AN ALASKA WILDERNESS HERO PASSES

Sierra Club Honorary President, Alaska Task Force chairman, and former President Dr. Edgar Wayburn died late evening March 5 at his home in San Francisco, peacefully and with his family gathered around him. He was 103.

In the words of Sierra Club Deputy Executive Director Bruce Hamilton, who had worked closely with him for more than 30 years—from Redwood National Park advocacy, to lobbying for Alaska lands protection, and onward:

“Ed Wayburn was one of the towering figures on the national and world stage of conservation. He was the 20th Century John Muir.

Ed would take a vision such as protecting 100 million acres of Alaska or protecting the Marin Headlands as a national park and run with it until he accomplished what seemed impossible. He enlisted the help of Presidents, Cabinet members, powerful members of Congress, mayors, and millions of Americans and would not take no for an answer. This is why he was credited by President Clinton as the man who saved more wilderness and parks in the United States than any other American.

When you or your grandchildren marvel at the wilderness in Redwood National Park, at Alaska, or the Marin Headlands you will be witnessing the living legacy of Ed Wayburn. It is his lasting gift to all of us.”

Alaska may be Ed Wayburn’s most monumental achievement. After their first trip to Alaska in 1967, Ed Wayburn and his wife Peggy were so overwhelmed by the vast state’s conservation potential that on return to San Francisco, Ed, as president of the Sierra Club, persuaded the Club’s Board of Directors to adopt Alaska lands as a priority.

The campaign for the Alaska National Interest Lands Conservation Act followed, and Ed Wayburn led the way to establish ten new national parks in Alaska, doubling the total size of the National Park System.

Pam Brodie, Alaska Chapter chair, noted: “Ed was always gracious. He was a perfect gentleman, and in my experience, treated every volunteer and staff person kindly.”
and with respect -- qualities that were particularly impressive in someone so tenacious and effective. I was also impressed with how he kept working, decade after decade, always encouraging others, and never burning out."

Outing leader Charles Hardy, a native of Georgia like like Ed, said simply: "The tallest tree has fallen." ◆

On behalf of Sealaska Native Corporation, Alaska Senators Lisa Murkowski and Mark Begich have introduced Senate Bill 881 which would transfer Tongass National Forest lands from public ownership to the corporation. If enacted as proposed, this legislation would have far-reaching negative implications for public use opportunities and would jeopardize wildlife and fish habitats on the Tongass.

In 1971, Congress recognized that Sealaska had a valid claim to acreage on the Tongass Forest when it passed the Alaska Native Claims Settlement Act (ANCSA). That legislation authorized the selection of land within the national forest and specified clearly defined geographical areas where Sealaska could make its selections. Now, almost 40 years later, Sealaska is trying to change the rules by picking high-value public lands outside of these defined selection areas.

The bill identifies three basic types of federal land conveyance to Sealaska ownership:

Timber Development Lands - Roughly 65,000 acres of high-value timber lands on North Prince of Wales and Koscisuo islands, some of which are roadless and others of which have roads constructed at taxpayer expense. Sealaska's track record is one of very large clearcuts of old-growth forest which took many centuries to develop. The proposed selection lands also feature high-value fish and wildlife habitats that support healthy populations of deer, bear, wolves, salmon, and other anadromous fish species. Although fish and wildlife habitat protection during the logging of national forest lands often leaves much to be desired, federal regulations offer far better protection than the habitat protection from timber cutting on private land under Alaska's Forest Resources and Practices Act.

Native Futures Sites - At least 46 sites selected for the purpose of creating high-end, low-impact visitor experiences and infrastructure. The bill's defining language does little or nothing to restrict the scope or scale of development at these sites, although the legislation precludes timber or mining operations. S. 881 would privatize some of the best undeveloped coves, bays, and recreational areas on the Tongass. Some of these Futures Sites, such as Pybus and Young bays on Admiralty Island, are located in Congressionally established Wilderness. Futures Sites are expected to have profound negative impacts on those seeking high-quality Wilderness experiences.

