

The Alaska Forum

◆ The Newsletter of the Alaska Forum for Environmental Responsibility ◆

Winter 1998

Community Forest Watch Finds Violations of Alaska's Forest Practices Act

Just who is watching out for Alaska's public forests?

That's the question Community Forest Watch Coordinator Lorvel "Smiley" Shields asked himself after he and several volunteers completed a summer's work of monitoring logging sales on Moose Pass, in the heart of the Kenai Peninsula.

The purpose of the Community Forest Watch program is to monitor and document timber industry compliance with and/or violations Alaska's Forest Practices Act. The Act is supposed to ensure that logging does not degrade or destroy water quality and fish and wildlife habitat on private and state-owned public forest lands in Alaska.

Smiley found numerous violations on two state timber sales near Moose Pass. He also saw little sign that the State Division of Forestry was actively monitoring the logging sites to ensure compliance.

"The violations we observed demonstrate that timely and rigorous monitoring and enforcement effort by the Division of Forestry is essential to ensuring compliance with the Act," Smiley told the Board of Forestry at its last meeting. "Unfortunately, it appears that the Division too often conducts little of either activity."

Smiley presented his findings to the Board of Forestry at its meeting in Fairbanks last October. The Board oversees forest policy and implementation of the Act.

According to Smiley, the violations he observed at Moose Pass raise an important question. "If the Division of Forestry does not have the intention and/or capability to adequately monitor and enforce compliance

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Pipeline's Oil Spill Response Plan Still Inadequate

1997 Renewal Way Behind Schedule

Eight years after the *Exxon Valdez* oil spill, Alyeska's oil spill contingency plan for the pipeline remains inadequate, and implementation of a new, improved plan is far behind schedule.

Alyeska is required to have three distinct oil spill contingency plans (or c-plans): one each for the 800-mile long pipeline corridor, for the Valdez Marine Terminal, and for oil tankers sailing through Prince William Sound. The pipeline c-plan contains Alyeska's minimum requirements for control and containment capabilities in the event of a land-based spill in the pipeline corridor between the North Slope and Valdez.

Last winter, Alaskans learned that Alyeska's current pipeline c-plan has major weaknesses. As we reported in our last newsletter, the c-plan was strongly criticized from within the company by Ron Miller, a 20-year Alyeska veteran engineer who oversees oil spill response on the pipeline.

A study by Miller concluded that Alyeska was not ready or able to adequately respond to or contain an oil spill on land. Miller found hundreds of flaws in

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ABOUT THIS PUBLICATION

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Our Mission:

The Alaska Forum is dedicated to holding industry and government accountable to the laws designed to safeguard the environment, provide a safe and retaliation-free workplace, and achieve a sustainable economy in Alaska.

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A Message from the President *by Stan Stephens*

Complacency is our biggest problem when it comes to ensuring safe transportation of oil. When everything is going along fine with no problems or major disasters, industry leaders, government oversight agencies, workers, and the public all tend to relax. The Alaska Oil Spill Commission was very clear that institutional complacency, both in industry and government, was a root cause of the Exxon Valdez Oil Spill.

One of the Commission's answers to this complacency was to recommend creation of citizens advisory councils for both the marine and overland segments of Alaska's oil transportation system. Today in Alaska we have Regional Citizen Advisory Councils overseeing the marine segments in Prince William Sound and Cook Inlet, but not the overland pipeline.

The Alaska Forum believes that the time has come for a pipeline citizen advisory council. We laid out our reasons at a meeting of the Executive Council of the Joint Pipeline Office last November. A summary of those remarks begins on the next page of this newsletter.

Alyeska and the state-federal Joint Pipeline Office (JPO) say we don't need a citizens oversight council for the pipeline. They feel JPO is doing a good enough job.

I admit, the Alaska Forum has had some disagreements with JPO about the condition of the pipeline and the quality of pipeline oversight. But our call for a pipeline citizen advisory council is not a criticism of JPO. Rather, it is criticism of an oversight system that largely ignores the concerns of the residents of the pipeline corridor, those who would be most affected by an oil spill.

Citizens are essential to an effective oversight system because they bring an urgency to protecting the resources they care about and depend upon for their livelihoods. Distant bureaucracies, despite their best efforts, do not share this local perspective. A credible, effective citizens advisory council, free of political and industry pressure, will only help JPO achieve its mission of protecting public health and the environment.

As we have learned in Prince William Sound since the oil spill, citizen advisory councils only improve environmental protection. Even Alyeska acknowledges this fact. It's time to apply the lessons learned in the Sound to the 800-mile long pipeline corridor.



Give the Alaska Forum Wings!



**Donate a Permanent Fund airplane ticket
or frequent flyer miles to our travel account.**

Because Alaska is a big state and is physically isolated from the rest of the country, travel costs within Alaska and Outside can add up quick. Our members who are residents of Alaska can make a significant contribution to our work by donating one of their Permanent Fund airplane ticket coupons or frequent flier tickets to the Alaska Forum.

