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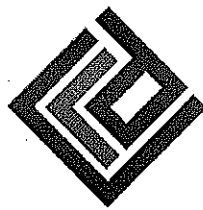
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RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

BREAKFAST MEETING

Thursday, September 21, 2017

1. Call to order – Eric Fjelstad, RDC President
2. Self Introductions
3. Head Table Introductions
4. Staff Report – Marleanna Hall, Executive Director
5. Program

Dozen (Port of Anchorage) Facts
Jim Jager
Director, External Affairs, Port of Anchorage

Next Meeting: Thursday, October 5th
Dena'ina Convention Center
Tom Collier, Chief Executive Officer, Pebble Partnership

Sign up for RDC e-news online!
This breakfast packet and presentation may be found online at:

akrdc.org



TOURISM



FISHERIES



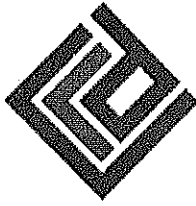
OIL & GAS



MINING



FORESTRY



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

ACTION ALERT

Call for comments for Nanushuk Project Environmental Impact Statement Comment Deadline October 16, 2017

Overview

The U.S. Army Corps of Engineers (Corps) has prepared a Draft Environmental Impact Statement (DEIS) for the Nanushuk Project, proposed by Armstrong Energy, LLC. Armstrong's proposed project includes constructing and operating infrastructure and facilities to produce and transport oil to the Trans-Alaska Oil Pipeline System (TAPS). Armstrong anticipates drilling at three sites 52 miles west of Deadhorse to accommodate up to 146 production and injection wells.

The DEIS covers various alternatives, including the No Action Alternative and the Applicant's Proposal, which includes building gravel pads, roads, pipelines and production infrastructure on the site. The project as proposed by Armstrong would include an all-season gravel road between a Kuparuk drill site and the proposed Nanushuk facilities and a central processing facility. The road would be 13-miles long and connect to 11.9 miles of new gravel infield roads to drill sites Two and Three. The total footprint of the project under the Applicant's Proposal is approximately 272 acres.

The company, which is partnering with Repsol SA, describes its new field in the Pikka Unit on state land near the National Petroleum Reserve-Alaska as the largest onshore U.S. conventional oil discovery in 30 years. The field is expected to hold at least 1.2 billion barrels of oil and produce up to 120,000 barrels per day. First oil could begin three to four years after the Corps permitting issuance, depending on when season permits are issued.

A 45-day comment period is now underway and a series of public hearings will be held across the state. Comment deadline is Monday, October 16th. For additional information, visit:
<http://www.NanushukEIS.com/>

Action Requested:

Please participate in the comment period for this important project through attending one of the public meetings and submitting comments on the DEIS, specifically supporting Alternative 2, the Applicant's Proposed Action.

Public Meetings:

Nuiqsut:	Monday, Sept. 25, 4:00-6:00 p.m.	Kisik Community Center
Utqiagvik	Wednesday, Sept. 27, 5:00-7:00 p.m.	Inupiat Heritage Center
Fairbanks	Tuesday, Oct. 3, 6:00-8:00 p.m.	Westmark Fairbanks Hotel
Anchorage	Wednesday, Oct. 4, 6:00-8:00 p.m.	Hilton Garden Inn

Comments via U.S. Postal Service: U.S. Army Corps of Engineers, CEPOA-RD, Ms. Ellen Lyons, 2175 University Avenue, Suite 201E, Fairbanks, AK 99709

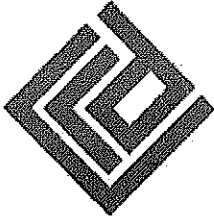
Email: Ellen.H.Lyons@usace.army.mil

Online: <http://nanushukeis.commentinput.com/?id=UpCx2>

Points to consider in your comments:

- The \$5 billion Nanushuk prospect is an important and positive development for Alaska and could be one of the most significant discoveries on the North Slope since the discovery of the Alpine and Kuparuk oil fields. The Corps should approve Alternative 2, the Applicant's Proposed Action, and allow the project to move forward.
- Alaska's economic lifeline, TAPS, is now running at three-quarters empty. The Nanushuk project has the potential to produce up to 120,000 barrels of oil per day, significantly increasing TAPS throughput and revenues to the State of Alaska.
- State and local spending of taxes and royalties paid by the oil and gas industry directly creates jobs in the public sector and indirectly creates jobs throughout the private sector.
- The project would generate significant long-term business and economic activity and up to 600 North Slope construction jobs for Alaskans. In addition, 60 direct jobs would be created in Anchorage and one to three rigs supporting development for five years each would generate 120 to 150 jobs per rig, and more through fabrication, logistics, and indirect jobs. For each direct oil industry job, 20 additional jobs are generated in the Alaska economy.
- The Nanushuk project is located near existing industry infrastructure, minimizing potential environmental impact.
- Thanks to continuing improvements in technology, practices, and oversight, the oil industry has demonstrated that North Slope energy development and environmental stewardship can and do coexist.
- Industry has a proven track record of responsible development in environmentally-sensitive areas, protecting the environment, wildlife and subsistence needs of local residents.

Deadline Monday, October 16, 2017



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

Action Alert • Comment Deadline October 17, 2017

EPA Notice to Withdraw Proposed Determination of Pebble Deposit Area

Overview:

The Environmental Protection Agency (EPA) has released a proposal to withdraw its July 2014 Proposed Determination on the Pebble Deposit Area. This proposed determination was a clear overreach and an attempt to assess the effects of a potential mining project, without the project plans.

In 2010, the EPA was petitioned to use its authority under Section 404(c) of the Clean Water Act (CWA) to preemptively veto any dredge or fill permits in wetlands associated with mining and the Pebble Project in Southwest Alaska. Tribes closer to the project asked EPA to refrain from such action until a formal permit application has been submitted and the permitting process under the National Environmental Policy Act (NEPA) initiated. Having never used its authority preemptively, the EPA decided instead to conduct a watershed assessment to help "inform its decision" on the issue. The EPA study began in February 2011, and completed the assessment on an area the size of West Virginia in less than one year. Previous watershed assessments conducted on smaller areas have taken years to complete.

The CWA does give the EPA authority to veto other agencies' approval of permits, however, it is unprecedented that the EPA would administer this authority in advance of any permit application. Moreover, the agency has rarely used its veto authority and never in advance of permits being issued by other agencies.

The proposed determination is not based on actual mine plans. It focuses on the effects of a mining project that has not been proposed, and for which key engineering solutions, environmental safeguards, and mitigation measures have not been provided. This is a deeply flawed speculative approach.

The State of Alaska, many statewide business associations, including RDC, and Native village and tribal organizations in the area have opposed the EPA's actions until there is a formal permit application to properly evaluate the project, and a thorough environmental impact statement is completed.