Sacred and Cultural Sites - Some 206 sites spread throughout the Tongass which have been identified by the corporation as having either sacred or cultural significance. Although many of these sites are no doubt significant, the scope and scale of development on them would only be limited by a desire to maintain them in keeping with traditional or cultural values. Three Customary Trade Routes, proposed as 25-foot corridors of Sealaska ownership, are part of this category of selections, as are 1,200 acres of yet-to-be-identified sites they could gain title to in the future.

The legislation also fails to guarantee continued public access to or through selected lands. In fact, lands that have already been conveyed to Sealaska under ANCSA have been posted against public use.

Strong national and local opposition

Sierra Club's outgoing executive director Carl Pope joined his counterparts in the National Audubon Society, National Wildlife Federation, Defenders of Wildlife, Pew Environment Group, and nine other national or local conservation organizations in urging Congress to oppose S. 881. The environmental representatives said, "While our organizations respect Sealaska's right to secure its remaining land entitlement, consistent with the Alaska Native Claims Settlement Act (ANCSA), the proposed legislation would alter the terms of the original settlement legislation and effectively eliminate previous boundaries defining the area from which Sealaska would make selections. As you can appreciate, the ANCSA legislation required a complicated balancing of public and private interests. The land transfers proposed by S. 881 threaten this careful balance and present serious concerns:

- Many of the lands that Sealaska proposes to select in S. 881, which are outside the ANCSA selection area, are located within watersheds that have extremely important public interest fishery and wildlife habitat values that would be substantially impacted by the intensive logging practices permitted (by the State of Alaska) on privately owned lands.
- The legislation would transfer scores of small parcels throughout the Tongass National Forest from public ownership to private control resulting in widespread user conflicts, including management concerns within Glacier Bay National Park, as well as with established guiding and outfitting businesses, lodges, and the general public.
- The legislation is extremely controversial within Southeast Alaska, numerous local governments have expressed opposition to the legislation, and despite claims to the contrary, there has been no public process to engage communities in Southeast Alaska that would be directly impacted by the proposed land transfers:"

In short, Sealaska's selections outlined in S. 881 include many of the best recreation, hunting, fishing,
Many thanks to those of you who sent comments to the Obama Administration to help protect the endangered Beluga whales of Cook Inlet. More than 46 thousand Sierra Club members came to the aid of this depleted population of whales by sending comments to the National Marine Fisheries Service supporting its proposed rule designating Critical Habitat in two sections of upper Cook Inlet, totaling 3,000 square miles. These comments are especially important considering that most of Alaska’s elected officials oppose the designation, preferring unrestricted development in Cook Inlet, regardless of the peril of extinction for the Cook Inlet population of whales. Although the public comment period closed March 3, elected officials are actively lobbying the Obama Administration to abandon the proposed Critical Habitat designation.

Twenty years ago, shortly after moving to Alaska, I happened upon the unexpected sight of a pod of hundreds of these small white whales while driving along the Turnagain Arm of Cook Inlet, just a few miles south of Anchorage. They were pursuing the salmon as the fish headed towards their natal rivers to spawn. I will always remember this dazzling experience -- but with sadness, now, knowing I will not live to see the Belugas in such numbers again.

The crash of the population from an estimated 1300 in the 1980s to approximately 300 whales today has been attributed to Indigenous subsistence hunting; unfortunately, the population did not rebound as expected after hunters voluntarily suspended their take of whales. DNA studies have established that the Cook Inlet belugas have been genetically isolated for thousands of years from the other four populations of Belugas in western and northern Alaska.

Even if the National Marine Fisheries Service stands up to Alaskan political pressure and goes ahead with its proposed Critical Habitat designation, this provides no automatic protection for the whales. It will be up to NMFS to implement an effective recovery plan to bring back the whale population. According to NMFS, “The recovery of Cook Inlet whales is potentially hindered by severe stranding events; continued development within and along upper Cook Inlet; industrial and municipal activities that discharge or accidentally spill pollutants; disease; predation by killer whales and losses of available prey to fishing or loss of prey habitat. Protecting habitat is essential to the beluga whales’ recovery.” Stay tuned for further developments.  

