1980 when they were forced off Admiralty Island and moved their land to Hobart Bay with the expectation of servicing future timber harvests in that area. The conference bill surrounds the Goldbelt holdings with wilderness.

Finally, the conference bill requires the Forest Service to study the reacquisition of lands which were removed from the Tongass forest to fulfill State or Native land entitlements. Only lands where timber harvest has occurred would be eligible. The lands reacquired will be added to the timber base and the allowable sale quantity. Since these are some of the best timber growing lands, they will have an important impact on the available of timber to the dependent industry in the future. This concept

has support from environmental groups and the timber industry because it will provide proper timber management on highly productive lands, it will increase the supply of timber in the future, and it will reduce the pressure to provide timber from the presently unroaded portions of the forest.

Mr. President, prior to final action on this conference report I have engaged in a colloquy with the distinguished Chairman of the Senate Energy and Natural Resources Committee to explore the degree of peace and certainty this legislation can bring to the competing interest groups in Southeast Alaska. Similarly, I engaged in a discussion with the distinguished House conference Chairman and received an assurance that this legislation should bring some finality to the Tongass reform issues addressed and some comfort to Southeast Alaskans. It is fair to say that while all members of Congress and all special interest groups have not obtained 100% of their objectives in this legislation, this compromise represents the final solution for those who have worked dilligently over the subject of Tongass reform.

Mr. President, for the record I oppose this bill because it goes farther in reducing the multiple use land base than Southeast Alaskans would like. I attempted to improve this bill in conference. In fact, I circulated 19 proposed changes or additions to the Chairman's mark, all of which were rejected. The majority would simply not accept amendments at the meeting of the conferees to the compromise they constructed outside the conference meetings. For these reasons I have refused to sign the conference report.

However, with its passage will come an end to the many divisive issues invloved in the debate over Tongass reform. Many of my constituents look forward to this dark cloud passing. I call on all Alaskans to put their differences aside with the passage of this legislation and to work in harmony

to produce a diversified and healthy economy in Southeast Alaska. While this legislation has been pending, much of the timber available for harvest has been tied up in litigation. Seventy-five percent of the timber the Sitka mill has available is currently tied up in litigation. For the Ketchikan mill, thirty-three percent of their available timber is tied up in litigation. This is causing hardship and the loss of jobs. I urge the conservation groups to drop these law suits once this legislation has passed.

This legislation working in concert with the revised forest plan will hopefully provide a stable land base and certainty of resource allocation necessary for sound business and community planning. It should provide a secure basis for Southeast Alaskans to work together toward common goals and objectives. It is my sincere hope that we can have at least a decade of peace in the Tongass. It is time that opponents and proponents give their lawyers a rest. It is my desire and hope that fishermen, loggers, mill workers, and those in the tourism industry can come together and direct their energies to stabilize the economic vitality of Southeast Alaska and those who choose to live there.