A copy of the proposed determination and Bristol Bay Final Report 2014 is available online at:
<https://www.epa.gov/bristolbay>

Action Requested:

Please write to the EPA in support of withdrawal of the proposed determination. The withdrawal proposal is a good step to reverse the undermining of existing regulatory processes and federal overreach. The public comment period will run through 7:59 p.m. October 17, 2017.

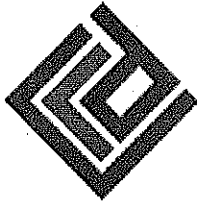
Submit comments online: Reference Docket #EPA-R10-OW-2017-0369: <http://www.regulations.gov>

Send an email to: ow-docket@epa.gov, include Docket #EPA-R10-OW-2017-0369 in the subject line.

Mail to: Water Docket, Environmental Protection Agency
Mail Code 28221T
Attn.: Docket #EPA-R10-OW-2017-0369
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Points to consider in your comments:

- A preemptive decision, prior to permit or project application and completion of the National Environmental Policy Act (NEPA) process, is unacceptable, whether it be approval or denial of any project in any industry.
- The proposed determination ignored existing processes, undermining agency responsibilities on both the state and federal level. Further, the EPA does not have the authority under the Clean Water Act to preemptively block development in the absence of a permit application.
- The EPA must withdraw its proposed determination because it was based on an untested, ad hoc analysis that is not sanctioned by the CWA or NEPA. Once the NEPA process is initiated, the U.S. Army Corps of Engineers will prepare an Environmental Impact Statement based on project plans.
- Any potential 404(c) actions against the Pebble Project are premature. The project has not yet been finalized and no permit applications – including detailed plans and environmental mitigation strategies – have been submitted to government agencies, nor has the NEPA process been initiated. As a result, the current assessment and any preemptive action would deprive government agencies and stakeholders of the specific information, science, and rigorous reviews that would come out of the multi-year NEPA process.
- Every project, no matter the size or location, should have an opportunity to be reviewed under existing legal processes. In the case of mining, there are more than 60 major permits and hundreds more from local, state, and federal agencies that must be successfully obtained. If the process determines a project as designed cannot protect the environment and other resources, it will not advance. The process will not permit one industry or resource to advance at the expense of another.
- The House Oversight Committee in 2015 concluded that “EPA’s use of a preemptive veto (at Pebble) was unprecedented and without a legal basis.” The Committee described EPA’s course of action as “an unprecedented change in the agency’s process for regulating resource and development projects,” and called on EPA to “cease all preemptive 404(c) activity” to allow for the normal permitting process to take place.
- Any 404(c) action outside the existing permitting process would be an extreme case of federal overreach and an assault on Alaska sovereignty. The Pebble deposit is not located on federal land, nor inside a refuge or park. It is located on state land designated for mineral exploration. The State of Alaska depends on the responsible development of natural resources on its lands to diversify and support its economy.
- Until an application is filed describing the project in detail and an Environmental Impact Statement is completed, the EPA is prematurely determining adverse impacts based on hypothetical assessments and inapplicable modeling.
- The fate of a project, including Pebble, cannot be rationally decided without consideration of the full social, economic and environmental impacts of the project. This information will be developed through the rigorous NEPA process.
- The actions of the EPA undermine existing regulatory processes and set a dangerous precedent for future projects. If the EPA preemptively stops projects before they enter the permitting process, any large project could be at risk. Preemptive action by the EPA could become a new tool opponents use to stop projects, or at a minimum, introduce significant uncertainty and delay, chilling Alaska's business climate.



RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

ACTION ALERT

Call for comments for the Liberty Project Draft Environmental Impact Statement
Comment Deadline: November 18, 2017

Overview

The Bureau of Ocean Energy Management has prepared a Draft Environmental Impact Statement (DEIS) for the Liberty Project, proposed by Hilcorp Alaska, LLC. Liberty is a light-oil reservoir in nearshore federal waters with an estimated 150-330 million barrels of oil in place. Peak production of between 60,000 and 70,000 barrels per day is projected within two years of initial production. The field is located 15 miles east of Prudhoe Bay.

Hilcorp proposes constructing an artificial gravel island about six miles offshore in 19 feet of water that is optimally located to minimize drilling and production risks. The outer perimeter of the 9-acre island would be armored with concrete blocks and steel sheetpile, using proven technology to protect it from ice pressure and storm surges. The island would be similar to the four oil and gas producing islands currently in operation in state waters of the Beaufort Sea – Spy Island, Northstar Island, Endicott Island, and Oooguruk Island. The island will be used for wells, production facilities, a camp, utilities, and a dedicated area for a relief-well. To minimize its environmental footprint, no permanent road or causeway would connect it to the mainland.

Oil would be transported to shore via a subsea pipeline, then through a newly constructed 1.5-mile onshore pipeline connecting to the Badami pipeline and eventually to the trans-Alaska pipeline. The subsea pipeline would be a pipe-within-a-pipe with a 12-inch diameter inner pipe and a 16-inch diameter outer pipeline similar to installations at the offshore Oooguruk and Nikaitchuq fields. The marine segment would be 5.6 miles in length, installed during winter and buried deeply in the subsea floor, safe from ice.

The rigorous multi-year permitting process for Liberty has addressed concerns raised during previous comment periods. Approximately 60 federal, state, and local permits and authorizations are required before the project can move forward. The latest DEIS at 1,270 pages is the result of decades of study and research.

Hilcorp has majority ownership in Liberty with BP Exploration (Alaska) Inc., and AEX ASRC Exploration as partners. Hilcorp would be the operator.

The comment period is now underway and a series of public hearings will be held. The comment deadline is Saturday, November 18. For additional information: boem.gov/hilcorp-liberty/

Action Requested:

Please submit comments urging BOEM to approve the Proposed Action in the DEIS and allow the Liberty project to move forward. In addition, please present brief testimony at one of the upcoming public hearings supporting the project.