-- Pamela Brodie, Alaska Chapter chair
As the gateway community to Kenai Fjords National Park and Chugach National Forest and one of the most beautiful places on earth, Seward is a top-level tourist destination in Alaska. It relies on a clean environment to preserve these key lands and to showcase the charms of sparkling Resurrection Bay which forms its unforgettable backdrop. The Park was established in 1980 by the Alaska National Interest Lands Conservation Act to preserve in perpetuity unique fjord and rainforest ecosystems. Since then Seward's economy has become heavily dependent on the tourists that visit each year. The Alaska Seafife Center and University of Alaska’s Institute of Marine Science have brought some of the nation's greatest minds together to study and revel in the rich and unique environment.

But a haze of environmental problems casts a pall over this wealth of beauty. In December 2009 the Alaska Chapter of the Sierra Club and Alaska Community Action on Toxics joined forces and filed a lawsuit against the Alaska Railroad and Aurora Energy. Trustees for Alaska represented them to force compliance with the Clean Water Act, to prevent further pollution and health risks due to an ongoing, long-lasting problem of coal dust over the city’s landscape.

Although Seward is dependent on healthy salmon runs and wilderness, concepts of conservation have been a tough sell with this community’s grand industrial aspirations. In 1985, the City of Seward, Alaska Industrial and Economic Development Administration, and the Alaska Railroad reached an agreement to begin to export coal from the Usibelli Coal Mine near Denali National Park through Seward. As one of the only ice free ports in South Central, Resurrection Bay seemed like a prime spot to export coal to Asian and South American markets.

The export facility constructed for shipping coal was initially a boon to the struggling community of Seward. The construction project put many locals to work for a season but after that, Suneel of Korea took over and brought in their own Korean speaking workforce. The facility was most unfortunately sited upwind of our community. In those days the boat harbor and community were smaller and somewhat separated. There were stands of alders and spruce trees around the coal facility and harbor area which hid the facility from view and absorbed the dust we are currently struggling with. Since then the expansion of the harbor to accommodate the ever-growing tourist fleet and clearing of trees for ever-growing parking lots exacerbated the problem. The Alaska Railroad purchased the facility in 2004 with Federal funds, and in 2006 Suneel pulled out after struggling to make a profit for nearly 20 years.

In 2004 the Alaska Railroad successfully petitioned the USEPA and Alaska Department of Environmental Conservation (ADEC) to reclassify this facility as a “storage facility” rather than the previous “processing facility” designation. This simple act eliminated the requirement for an air quality permit and the oversight that the permit had provided. In 2007 the Alaska Railroad signed a contract with Aurora Energy, LLC (a subsidiary of Usibelli Coal) to operate the Seward transfer facility.

The coal dust problem began immediately after the new operator took over and began loading ships. On dry and windy days, the town and the harbor were being covered in coal dust. The ADEC responded to citizen complaints and issued Notices of Violation (4/07 and 3/08) but the fugitive dust continues, and NOVs remain unresolved to this day.

The former operator’s air permit allowed no more than 87 tons of coal dust to blow off of the site annually, and numerous control methods were used to comply with this limit. The former operator never received a NOV for exceeding this limit. But under the new operator, coal dust immediately became unbearable to the community. Consultants estimate that the lack of controls lets up to 510 metric tons of coal dust escape the facility annually. And this calculation considers only dust blown from the massive stockpiles. Without mechanical controls in place the coal dust simply blows over town and washes into Resurrection Bay. Coal dust and debris can also be seen falling from the conveyor belt splashing into Resurrection Bay and building up in piles beneath the conveyor over the ground and intertidal zone. Coal is plowed up with snow in the winter and dumped in the bay and adjacent wetlands.

The new operator finally hired a ventilation consultant to evaluate their operation and to offer recommendations of how best to minimize this unnecessary pollution and the associated risk to human health. These reports showed that the new operators were not utilizing ANY of the previous dust control measures. There was literally no ventilation system. A vacuuming system known as “baghouses” had been installed at construction to basically vacuum and collect the dust from the coal as it was
Coal Kills Snow

The Sierra Club’s Alaska Beyond Coal campaign has chosen to focus on a new way to stop the proposed Chuitna Coal Strip Mine being pushed by the PacRim Coal LLC, sole investor in Chuitna Coal Strip Mine. The proposed Chuitna Coal Strip Mine just 45 miles directly west of Anchorage, near the community of Beluga, has been a hot button issue with Alaska’s sport and commercial fishermen, environmental groups, and Native communities for decades. And after many years, PacRim Coal LLC is beginning to barrel through the state and federal permitting process to make this destructive mine a reality.