The Need for a Citizens Advisory Council on the Trans-Alaska Pipeline

Last November, Alaska Forum Program Director Mike Riley spoke to the Executive Council of the Joint Pipeline Office about citizen involvement. He called for creation of a citizens advisory council on the pipeline, modeled after the Prince William Sound Regional Citizens Advisory Council. Excerpts of Mike's remarks are reprinted below.

The Alaska Forum is convinced that meaningful public participation in pipeline oversight is necessary to ensure safe and reliable oil transportation from the North Slope to Port Valdez. In particular, we believe a citizens advisory council, loosely modeled after the PWS RCAC, is the appropriate vehicle for citizen participation.

Why a citizens advisory council for TAPS?

The Alaska Forum recognizes that risk is unavoidable. But we also know that risk can be reduced, that spills can be prevented, and that it is the role of the oversight system to ensure that this is so. And we are certain that credible, effective citizen oversight can play a significant role in reducing risk and preventing oil spills on the pipeline.

I want to emphasize some lessons from the Alaska Oil Spill Commission that I believe are relevant to the pipeline in 1997. The Commission was very clear that institutional complacency -- both in industry and government -- was a root cause of the Exxon Valdez oil spill. In its search for effective ways to prevent future oil spills in Alaska, the Commission asked this question: "How do you maintain attention, diligence, and vigilance in the absence of an imminent threat?" (*Final Report of the Alaska Oil Spill Commission*, p. 173)

One of the Commission's answers was to recommend creation of citizens advisory councils for both the marine and overland (i.e., pipeline) segments of Alaska's oil transportation system (*Final Report*, p. 173 - 177). The Commission saw citizen advisory councils as essential to guarding against such complacency because, it argued, citizens will "take care of the things they love," they will keep the focus on prevention, and they will be add an essential layer of redundancy to the oversight system.

The Alaska Forum agrees. Citizens are essential to an effective oversight system because they bring an

urgency to protecting the resources they care about and depend upon for their livelihoods. Distant bureaucracies, despite their best efforts, do not represent this local perspective.

Unfortunately, only half of the Alaska Oil Spill Commission's recommendations on citizen oversight have been implemented: citizen advisory councils only exist for the marine portion of Alaska's oil transportation system, not on the overland pipeline.

As we have learned in Prince William Sound since the oil spill, citizen advisory councils are an effective means of addressing citizen concerns and improving environmental protection. Most people agree that the Prince William Sound Regional Citizens Advisory Council has played an important role in improving the safety of tanker operations in PWS. Even Alyeska acknowledges this fact.

Why now?

For several reasons, the Alaska Forum believes that now is the time for a pipeline citizen's advisory council.

First, both Alyeska and Joint Pipeline Office (JPO) leadership believe that the post-*Exxon Valdez* oil spill and pipeline whistleblower crisis period is over and that we are entering a new era of stability in the Trans-Alaska Pipeline System. Alyeska says it entered a new phase of "maturity and efficiency" in 1996. JPO leadership made similar statements about JPO's oversight activities at an Executive Council meeting I attended in April 1996.

Yet as we all know, the last period of "stability" -- generally viewed as 1980 to 1989 -- bred complacency, which led to the *Exxon Valdez* disaster. The Alaska Forum believes a pipeline citizen advisory council is necessary to prevent complacency on the pipeline.

The Joint Pipeline Office must be particularly wary of complacency, not because JPO itself is complacent but because government agencies are inherently at risk for regulatory capture and the resulting complacency. In the long-run, a credible, effective citizen advisory council for the pipeline will help JPO achieve its mission of protecting public health and the environment. As the Alaska Oil Spill Commission argued, the fact that citizen oversight may at times be

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(Pipeline Citizens Advisory Council, continued from page 3)

redundant is not a problem, it is part of the solution.

The second reason that the time is right for a pipeline citizens advisory council is that there are very real problems that continue to plague the pipeline and threaten Alaska's environment. One current example is the problems that plague the pipeline's mainline valves, which are critical to effective shutdown of the pipeline in an emergency or major oil spill. Another example is Alyeska's inadequate contingency plan for an oil spill along the pipeline.

The Alaska Forum believes that these and others problems would have been prevented, identified sooner, and/or fixed earlier if credible citizen involvement had been in place. Why? Because these problems could have disastrous effects on the places citizens call home and make their living.

The need for a pipeline citizens advisory council is heightened by the fact that the most recent North Slope projections indicate the pipeline may be pumping significant quantities of oil for at least another thirty, if not forty, years. Arco's mantra "No decline after '99" now appears to be the conventional wisdom. Given these new production forecasts, we believe complacency will be a very real threat -- forty years is a lot of time to get too comfortable with the idea that "everything is under control."

Finally, a pipeline citizens advisory council fits into the motto of Governor Knowles and others that Alaska can "do development right" through "partnership." However, the current application of the "partnership" concept on the pipeline and elsewhere is seriously flawed -- too often this partnership includes only government and industry and largely leaves out citizens. A citizens advisory council for the pipeline will give citizens a meaningful, equal role in the partnership.