Public Hearings: All times 7:00-10:00 PM

Nuiqsut:	Oct. 2 nd	Kisik Community Center	Utqiagvik:	Oct. 5 th	Inupiat Heritage Center
Fairbanks	Oct. 3 rd	Westmark Hotel	Anchorage:	Oct. 10 th	Dena'ina Center
Kaktovik	Oct. 4 th	Kaktovik Community Center			

Submit written comments:

Online: boem.gov/hilcorp-liberty/ or Post to regulations.gov

Search field: BOEM-2015-0068

Points to consider in your comments:

- BOEM should approve the Proposed Action in the DEIS and allow the Liberty project to move forward. Liberty is an important project for Alaska as it will produce an estimated 60,000 to 70,000 barrels of oil per day, creating hundreds of new jobs, and providing royalty payments to the State of Alaska, as well as tax revenue to the North Slope Borough.
- Alaska's economic lifeline, TAPS, is now running at three-quarters empty. Liberty will increase TAPS throughput, helping to keep it operating longer and more efficiently.
- State and local spending of taxes and royalties paid by the oil and gas industry directly creates jobs in the public sector and indirectly creates jobs throughout the private sector. The project would generate significant long-term business and economic activity. For each direct oil industry job, 20 additional jobs are generated in the Alaska economy.
- The Liberty production island will be well-protected from the polar ice pack, sheltered by a belt of offshore barrier islands.
- The Liberty project builds upon more than 30 years of proven technology and safe operation in the shallow waters of the Beaufort Sea. Artificial islands in the Beaufort Sea date back to the mid-1970s. In the last 40 years, 18 islands have been responsibly constructed for exploration and development of oil and gas.
- The offshore Liberty pipeline will be buried in the subsea floor. It will include automatic leak detection and temperature-monitoring technology, proven technology utilized on existing production islands in the region.
- The rigorous multi-year permitting process for Liberty has addressed the concerns that were raised during the previous comment period. Approximately 60 federal, state, and local permits and authorizations are required before the project can move forward.
- Hilcorp has committed to signing a Conflict Avoidance Agreement with local whaling groups to engage with the whalers to protect subsistence activities.

Deadline Saturday, November 18, 2017

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Marleanna Hall

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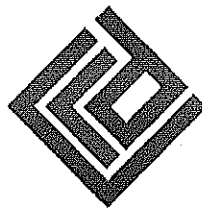
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RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

September 15, 2017

Secretary Sonny Perdue
United States Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Re: Regulatory Reform Agenda and Executive Order 13777

Dear Secretary Purdue:

The Resource Development Council for Alaska, Inc. (RDC) appreciates the opportunity to provide comments on Executive Order 13777, "Enforcing the Regulatory Reform Agenda," which established a federal policy to alleviate unnecessary regulatory burdens and directs federal agencies to establish a Regulatory Reform Task Force to evaluate existing regulations and make recommendations to the United States Department of Agriculture (USDA) regarding their repeal, replacement or modification.

RDC is a statewide non-profit business association comprised of individuals and companies from Alaska's oil and gas, mining, forest products, fisheries and tourism industries. RDC's membership also includes Alaska Native corporations, local communities, organized labor and industry-support firms. RDC's purpose is to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources.

Introduction

Because of the broad interests represented by RDC, we have wide ranging concerns regarding future management of Alaska's two national forests – the nation's largest. Our concerns can only be addressed through the continuation of the multiple-use mandate and adherence to the Congressional intent expressed in the Alaska National Interest Lands Conservation Act (ANILCA). The multiple-use mandate has been a cornerstone of Forest Service policy and set national forests apart from parks and refuges. Our national forests were established under a working forest model. Unlike the national parks that were created for preservation, the national forests were established under the authority of the Organic Administration Act of 1897 to conserve water flows and to furnish a continuous supply of timber and other resources for the American people. The notion of the working forest has been with us for over a century.

A working forest is one that recognizes the human component of our forest, incentivizes workforce development and local jobs, while providing opportunities to enhance wildlife habitat, recreation, and subsistence activities. A working forest provides many benefits to local communities and is a cornerstone of some economies.

As our nation grew and demands on our forests increased, additional acts of Congress refined but did not supersede the Organic Act. The 1960 Multiple Use Sustained Yield

Act added outdoor recreation, range, fish, and wildlife to the balance of national forest uses. The 1976 National Forest Management Act (NFMA) established a framework for forest planning, however, nowhere did Congress alter the fundamental mandate to balance water, timber, mining, recreation, range, fish, and wildlife.

Multiple use means more than recreation, subsistence, and wildlife habitat. These uses are all important, but must go hand-in-hand with responsible resource development. The Tongass and Chugach national forests must be managed for multiple uses, including recreation, commercial tourism, mining, timber harvesting, and other resources, especially given the fact Alaska contains 70 percent of the nation's national park lands, 80 percent of its national wildlife refuge acreage, and 53 percent of federal Wilderness. These units, like most of Alaska, contain vast roadless and wild areas. Neither forest should be managed as a national park where preservation is an overriding management priority. RDC believes that true multiple uses as outlined above should be reflected in the future management of Alaska's national forests if they are truly to be a land of many uses.

RDC's comments address the ongoing land management planning process for Alaska's two national forests and pertain to the need to streamline regulatory processes and reduce the regulatory burden. The National Forest Roadless Rule (Roadless Rule), the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and other laws have severely impacted the forest products industry in both Tongass and Chugach national forests.

Tongass National Forest

Since the 1990s, much of Southeast Alaska has experienced a significant economic downturn due to the sharp reduction in and access to federal timber and the implementation of burdensome regulations, which have severely compromised the economics of timber sales. Any new economic activity that promises to bring in year-round, high-paying jobs should be actively encouraged by the Forest Service.

An important goal of RDC is to build a more diverse and vibrant economy in Southeast Alaska through the restoration of a fully integrated forest products industry and a vibrant mining sector. The economic benefits of a fully integrated forest industry and mining to Alaskan residents, local communities, and the State of Alaska is alone a good reason to reform federal regulations and laws that have blocked access to resources and compromised the economics of timber sales over the past 25 years. Robust forest and mining industries should be a major consideration of any regulatory reform effort, given the pressing economic needs of the region and local economies, and the fact that both industries have demonstrated coexistence with wildlife, fish, and the environment. Regulations should be reasonable and balanced to protect the environment while allowing access to and development of natural resources to encourage job creation and sustain local economies.

While the Tongass National Forest is well known for its timber resource base, it is also rich in other resources essential to society. Mineral wealth is currently being extracted from the Tongass at two operating mines – Greens Creek and Kensington. In addition, there are 52 areas totaling 589,000 acres within the Tongass containing identified mineral resources. Of the identified mineral tracts, 377,000 acres have high mineral potential. In addition, undiscovered mineral resources may exist beneath 6.6 million acres of the forest. Development of these resources would help diversify the economy and provide opportunities beyond forest products, fishing and tourism, especially when litigation often derails or delays timber sales.

The Tongass Timber Act of 1947 specifically authorized commercial timber harvests on the Southeast Alaska forest. The Alaska Native Claims Settlement Act (ANCSA) of 1971 directed how 50-year timber contracts on the forest would interact with the transfer of lands to Native corporations. ANILCA and the

Tongass Timber Reform Act (TTRA) of 1990 specifically directed how the forest would be managed. In 2001, the Tongass was the only national forest in America for which there was specific consideration of impacts and a separate Record of Decision on the 2001 Roadless Rule.