To stop this unnecessary environmental harm and pollution, the Coal Kills Snow Coalition was formed, consisting of Protect Our Winters, Ski Area Citizens Coalition, Earthworks, Sierra Club, Cook Inletkeeper, and Chuitna Citizens Coalition. With its coalition partners, Sierra Club, decided not to sit around and wait for the public comment periods on the mine proposal, but to proactively target PacRim Coal – especially on realizing that it’s owned by two Texas billionaires – Dick Bass and Herbert Hunt.

First, let me tell you a little about Dick Bass. Richard ‘Dick’ Bass was the first man to climb the “seven summits”, he

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Coal is Dirty

unloaded from the railcars so that the dust was never even exposed to the elements. The consultants revealed that the baghouses were never even turned on! Spraybars to wet the coal and dust down as it moved along the conveyor belts had been disassembled due to freezing issues, as had the mobile sprinkler designed to minimize dust from the massive 90,000 ton, ¼ mile long stockpiles.

But adding water to minimize dust decreases BTUs, therefore devaluing the product, and it also heightens risk of spontaneous combustion. Such challenges help explain the operator’s reluctance. We have been urging the operators to follow their own consultants’ recommendations. According to industry reports, baghouses could reduce the coal dust by 99% by removing the dust before it is exposed to the elements.

In the summer of ’09 two West Virginia mountain top removal activists, Joe Lovitt and Judy Bonds, came to Seward and shared their stories of similar pollution and some of their achievements in Appalachia. Their insights helped us plan the course of action leading to the recent lawsuit. Until adequate mechanical controls are installed and Best Management Practices are implemented this unnecessary and illegal pollution will continue.

-- Russ Maddox, Seward, Alaska

cconsiders himself a philanthropist, and he has no previous investments in coal. But the key to getting Dick Bass to divest himself of interest in the Chuitna Coal Mine is that he is the owner and chairman of Snowbird Ski Resort in Utah, where he’s won multiple environmental awards and even participated in a mine clean-up project. So it seems ironic that the owner of a weather dependent business would build a coal strip mine that will pump 54 billion pounds of CO2 per year into the atmosphere!

With this puzzle in mind, “Coal Kills Snow” campaign was launched. Since the beginning of ski season, the coalition has grown significantly to include snow groups, like Protect Our Winters, Teton Gravity Research, and the Ski Area Citizens Coalition. Its website (www.nobasscoal.org) has attracted thousands of visitors through our online advertising campaign with its simple message. The coalition has conducted highly visible outreach and education at important ski industry events in Denver and Salt Lake City. It has circulated an industry sign-on letter, that has attracted heavy hitters like Black Diamond, James Balog of the Extreme Ice Survey, and professional snowboarder Jeremy Jones as spokespeople calling on Dick Bass to divest himself of the proposed Chuitna Coal Strip Mine.

The campaign’s goal is to help Dick Bass make the connection between climate change, coal and snowy winters. The coalition continues to host events in the Lower 48 and Alaska to engage the ski, snowboard, and snow machine communities in our fight to protect the Chuitna River from a destructive coal mine.

What You Can Do:

Please head to the coalition website www.nobasscoal.org and sign the petition to “Keep Alaska Wild and Winters Cool”.

-- Emily Fehrenbacher, “Beyond Coal” campaign

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Efforts to establish the supersized Pebble Mine were dealt a major setback in December when the board of the Bristol Bay Native Corporation (BBNC) voted to oppose the proposed mine; BBNC had previously been neutral. Pebble Mine would be the world’s largest gold, copper and molybdenum mine, and would be located on State lands in the headwaters of two of the largest salmon-spawning rivers feeding Alaska’s Bristol Bay, the world’s greatest wild salmon producing region. Amongst the many dangers of such a mine is the fact that even tiny quantities of copper are toxic to salmon survival.

