



Oppose S.881

Lopsided Land Bill Proposes to Privatize High Value Public Lands in the Tongass National Forest

Controversy and conflict is the not the way to finalize Southeast Alaska Native land entitlements

Within the next few weeks, the Senate Energy and Natural Resources Committee is expected to take action on the “Sealaska Bill” (S.881). The Sealaska Corporation has the right to select remaining land entitlements within the Tongass National Forest and finalization of these entitlements should be a priority. The proposed legislation, however, would alter the landscape set up by the U.S. Congress under the Alaska Native Claims Settlement Act of 1971 (ANCSA).

The controversial land selection proposal fails to consider the needs of the unique and rare rainforest environment and could adversely impact small, forest-dependent communities and local industries including the region’s leading economic engines—tourism and commercial fishing. In the Tongass, where land issues too often pit neighbor against neighbor, the Sealaska Bill (S.881) pending before the Senate Energy and Natural Resources Committee only serves to codify the conflict.

Lopsided Legislation

- Settlement of Sealaska’s land entitlements can be accomplished without further congressional action. Currently the Sealaska Corporation may finalize remaining land entitlements, approximately 65,000 acres, from within the boundaries of 327,000 acres set aside under by the U.S. Congress under the Alaska Native Claims Settlement Act of 1971 (ANCSA).
- The proposed legislation would allow the Sealaska Corporation to select all of its remaining entitlement lands from outside of currently allowable boundaries—changing the rules set up by ANCSA and bucking nearly 40 years of legislative precedent.
- The legislation targets for clear-cut logging some of the richest and most biologically productive lands in the Tongass including inventoried roadless areas. It also cherry-picks, for private development, extraordinary bays and river valleys which are among the most used and visited by the Southeast Alaska residents, commercial fishermen, local outfitters and guides, and visitors to the famed Inside Passage.
- According to the U.S. Forest Service, passage and implementation of the Sealaska proposal would require a “Forest Plan Revision based on the magnitude of the changes in land use designations.” This determination is warranted “as a result of net losses in the Conservation Strategy, the lack of ability in making up key lands associated with old-growth reserves, effects on the Allowable Sale Quantity, and impacts associated with other existing uses.”

Shared Solutions—A Better Way Forward

There is an alternative. Over the past several years, a diverse set of stakeholders representing regional and national conservation interests, local sawmills, Southeast Alaska communities, native tribes and organizations, as well as the commercial fishing industry, have begun to break down barriers and move toward a shared vision for the Tongass. This collaborative work can produce groundbreaking results to resolve the Sealaska land entitlements, secure a sustainable future for the local economy, and provide durable protection for valuable areas of America’s rainforest. S. 881 could serve to undermine the dialogue at a critical juncture and reaffirm a divisive way of doing business. Rather than a unilateral and controversial piece of legislation, a collaborative and multi-stakeholder solution on the Tongass provides the best hope for common ground.

Logging Zones

The legislation seeks to remove from public ownership biologically and culturally valuable lands, some of which border congressionally-designated Wilderness, and open them to logging by the Sealaska Timber Corporation. Sealaska plans to continue to intensively clearcut the vast majority of their land selections.



- The Forest Service currently manages these lands for multiple uses. Under private ownership, clearcut logging would be the priority.
- The proposed lands selections target Prince of Wales Islands and smaller barrier islands which have already been severely impacted by decades of clearcut logging. Remarkably, despite previous logging, the islands contain some of the most biologically productive old-growth forest lands in the Tongass National Forest. Additionally, these lands contain world class karst and cave resources.
- Targeted lands completely encompass Point Baker and Port Protection, two communities on north Prince of Wales

Island, as well as other areas important to local residents for hunting, fishing, recreation, and other social and economic purposes. These communities, as well as many others that anticipate impacts, are on record in opposition to the legislation.

“Futures” Sites

The legislation identifies nearly 50 “native futures” sites, such as Upper Tenakee Inlet, across the Tongass National Forest to be removed from the public domain and transferred to the Sealaska Corporation, a private company. The legislation does little to describe how future management and use of these sites might occur.

- All of the sites are in the middle of popular anchorages, hunting and fishing hotspots, and/or sit on the edge of designated Wilderness areas.
- The legislation provides no definition or restrictions on the scale of potential commercial enterprises. Without limitations, there is nothing to prevent private corporate uses that would dramatically impact the remote character and existing public uses of these sites.
- Commercial development of these sites could foreclose the possibility of permanent conservation protections, impact local economies, create confusing and multiple jurisdictional issues between federal agencies, state agencies, municipalities and the corporation and, most importantly, displace existing multiple uses of the sites.



Upper Tenakee Inlet – photo by John Schoen

Background on the Sealaska Native Corporation

- With 290,000 acres of land and an additional 560,000 acres of subsurface rights, the Sealaska Corporation a for-profit corporation, is the largest private landholder in Southeast Alaska. It is also the largest of 13 regional native corporations in Alaska established under the ANCSA.
- According to its 2008 annual report, Sealaska’s total assets were nearly \$334 million. The Corporation distributed \$26.3 million to shareholders and Village Corporations.
- After 3 decades of extensive and intensive logging, the Sealaska Corporation has left a legacy of expansive clearcuts across most of the lands they have already selected.

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