These federal laws and actions clearly demonstrate Congress intended for the Tongass to be managed for multiple use and warrant special consideration.

Roadless Rule should not apply in Alaska and Road Access Issues

The Roadless Rule should not apply in Alaska because it violates the "no-more" clause of ANILCA and conflicts with other laws by preventing multiple-use management on vast acreage. Together with existing congressionally-designated Wilderness and monuments, the Roadless Rule prohibits timber harvest and most other development projects on 91 percent of the Tongass. It violates a settlement agreement between the State of Alaska and the Forest Service over inclusion of Alaska in the Roadless Rule. In 2003, the Forest Service agreed to exempt Alaska, but erred in performing the necessary paperwork, which led to a federal court invalidating the exemption, then the Forest Service declined to fix its error and thus broke the settlement agreement.

The Roadless Rule designated 9.6 million acres of the Tongass as Inventoried Roadless Areas (IRAs). This is in addition to the 5.6 million acres that Congress designated as Wilderness in ANILCA and TTRA. As a result, it has become extremely challenging to harvest timber economically from the forest and to explore for and develop new mineral prospects. Even though "reasonable access" to locatable minerals is provided for in Wilderness and IRAs, it is not practical as special use permits authorizing road access are very difficult to obtain. While the Roadless Rule allows reasonable access to locatable minerals, it denies access to new leases for minerals. For example on Prince of Wales Island, Roadless Rule prohibitions deny communities from accessing potential mines with roads – mines that would provide a new economic base and jobs to local communities.

In the 2003 exemption, the Forest Service stated:

The Department has concluded that the social and economic hardships to Southeast Alaska outweigh the potential long-term ecological benefits because the Tongass forest plan adequately provides for the ecological sustainability of the Tongass. Every facet of Southeast Alaska's economy is important and the potential adverse impacts from application of the roadless rule are not warranted, given the abundance of roadless areas and protections already afforded in the Tongass Forest Plan.

RDC urges the USDA to engage in rulemaking to rescind the Roadless Rule in Alaska. The Forest Service should remove or allow for removal of barriers to development that exist as a result of the Roadless Rule. The agency should consider and allow for further road access for timber, mineral and energy uses, as well as access to resources important to the residents of Southeast and Southcentral Alaska for subsistence, recreation, renewable energy development, and other community economic, cultural, and social activities.

Rescind Tongass Transition Plan to young-growth timber

RDC members have serious concerns regarding the supporting analysis and practical viability of the accelerated transition to predominant young-growth harvest and other elements of the 2017 Tongass Transition Plan. We are also concerned about the adequacy of the analysis in the plan's Final Environmental Impact Statement (FEIS) regarding young-growth timber inventory, Native corporation lands, other timber supply, economics, and communities.

Further, we are also concerned that the process was rushed to comply with a directive from the former Secretary of USDA to complete the Transition Plan according to a politically-driven timeline. The Transition Plan should not have been finalized until after completion of updated field inventory of all young-growth stands, updated yield/growth models and analysis, and public and agency comment of these.

The Transition Plan was a late rule, which took effect on January 8, 2017, just 12 days before President Donald Trump's inauguration. The midnight timeline was similar to President Clinton's Roadless Rule, which became effective days before President Bush's inauguration. The Transition Plan was the only forest plan that was put into effect after the 2016 election.

The Transition Plan further restricts old-growth timber harvests and impacts mining exploration and development. It prohibits harvests of old-growth in IRAs and phases out old-growth logging in roaded areas of the forest. With the current application of the Roadless Rule, it essentially creates 9.6 million acres of de facto Wilderness, in addition to the 5.6 million acres of federally-designated Wilderness.

It will do virtually no good to rescind the Roadless Rule if the Tongass Transition Plan is not also rescinded. RDC joins the Alaska Miners Association (AMA) in urging the USDA to submit the 2017 Transition Plan to the Comptroller General as a rule pursuant to Section 801 of the Congressional Regulatory Review Act (See AMA comments, 9/15/17).

An adaptive management component should have been incorporated into the plan to assure that the transition timber base, schedule, and other components were economically and socially sustainable and would not result in the loss of the remaining forest industry and related community infrastructure over the next several years and beyond.

We have strong concerns about the supporting analysis, aggressive schedule, and other parameters of the transition to predominant young-growth harvest. The Transition Plan was not preceded by an inventory of young-growth on the Tongass to determine whether there would be sufficient timber to meet market demand as required by TTRA. The Forest Service should have reviewed and analyzed available market data and the economic outlook for young-growth forest products to assure that conclusions and any provisions of a new forest plan were based on a realistic assessment of needs and criteria for a market for Southeast Alaska young growth in competition with other sources. Experience dictates that there needs to be a mix of activities in both old-growth and young-growth stands to ensure a viable timber program, as well as to meet cultural and subsistence needs and ecological management objectives.

The Transition Plan substantially overestimates the timber supply from non-federal lands, which makes its conclusions about adequacy of supply erroneously low. Moreover, the plan treats Tongass timber as a residual supply to supplement State, Native Corporation and other non-federal sources, and restrict the timber base to a very small portion of commercial forest lands. This is inconsistent with basic national forest multiple-use sustained-yield purposes, TTRA's direction to meet market demand, and Southeast Alaska economic and sustainability needs.

There will be a continued need for old-growth harvest for various commercial needs as well as cultural and subsistence uses. The 2017 Transition Plan provides only a minimal amount that may not be enough (five mmbf per year limited to micro and small sales). Contrary to what the Transition Plan indicates, old-growth is a renewable resource. It can be managed for timber production as well as wildlife habitat and other benefits, using 150-year or longer rotations, thinning, and other best practices.

The Forest Service based its aggressive young-growth transition on incomplete and unreliable forest inventory data and other information in a rush to complete the amendment in response to political directives. The agency's timber growth/yield model appears to significantly overstate young-growth timber yield and

volumes. In reality, the industry will need to harvest an adequate volume of old-growth trees for about another 30 years or more to allow second-growth stands to fully mature, which takes at least 90 years for most trees in Southeast Alaska. Allowing old-growth stands to mature at least another 30 years to age 90 would roughly double the harvestable volume per acre for Alaska mills.

Provide access to minerals for mining

The 2017 Transition Plan does not recognize or discuss the adverse impacts to mining resulting from major federal government policy revisions overlain on the earlier amended forest plan since it was promulgated in January 2008. These revisions severely curtailed access for mineral exploration and development.

Any new forest plan should include enforceable mechanisms designed to promote mineral and strategic mineral exploration and development and realistic access to mining claims and mining development. In addition, it should include alternatives that would make mining part of the multiple-use strategy for the Tongass. Clearly, mining is not adequately considered in current management plans for the forest.