Pebble is a controversial issue among the mostly indigenous people of the Bristol Bay region. Unemployment is high in this remote region. People must weigh their desire for jobs and increased dividends from their Native corporations against the danger of losing the salmon on which they have subsisted for millennia, and which now provide income for many. In September, Nunamta Aulukest (Yupik: “Caretakers of the Land”), a Bristol Bay non-profit opposed to Pebble, released a poll it commissioned about the proposed mine among the local Native people, which found that 79 percent of respondents believe the mine would damage Bristol Bay’s wild salmon fishery; only 8 percent of survey respondents supported the Pebble Mine project (less than the one-third the number that support oil and gas drilling).

Nevertheless, some Village entities do support the mine. In Alaska, Native village corporations own surface land, but regional corporations -- including BBNC -- own the subsurface, including the mineral rights, of these same lands. It would be very difficult for the Pebble Partnership to build the necessary roads and infrastructure for a massive mine without BBNC’s cooperation. BBNC has more than 8,500 Eskimo, Aleut, and Athabascan shareholders with ancestral ties to the Bristol Bay region.

In January, the Pebble Partnership announced it would not apply to the State for permits this year, a change from its previous permitting schedule. Nevertheless, the Pebble Partnership says it does plan to spend another $73 million this year on promotion, planning, and exploratory drilling. The Partnership is composed of Northern Dynasty Minerals and mining giant Anglo American; Northern Dynasty itself is 20% owned by another mining giant, Rio Tinto, and also partially owned by Mitsubishi, which hopes to power the mine with a small local nuclear power plant.

While the waste from nuclear power plants is poisonous for tens of thousands of years, the waste from hard rock mine tailings is poisonous forever, vastly larger in quantity, and therefore more difficult to contain in perpetuity. On an acre-by-acre basis, the hard rock mining industry is arguably the most polluting and destructive industry on earth, according to Alaskans for Responsible Mining. Open pit mine tailings release into water supplies arsenic, sulfuric acid, cyanide, heavy metals including lead, cadmium, zinc, mercury, and many other toxic pollutants that kill fish and harm human health. In the case of Pebble, there are the added problems of building a sprawling industrial complex in a remote area, with an extensive network of roads and power lines, diminishing the wild nature of Lake Iliamna (the largest fresh water lake in North America, after the Great Lakes).

Because of the great habitat value of the Bristol Bay uplands for commercial, sport, and subsistence fishing, and because the size and scope of the Pebble mine would be unprecedented in human history, it is opposed not only by the Sierra Club Alaska Chapter and other environmental organizations, but also by many Alaskans who normally support resource development, including former Senator Ted Stevens.

-- Pamela Brodie, chapter chair

Western Wilderness Conference 2010

Join hundreds of wilderness enthusiasts from all over the Western states April 8-11, 2010 on the campus of U.C. Berkeley in the San Francisco Bay Area. The Alaska Chapter is a sponsor. Speakers like Dave Foreman, Rick Ridgeway, Doug Scott, Dan Ritzman, Judy Alderson, NPS, Roger Kaye, and many more. Plenary sessions and intensive workshops will connect wild places with climate change and offer training on how to advocate effectively. Films, music, fun, networking--join us! Stay in local homes. Go to www.westernwilderness.org for more information and to register online.
In Memoriam: Dick Myren

A long time Tongass warrior, Richard T. Myren, died on November 27, 2009 at the age of 85. Dick's work and passion to protect the Tongass National Forest has had a lasting effect on America's rainforest and on the community he lived in. Dick had a PhD in fisheries and worked at the Auke Bay Biological Laboratory in Juneau, Alaska. His specialty was on the effects of clear-cut logging on anadromous fish and their streams and estuarine habitats. His research is sited in many agency documents and has been very useful for the environmental movement.

He became a environmental activist in the late 1960s when the Forest Service was contracting out the largest timber sale contract ever done in our nation. Designed to fuel a new pulp mill in Juneau, the 50-year timber sale would log 8.8 billion board feet of the best old growth in the Tongass. Dick was one of the few people in Juneau who had the guts to try to stop this sale, and he was willing to take the verbal hits and some very serious physical threats from the mill supporters. To stop the sale an organization needed to be formed that could litigate the sale. Dick helped transform a local group called the Steller Society into what is now the Juneau Group of the Sierra Club and was a leader in getting the Sierra Club's lawsuit vs USFS and US Champion Plywood Corporation filed. If this suit had not been filed, most of what is now the Admiralty Island National Monument, and a large part of the Tracy Arm-Fords Terror Wilderness, would have been clearcut. Therefore, Admiralty Island, the “Fortress of the Bears”, would not have been made a Wilderness Monument by the 1980 Alaska National Interest Lands Conservation Act (ANILCA).

