

Native foresters protest state legislation

BY JON MATTHEWS

From the Ketchikan Daily News

JUNEAU--In rare agreement, industry, environmental, logging and fishing groups said they favored the administration's latest version of a proposed forest practices act.

But the almost "too good to be true" consensus was quickly followed by broad criticism of the bill from a representative of Native landowners.

Although backers are arguing for speedy enactment of state forestry legislation, a forest practices act has been under consideration for over three years. The Senate Resources Committee took up the administration's latest version of the bill, which could create a state forester and division of forest, land and water management under the state Department of Natural Resources.

Alaska Natural Resources Commissioner Robert LeResche testified before the committee that the latest version of the bill "is about as close as we can come to consensus legislation."

His testimony was followed by representatives of the Alaska section of the Society of American Foresters, the U.S. Forest Service, the Alaska Conservation Society, the Alaska Loggers Association and United Fishermen of Alaska, all reacting favorably to the administration's bill.

Then, however, a representative of Native village corporations, including Kodiak, questioned what the bill would do to private landowners and called language in the proposal a "bureaucratic lawyer's dream."

But Assistant Attorney General Geoffrey Haynes countered that all bills are subject to some interpretation and that "you can make a scare story out of any statute."

Sam Demmert of Yak-Tat Kwaan, Inc., the Yakutat village corporation, said the bill was being pushed too quickly, "and not enough time was given to us to find out how the tim-

ber operation really works."

He said Natives had "always prudently managed our land," and that not enough time or effort had been devoted to making private land owners aware of the scope of the proposed forest practices act.

But Demmert said he thought the current bill could be amended.

Sen. Kay Poland, D-Kodiak, chairwoman of the Senate Resources Committee, responded by telling Demmert that the committee had been working on the proposed legislation for years, and that attempts had been made to contact anybody that would be interested in the bill.

"I hope you can come up with amendments" rather than the committee starting all over again, the senator said.

Warren Weathers, representing Shee-Atika, Inc., of Sitka, said he thought the proposed program couldn't be run effectively with twice as many foresters as planned in the forestry legislation.

Weathers said the \$4,000 budgeted for enforcement under the act would have to be increased to at least \$12,000 a year for each inspection officer.

Under the current budget, officials would be forced to deny permits because they couldn't afford to travel out to forest sites to gather information, he said.

He said language in the bill about land near scenic areas was vague and would "undoubtedly foster many lawsuits."

He questioned the power of the proposed act over the private landowner, and said changes in the weather to the advantage of a logging operation would be lost because it could take 68 days to get permit approval from the state for a change.

He said a true notification system as is used in Oregon, rather than a permit system, would be better and less costly to operate to oversee landowners.

He stressed adoption of a system that would give the landowner more freedom to develop his own plans.

Les Anderson, representing Koncor, a coalition of village corporations having timber resources on Afognak Island, said the forest practices act shouldn't be passed until the state has gathered more information.

"Until a proper resource date is obtained by the state" the bill should stay in committee, Anderson said.

He also said the bill shouldn't pass until the state "faces up to its responsibility" of creating nursery programs for seedlings.

But at the same time, he said the bill being considered had too much control over private landowners, and that permit clauses in the bill were "totally unacceptable."

Sections of the bill against private landowners were "much too broad," he said.

It is unfair for private landowners to have to get the permits required in the proposed forestry practices act, he said.

"This draft is not the answer," the representative of the Native corporations told the senate committee.

LeResche, however, said "we have tried to negotiate solutions to the problems with the bill with the Forest Service, state government entities professional foresters, the forest products industry, Native corporations, conservation groups, fishermen and others."

"Of course, virtually everyone in Alaska has some stake in the management of Alaska's forests, and it was impossible to talk with all of them. Nevertheless, we did work continuously with those who evidenced a desire to participate in the revision...indeed, I cannot think of many pieces of legislation which have undergone the scrutiny, discussion and reworking which has taken place," LeResche told the lawmakers.

"At this point, the bill be-

longs as much to those participants as it does to us, and we believe the sponsor substitute is about as close as we can come to consensus legislation," the resources commissioner said.

The commissioner's testimony was followed by favorable reaction and support--and sug-

gestions for a few changes--from wideranging groups.

"You guys are getting along so well it's making me sick," laughed Sen. Clem Tillion, R-Halibut Cove, after industry through environmental groups testified in support of the bill.