Rulemaking is needed to implement ANILCA's "no-more" clause

RDC urges the USDA to engage in rulemaking to implement ANILCA's "no-more" clause. Federal agencies are using restrictive land plans to permanently set aside areas on a de facto permanent basis despite requirement that only Congress can permanently set aside an area for a specific use. The set asides are simply rolled forward with each plan amendment.

Through Section 1326 (a) of ANILCA, Congress specifically limited the executive branch's authority to withdraw more public lands in Alaska from multiple use, including development. Congress found:

"This Act provides sufficient protection for the national interest in the scenic, natural, cultural, and environmental values on the public lands in Alaska and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly the designation and disposition of the public land in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition; and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby." (ANILCA 101(d), 3101(d).

In ANILCA, Congress directed:

"No new executive branch action which withdraws more than five thousand acres, in the aggregate, of public lands within the State of Alaska shall be effective except by compliance with this subsection. To the extent authorized by existing law, the President or the Secretary may withdraw public lands in the State of Alaska exceeding five thousand acres in the aggregate, which withdrawal shall not become effective until notice is provided in the Federal Register and to both Houses of Congress. Such withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after the notice of withdrawal has been submitted to Congress.

"No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purpose shall be conducted unless authorized by this Act or further Act of Congress." (ANILCA 1326, 16 U.S.C. 3213)

While the intent of Congress is clear, federal agencies have circumvented ANILCA 1326, the “no-more” clause, because there is no definition of “withdrawal” in ANILCA. As a result, the U.S. District Court for the District of Columbia determined that 1.22 million acres of “Old-Growth Reserves” set aside by the 2008 Amended Tongass Land Management Plan were not withdrawals but merely examples of the Forest Service’s responsibility to “provide for multiple use and sustained yield products and services of units of the National Forest System.”

Lacking a definition of withdrawal in ANILCA, other agencies have designated large swaths of land as “Areas of Critical Environmental Concern” or other classifications, which prohibit development activities such as mining and oil and gas development. The lack of a formal definition of withdrawal is a major loophole that federal agencies have exploited to set aside millions of acres in Alaska in spite of what Congress intended under ANILCA.

RDC joins AMA in urging the USDA to close this loophole by amending national forest planning rules to add the following definition of “withdrawal” for national forests subject to ANILCA:

Consistent with the Congressional intent expressed in Section 101 (d) and Section 1326 (a) of ANILCA, the terms “withdraw,” “withdraws” and “withdrawal” shall mean any agency action or inaction that has the effect of designating public land in Alaska as: a Wilderness Study Area; a Wild and Scenic River; an Endangered Species Act habitat area; or any land use designation, made pursuant to the Federal Land Policy Management Act or the National Forest Management Act or any other planning statute, that has the effect of prohibiting or limiting resource uses allowed before the day of passage of this Amendment or impeding access to or inhibiting the development of: renewable energy projects (including hydropower), mining (including exploration), oil and gas (including exploration), or timber harvest.

This definition would help ensure the “no-more” clause in ANILCA works as Congress intended.

Chugach National Forest

RDC is concerned the decision process for the Chugach Land Management Plan revision is predisposed to non-development, pro-wilderness designations. Decisions should be grounded in good science, balancing economic and environmental considerations. Forest managers should resist decision-making based on aesthetics, misguided public opinion, and perceived impacts to the forest.

One of the original mandates of the national forest system is to provide a reliable source of timber to a domestic forest products industry. Yet in its Forest Plan Revision Newsletters, the Forest Service does not even acknowledge timber harvests except for firewood as a multiple use. Timber harvesting is not discretionary, no more so than habitat preservation, ecosystem management, watershed protection, and recreation.

While we acknowledge there is a relatively small percentage of high quality commercial timber in the Chugach, the plan revision should allow for specific actions to restore forest health and reduce the risk of wild fire. The revised plan should include measures for ecological restoration on the Chugach, which has seen forest ecosystems convert to grass and sedge ecosystems in the wake of beetle outbreaks. There should be an opportunity in the plan revision to introduce an annual sales quantity (ASQ) to aid in restoration work and possibly support biomass production or other commercial endeavors in the region. A program of scheduled timber sales should be provided to meet predetermined allowable sale quantity.

The revision should also provide for modern silviculture practices to encourage natural regeneration.

Forested portions of the Chugach should be managed toward a varied species composition and different age classes to reduce the risk of large beetle infestations in the future and help restore long-term forest health.

Provide access to minerals for mining

There are many areas within the Chugach that contain valid, active mining claims, and many more that may have moderate to high mineral potential. Areas with known mineralization or moderate to high mineral potential should be given a minerals prescription, and areas with valid mining claims should remain available for the prescribed use. It is important that access to these areas is not restricted. Moreover, no areas should be withdrawn from mineral entry unless they are in a specifically designated conservation system unit where mining is considered incompatible. Areas that are merely being considered for inclusion into a conservation system unit should not be closed to mineral entry. Much of the forest has yet to be adequately explored for its mineral values. Closing an area to mineral entry forecloses future exploration and development opportunities, even if the specific area is later found to be mineralized.

Access

Currently more than 90 percent of the Chugach is roadless. Roadless areas, as well as Wilderness and Wild and Scenic River designations, make access permits more difficult, thereby resulting in greater restrictions. Despite future needs, Wilderness designations would prevent the Forest Service from providing additional access, whether for resource extraction, forest health, recreation, or tourism. Less access to the public lands essentially means less multiple uses for the public and industries that provide products for consumers.

Access to timber, mining, recreation, and inholdings should not be precluded in the Chugach. The revised plan for the forest must explicitly acknowledge congressionally guaranteed rights of access to surface and subsurface lands conveyed to Alaska Native corporations within the forest boundaries. The revised plan should be abundantly clear that ANCSA and ANILCA guarantee access to these lands to achieve the goals of ANCSA, a fair and just land settlement that addresses the real economic and social needs of Alaska Natives.

Moreover, improved access for destination tourism opportunities must be provided for in the plan revision. The plan should place a growing emphasis on how to accommodate a larger number of visitors, not just on how to limit or block access.

Since much of the forest is roadless, helicopter overflights and landings should be allowed in a variety of areas. Statistics show helicopter flightseeing and landings are among the most popular and highest-rated activities for Alaska visitors. Helicopters often afford the only viable access to remote areas. It is often the only way for the physically impaired, aged or a traveler on a tight time schedule to experience remote, rugged lands up close.

Reject Wild & Scenic Rivers and Wilderness Designations

RDC opposes new Wild and Scenic River designations as they are overly restrictive and would diminish multiple use, access, and potential mining activity in the forest. These single-purpose designations are not needed in the Chugach and could very well be used as a tool to block economic development, including activity on Native corporation land.

