

March 20, 2013

Honorable Ron Wyden and Lisa Murkowski
Chair and Ranking Member
Energy & Natural Resources Committee
221 Dirksen Senate Office Building
Washington, D.C. 20510

Correction/Clarification our March 10th letter re: S. 340 and S. 14 Timber Volume

Dear Senators Wyden and Murkowski,

Our March 10th letter stated: “We know the USFS prepared maps which were submitted for the negotiations between Senator Murkowski’s office and Harris Sherman -50 maps in all- that had the volume classes laid out.” This was based on information that came from the USFS R-10 office in Juneau.

Since then, information from that office which reached us indicates Senator Murkowski did not ask the USFS for volume class, total volume, or volume per acre; nor was she provided by the USFS office in Juneau with volume class, volume per acre, volume in each selection, or volume in the box in various watersheds.

This volume information was not provided to negotiators by the USFS; no timber volume per acre, total selection volume information, or volume in the box was transmitted in any format to any of their Washington superiors after early 2011.

However, multiple sets of maps showing geographical features such as boundaries and acres were sent back after early 2011. The 29 maps appearing on Senator Murkowski’s website today have no timber volume data. Twenty eight of the maps bear the USFS logo and its disclaimer about the contents therein. It is our understanding that the USFS neither confirms nor denies the accuracy of any information on the Senator’s website concerning the bills, except the acreage and geographical boundaries.

We were astonished to learn that government timber volume data is apparently not the foundation of discussions behind closed doors or in public.

Given that, according to our information, the USFS does not swap files from its computer data base (Geographical Information System) containing timber volume with Sealaska Corporation, and Sealaska’s GIS does have the capability of producing this volume information, what is the source of timber volume data that Senator Murkowski has provided the public?

One clue is a conversation in the Capital late last week between a staffer from Senator Murkowski’s office and an attorney who asked the direct question, “Where did Senator Murkowski obtain the data for volume class per acre and total volume of timber within each selection?” The staffer replied the USFS provided timber volume assessments were compiled “when they were trying to divide the land equitably for the pulp contracts...” [prior to 1954].

Pre 1954 data is antiquated and unreliable. Senator Murkowski should disclose if she is relying on volume data from Sealaska Corporation, and if so, post the data base files to her website. Full disclosure should also be made if the USFS is the source of any such information.

It is unacceptable for Sealaska Corporation, the sole beneficiary of these bills, to be the sole or primary source of timber volume information. It is equally unacceptable for Sealaska to be the sole source of claims for harms to other resources arising out of taking their entitlement inside the box.

If a public debate on these bills is to proceed on a level playing field, transparency is paramount and means equal access to the same timber volume data must occur. The Committee and the public need to be using the same data, know who compiled it, and its accuracy/reliability.

It is essential to give the public an opportunity to scrutinize the factual basis of S.14 and S.340 prior to hearings on them. Transparency requires all the verified data be available on the Committee's website long before any hearings occur, along with citations to source.

Prior to any movement on S.14 and S. 340, an independent, reliable, and impartial assessment of the current (in the box) and proposed (out of the box) selections must be conducted in accordance with established procedures for land swaps, and they must be made public. If appraisals exist, the public has no access to them.

On the ground timber cruises avoid disputes, which are legion, about the accuracy and reliability of the GIS to determine timber volume classes other than on a watershed or larger scale (stemming from the input: subjective interpretation of photos taken from the air).

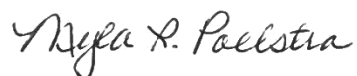
A fair, transparent, and independent appraisal must be conducted before two germane questions can be answered regarding the proposed legislation: 1) whether 63,000 acres of Sealaska's remaining entitlement can be taken from the 133,000 acre pool of land around Native towns; and 2) whether a profit can be made if these lands are logged.

Without a transparent appraisal, the Committee cannot answer these questions or fairly and impartially address these issues. Old appraisals by Sealaska are unsuitable on many levels and must not form the basis for these crucial decisions.

We believe such an appraisal will establish once and for all that Sealaska can take its land from within the 1976 Amendment area around Native towns without harm to drinking water or fish streams.

Here is a reasonable and necessary path to move forward. We hope that all the members of the Committee will endorse an independent, impartial appraisal prior to hearing the merits of these bills.

Sincerely,



Cc:

All Senators on the Energy Committee

Citizens Advisory Commission on Federal Areas

Territorial Sportsmen

Alaska Outdoor Council

Safari Club International

Alaska Guides Association