Dick continued advocating for Tongass protection after ANILCA—working to stop many timber sales. And later in his life he spoke out repeatedly at hearings for the inclusion of the Tongass National Forest into the national roadless rule. Dick Myren also helped start the Southeast Alaska Conservation Council, (SEACC). He represented the Juneau Group on SEACC's board for many years and just two years ago received SEACC's Dixie Baade Award.

Dick Myren had many local accomplishments also. He worked for years to stop the subdividing of Juneau’s Brotherhoods Meadows into a housing suburb. Because of his success it is now the ‘Brotherhoods Meadows Park’, one of Juneau’s most loved walking trails with a wonderful view of the Mendenhall Glacier. Dick fought the building of Juneau’s Egan highway because it would run through wetlands. Thanks to organized opposition that changed the route of the road, Juneau now has the “Mendenhall Wetland State Game Refuge”, a designated migratory bird area of national importance.

Dick Myren was a kind and friendly man. He never lost his sense of humor despite his detailed awareness of what he regarded as the unpardonable behavior of the land-skinners. And he really walked the talk. He would rather walk two miles to a store then drive a car to it. He never even owned a car. We have lost our Tongass warrior, but we will continue to fight the good fight in his name.

-- Mark Rorick

Two big Alaska Lands plans coming up--
Get poised to comment

The Interior Department is getting ready to put out draft plans for public comment on two important issues: a proposed road through wilderness in the Izembek National Wildlife Refuge in southwest Alaska, and an amendment to the management plan for Gates of the Arctic National Park in the central Arctic.

Scoping meetings were recently held in Anchorage for both scheduled plans, with the public being asked to suggest what issues should be covered in the Draft plans. While the U.S. Fish & Wildlife Service continues Izembek scoping until May 31, the truly important time to send many comments will be when the draft plans are out.

For Gates of the Arctic, a National Park Service planning team is beginning the process to amend the park's current 24 year old management plan. The purpose of the general management plan is to guide management of the park's resources, visitors, and facilities. This also will be a special opportunity to suggest important protective management ideas and requirements.

These draft plans aren’t expected to appear for comment until early in 2011, but their importance merits an early “heads up” -- be ready. Sierra Club will send alerts with talking points when the time comes. Stay tuned! ◆
Introducing New Alaska staffer – organizer against coal

Lindsey Hajduk is an energetic and ambitious recent addition to Sierra Club Alaska’s staff team, working on the National Coal Campaign. A recent transplant from the Midwest, Lindsey has fallen for Alaska’s vast views and rugged terrain. “The ‘Great Outdoors’ has taken a new meaning for me,” she says, “rather than just encompassing farmland and open prairie, all of the outdoors are truly great in Alaska.”

For more understanding of the world around her, Lindsey studied natural resources at the University of Illinois at Urbana-Champaign. From there, Lindsey campaigned for environmental causes at a federal and state level on the East Coast. Lindsey advocated for commonsense solutions to improve air and water quality, push for renewable energy and energy efficiency legislation, and protect America’s public lands.

Lindsey feels there is overlap between issues she encountered in the East Coast and what she is finding in Alaska. Though these regions are geographically far apart, the issues surrounding energy development and usage come to a head in both places: coal. About 1/8th of the world’s coal reserves lie in Alaska. In order to avoid the worst impacts of human-caused climate change, the Sierra Club is working to Move Alaska Beyond Coal.

In order to keep Alaska’s massive coal reserves in the ground out of harm’s way, the Club seeks to prevent new coal-fired power plants from coming on line, to shut down existing plants totaling 126 Megawatts in the Fairbanks area, and to stop proposed coal strip mines and the export of coal.

With only 850 MW in Alaska’s grid, and only 126 MW coming from coal, Alaska still has the highest energy costs in the nation when bringing on new projects. Alaska has a huge potential to become the US’s first state to kick the coal habit. Alaska can lead national efforts to pursue clean energy solutions through renewable energy and energy efficiency—all while still enjoying the full value of the land. ◆

-- Dan Ritzman