RDC also opposes Wilderness designations in the Chugach and believes strict management for Wilderness is neither appropriate or necessary. ANILCA was intended to resolve the issue of what lands in Alaska

should be designated Wilderness. Beyond the Nelle Juan – College Fjord Wilderness Study Area, additional wilderness suitability studies and recommendations are not allowed in Alaska under ANILCA.

As stated earlier, Alaska already contains 57 million acres of federally-designated Wilderness – 53 percent of all federal Wilderness in the U.S. Together with its vast national park, refuge lands and vast acreage of state parks, Alaska is at the top of the list for acreage preserved under conservation units.

Further, consideration of federal conservation system units, including Wilderness and Wild and Scenic Rivers, is not consistent with ANILCA. As pointed out earlier in this letter, Section 101(d) states that the need for future conservation system units in Alaska has been obviated by the ANILCA withdrawals and Section 102(4) includes Wilderness in the definition of a CSU. In addition, Congress recognized that for Alaska to “satisfy the economic and social needs of the State of Alaska and its people,” access is essential. This point is acknowledged in Section 1326(a), which states that administrative closures, including the Antiquities Act, of more than 5,000 acres cannot be used in Alaska. Section 1326(b) adds emphasis to the “no more” clause in noting that federal agencies must first seek the permission of Congress before even studying lands in Alaska for Wilderness consideration.

The Forest Service should not proceed in revising the plan as if no Wilderness, national parks, or refuges exist in Alaska. The areas of the Chugach that are currently being managed as Wilderness should be re-evaluated and a more flexible management regime applied. Wilderness designations severely limit recreational and multiple use opportunities, impair access, and prohibit resource development. They would also hinder access for future generations and restrict tourism. These designations represent an economic opportunity cost. It is important that the cumulative effects of such lost opportunity be studied before each new Wilderness designation is proposed.

What RDC finds particularly troubling in the Wilderness Area Inventory and Evaluation for the Chugach is that the Forest Service has included land with existing valid mining claims, approved mining activities, and legal access routes to valid mining claims within areas that it concludes are suitable for Wilderness designation. These lands are not suitable for Wilderness and such a designation would preclude future mining and other multiple use activities that are not compatible with the Wilderness Act. The Forest Service has essentially ignored mining as an allowed use in the forest’s multiple use lands in making its Wilderness suitability determinations. All forest lands that are open to mineral location and entry under the federal mining law should not be considered suitable for Wilderness.

The cumulative socio-economic impacts of numerous withdrawals and proposed withdrawals of land from multiple use management must be addressed in the revised plan. There should be a no-net loss in the economic resource base.

Reform the National Environmental Policy Act

Legislation to reform NEPA is sorely needed to streamline the permitting process and eliminate conflicting orders and requirements from various federal agencies. Such action would provide more certainty in the permitting process, helping industry justify investments worth billions of dollars.

NEPA regulations imposed by the Forest Service are unnecessarily costly to comply with, extremely time consuming, and unnecessarily limit most development projects. NEPA regulations are misused by anti-development groups to appeal, litigate, and otherwise hinder most projects and timber sales.

EISs averaged 300 pages in the early years of the law, and now run more than 2,000 pages each, with a much broader scope than originally intended. The legal system is partly to blame, given rulings on the adequacy of environmental rules.

Reform the Endangered Species Act

The ESA has been expanded far beyond its original intent. The splitting of species into small and smaller subgroups or semi-distinct populations of species has expanded the scope of the ESA far beyond what Congress intended. As with NEPA, the ESA has been abused by anti-development groups to delay, halt or impose unnecessary costly constraints on many legitimate development projects. The law has also resulted in endless litigation by non-development activists to derail projects and is used to limit access to areas even before a species is listed as endangered.

The listing of a species as threatened when it is currently healthy and exists in abundance – based solely on projections that it may suffer from speculative habitat loss in 100 years due to climate change – removes all meaningful barriers to listing under the ESA. Recent court decisions applying to listings outside the Tongass and Chugach have laid the groundwork for hundreds of future ESA climate change listings based only on projections of events many decades in the future. These future listings are likely to include species inside Alaska's national forests and those across the Lower 48 states, inflicting serious economic harm across America.

Once a species is listed under the ESA, significant regulatory consequences follow. The ESA tasks agencies with developing a recovery plan and designating critical habitat for listed species. The Act requires that all projects with federal funding or that require any federal approval must not jeopardize the continued existence of any threatened species or result in the destruction or adverse modification of a species critical habitat. The Section 7 consultation process injects uncertainty into projects in that federal agencies have wide leeway to modify or prohibit a proposed action or project.

Resource development projects across Alaska, its national forests, and the Lower 48 are already subject to rigorous permitting and oversight from the State of Alaska and federal agencies, which implement robust environmental permitting processes through the Clean Water Act, NEPA, the Alaska Forest Management Practices Act, and other laws. The Section 7 consultation process, stacked upon these existing regulatory hurdles, is redundant at best. The delay and added cost triggered by additional listings may prove insurmountable for many projects within America's national forests and beyond.

Conclusion

With immense natural resources, the Tongass and Chugach national forests have the potential to be a cornerstone of their respective regional economies, providing jobs and economic opportunities to local communities. Both the mining and forest products industry have proven they can coexist with the fishing and tourism industries. However, overly burdensome, conflicting, and redundant environmental laws, standards, and management prescriptions are discouraging new investment, undercutting the multiple-use mandate in national forests, and hindering sustainable and responsible resource development. We object to the extent forest management plans prioritize protection of resources and ecosystems over striking a balance with economic and social sustainability of local communities.

The need to reform NEPA and the ESA is vital to the U.S. and Alaska economies. Such action will encourage the responsible development of the natural resources needed to strengthen and sustain the economy while providing thousands of new jobs across the nation.

RDC endorses the September 15, 2017 comments of the Alaska Miners Association to the USDA regarding Proposed Rule 13777. We appreciate this opportunity to comment on the need for regulatory reform and express our position on the Proposed Rule. We look forward to participating in the process as it evolves.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Portman". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Carl Portman
Deputy Director

Cc: U.S. Senator Lisa Murkowski
U.S. Senator Dan Sullivan
Congressman Don Young



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- **Lisa Bruner**, Vice President, North Slope Operations & Development, ConocoPhillips
- **Dr. Pearl Brower**, President, Iisagvik College

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2010 Recipient: Senator Ted Stevens and Dr. Vera Alexander

2011 Recipient: Dr. Clarence Pautzke

2012 Recipient: Caleb Pungowiyi

2013 Recipient: Clement V. Tillion

2014 Recipient: Stan Stephens

2015 Recipient: Al Burch

2016 Recipient: Captain Ed Page

2017 Recipient: Dorothy Childers

Stewardship and Sustainability Award

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Awarded to an industry initiative that demonstrates the highest commitment to sustainability of ocean resources.

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2011 Recipient: Shell Alaska Venture

2012 Recipient: North Pacific Fishery Management Council

2013 Recipient: Holland America Line

2014 Recipient: Pollock Conservation Cooperative Research Center

2015 Recipient: Alyeska Pipeline's Vessel of Opportunity Program

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2017 Recipient: ConocoPhillips

Marine Research Award

\$500 cash prize

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Awarded to a scientist, team of scientists or an institution that is acknowledged by peers to have made an original breakthrough contribution or a career spanning achievement in any field of scientific knowledge about Alaska's oceans.

2010 Recipient: Dr. Gordon Kruse

2011 Recipient: Dr. Jeremy Mathis

2012 Recipient: Jan Straley

2013 Recipient: Drs. Katrin Ilken, Brenda Konar,
Russ Hopcroft and Bodhil Bluhm

2014 Recipient: Dr. Tom Weingartner

2015 Recipient: Drs. Jacqueline Grebmeier and Lee Cooper

2016 Recipient: Gunnar Knapp

2017 Recipient: Dr. Stanley "Jeep" Rice

Marine Science Outreach Award (Formerly Ocean Literacy and Ocean Media Awards)

\$500 cash prize

Sponsored by: Alaska Ocean Observing System

Awarded to a person, team or organization that has made an outstanding contribution to ocean literacy via formal or informal education, media or other communications about Alaska's marine ecosystems.

Ocean Literacy

2010 Recipient: Kenai Fjords Tours Marine Science Explorer Program

2011 Recipient: Elizabeth Trowbridge - CACS

2012 Recipient: Kurt Byers & Sea Grant Staff

2013 Recipient: Bonita Nelson

Ocean Media

2010 Recipient: Elizabeth Arnold

2011 Recipient: Marine Conservation Alliance

2012 Recipient: Deborah Mercy

2013 Recipient: Thomas Litwin and Lawrence Hott

Marine Science Outreach

2014 Recipient: Laurie "Poppy" Benson

2015 Recipient: Benjamin Carney

2016 Recipient: Susan Saupe

2017 Recipient: Phyllis Shoemaker

Hoffman-Greene Ocean Youth Award

\$500 cash prize

Sponsored by: Dale Hoffman

Awarded to an individual or team of Alaskan youth ages 12-19 who has displayed a dedication to promoting the understanding and stewardship of Alaska's oceans.

2013 Recipient: Ahmaogak Sweeney

2014 Recipient: Pribilof Student Marine Research Student Team

2015 Recipient: Alisa Aist

2016 Recipient: Sofia Astaburuaga Larenas

2017 Recipient: Cade Emory Terada

- On Occasion -

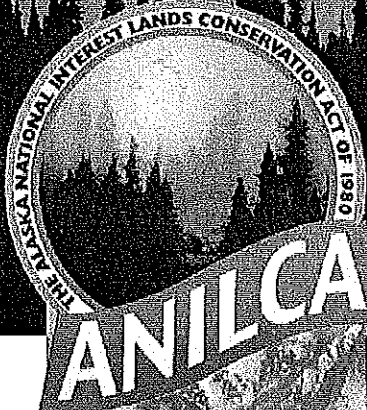
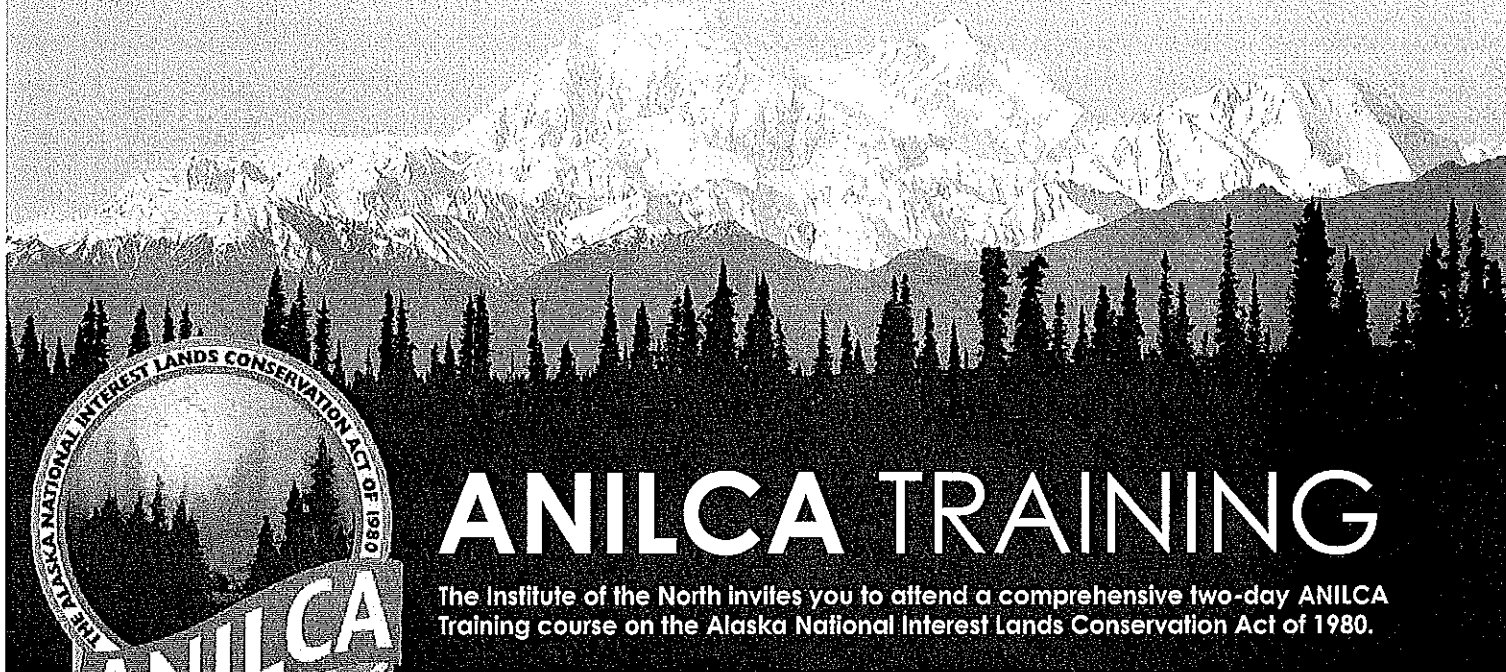
Ocean Ambassador Award

The Ocean Ambassador Award was created to recognize an individual or organization that has made outstanding contributions in promoting public awareness and appreciation of Alaska's oceans, coasts, and marine ecosystems.

2015 Recipient: Ray Troll

2016 Recipient: Arliss Sturgulewski

Anyone who wants to understand the Alaska of the future must understand ANILCA, the Alaska National Interest Lands Conservation Act.



ANILCA TRAINING

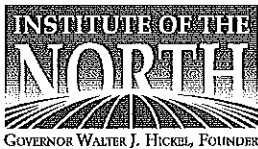
The Institute of the North invites you to attend a comprehensive two-day ANILCA Training course on the Alaska National Interest Lands Conservation Act of 1980.

What is ANILCA?

Through ANILCA, Congress designated 104 million acres of new national parklands, wildlife refuges, and other conservation lands in Alaska, for a total of 139 million acres (more than one third of the state). Congress balanced the unprecedented scale of these designations with similarly unprecedented accommodations for Alaskans' way of life and reliance on a resource-based economy.

ANILCA Training Includes

- Summary of Alaska's land history from Territorial days to present
- Context of ANILCA's passage – including
 - major constituents
 - issues of the day
 - the Great Compromise
- Overview of ANILCA statutory provisions
- Key access provisions of ANILCA, including access for traditional activities, subsistence, inholdings, and transportation & utility systems
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SPONSOR This course is offered in partnership with the US Department of the Interior University (DOIU), building on a curriculum developed in 2004 with an appropriation from Congress – and now substantially improved to meet contemporary needs.



ANILCA Training Objectives

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Understanding ANILCA assists both federal managers and non-federal stakeholders in finding implementation solutions that continue to balance conservation and Alaska's unique circumstances. Participation by multiple agencies and non-federal stakeholders enriches the learning experience.

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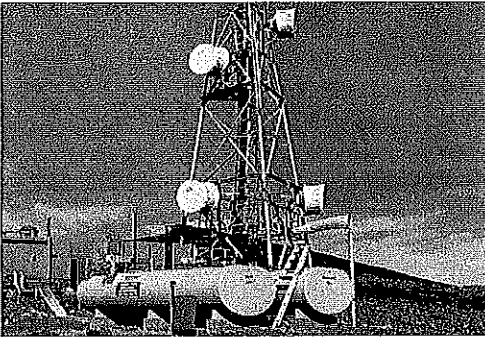
Federal agencies with ANILCA implementation responsibilities, state and local land and resource managers, Native corporations, rural residents and inholders, as well as community leaders, policy makers, consultants, the academic community and the interested public.

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Over a dozen presenters include federal and non-federal subject matter experts with extensive ANILCA experience.

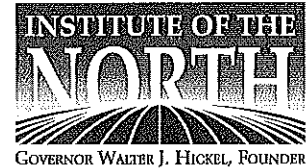
Cost

\$575 tuition includes two days of instruction, copy of ANILCA & Amendments; presentation documents; "Alaska in Maps - A Thematic Atlas"; and a portable USB drive with relevant laws, regulations and other supporting documents.



The Institute of the North

Founded by Governor Walter J. Hickel, the Institute of the North's mission is to inform public policy and cultivate an engaged citizenry.



The Institute of the North works to increase knowledge of northern issues at local, national, and global levels and to strengthen Alaskans' voices in northern decision-making.



Training Schedule

ANILCA Trainings are typically held in Anchorage at the Campbell Creek Science Center each Spring and Fall. Upcoming dates include:

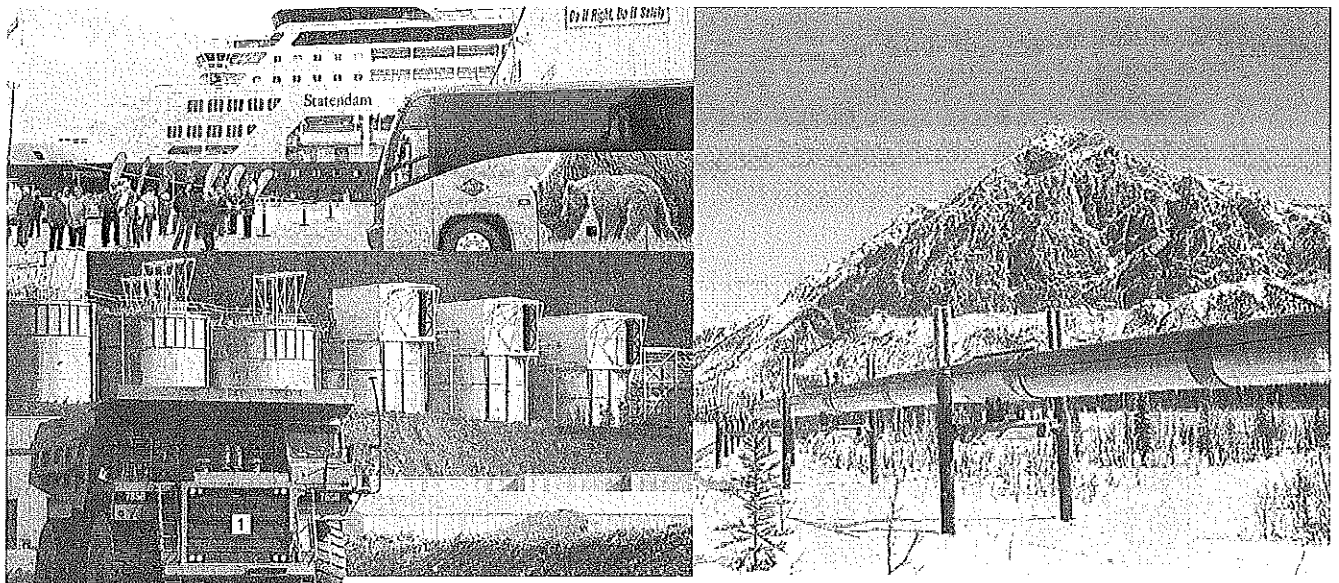
- November 7-8, 2017
- March 6-7, 2018



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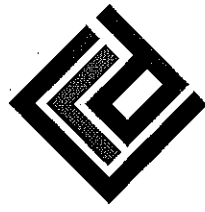
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Alaska Resource Education
Architects Alaska
ARS Aleut Analytical, LLC
Aspen Hotels of Alaska
Builders Choice
CH2M
Cook Inlet Region, Inc.
Donlin Gold LLC

Dowland Bach
Fairweather, LLC
First National Bank Alaska
Judy Patrick Photography
Lynden
Marsh and McLennan Agency LLC
Morris Engineering Group, LLC
Northern Economics, Inc
Northrim Bank
Petroleum News
PistenBully / PowerBully Kassbohrer ATVs
Quantum Spatial, Inc.
ROTAK Helicopter Services
TEMSCO
UAF-Rural Alaska Honors Institute (RAHI)
Valley General Energy Services