The essential elements of a credible, effective citizens advisory council

The Prince William Sound RCAC is a credible, instructive model. Its essential elements include:

- ◆ Secure, sufficient, "no strings attached" funding as long as oil flows through the pipeline.
- ◆ Independence -- from government regulatory agencies, and Alyeska and its owners.
- ◆ A legally binding mandate and formally defined relationships with industry and government that

requires Alyeska and government monitors to respond to the citizens advisory council's concerns/recommendations.

- ◆ Guaranteed access to pipeline facilities.
- ◆ All potentially affected citizens -- those who would bear the costs of a major oil spill -- in the pipeline corridor must be represented on the citizens advisory council. Examples (not a comprehensive list): Natives, tourism, recreation, environmental, fishing, boroughs/municipalities, at-large seats for corridor residents.

How Do We Get There from Here?

JPO's Executive Council, in particular the leadership of BLM and ADNR, can play an important role in creating a citizens advisory council for the pipeline. How? By endorsing the concept, recommending it to the Governor of Alaska and the Secretary of the Interior/Clinton Administration, and working with the Alaska Forum to develop a strategy to make it happen.

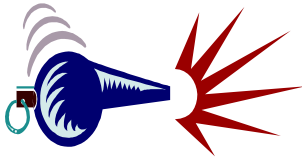
In conclusion, I want to return to the Alaska Oil Spill Commission. As the Commission put it in 1990:

It is incumbent upon Alaskans, through their elected officials as well as their own efforts, to create workable and effective institutions to protect their interests in the production and transportation of oil in the state. (*Final Report*, p. 137)

That is why I am here today. That is why Alaska Forum Board member Walt Parker spoke to you about citizen participation last March. That is why the Alaska Forum published *Pipeline in Peril* in September 1996. And that is why I hope you will work with us to create a citizens advisory council for the pipeline.

The Alaska Forum believes we need a pipeline citizens advisory council if we are to ensure safe and reliable oil transportation from the North Slope to Port Valdez for the next 30 to 40 years. Alyeska will not achieve this goal without vigilant oversight. And JPO cannot provide this oversight alone.





Alaska Forum Publishes *Alaska Whistleblower Resource Guide*

Have you, or someone you know, ever witnessed activities in the workplace that posed a threat to worker safety or the environment? Were you unsure where to turn for help?

The *Alaska Whistleblower Resource Guide*, a new publication from the Alaska Forum and the Government Accountability Project, is a place to start. The *Resource Guide* describes the rewards, costs and consequences of blowing the whistle, provides some practical suggestions on how to blow the whistle wisely, and tells would-be whistleblowers where they can get help in Alaska and Outside.

"Conscientious employees are the first line of defense against threats to worker safety, public health and the environment in Alaska. These courageous individuals protect all Alaskans. They must be able to speak the truth without fear of reprisals," said Alaska Forum president Stan Stephens.

"Our hope is that this *Resource Guide* will empower workers to do right thing for the public while simultaneously protecting their career and personal life," continued Stephens.

Unfortunately, concerned employees are often reluctant to speak out. There are intense economic and cultural pressures to be a team player and to not rock the boat. Worse yet, employees who do speak out are often rewarded with harassment and retaliation by their own employers.

Workplace pressures to keep quiet are compounded by employees' feelings of isolation and by ignorance about their rights in the workplace. Too often, employees know little about the laws that exist to protect whistleblowers and about the organizations dedi

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Blowing the Whistle Wisely: Twelve Survival Strategies

Excerpted from the *Alaska Whistleblower Resource Guide*

1. Before taking any irreversible steps, talk to your family or close friends about your decision to blow the whistle.
2. Be alert and discreetly attempt to learn of any other witnesses who are upset about the wrongdoing.
3. Before formally breaking ranks, consider whether there is any reasonable way to work within the system by going to the first level of authority. If you do decide to break ranks, think carefully about whether you want to "go public" with your concerns or remain an anonymous source. Each strategy has implications: the decision depends on the quantity and quality of your evidence, your ability to camouflage your knowledge of key facts, the risks you are willing to assume, and your willingness to endure intense public scrutiny.
4. Develop a plan -- such as strategically-timed releases of information to government agencies -- so that your employer is reacting to you, instead of vice-versa.
5. Maintain good relations with administrative and support staff.
6. Before and after you blow the whistle, keep a careful record of events as they unfold. Construct a straightforward, factual log of your relevant activities and events on the job, keeping in mind that your employer will have access to your diary if there is a lawsuit.


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(Resource Guide, Continued from page 5)

cated to supporting and protecting their rights. Without this knowledge and external support, the pressures to remain silent often prevail over an employee's concerns about worker safety and the environment.

The tragedy is that an *Alaska Whistleblower Resource Guide* is even necessary. The warnings and practical advice provided in it are drawn from the lessons learned by dedicated employees in Alaska and elsewhere who told the truth and often paid a bitter price.

The good news is that lessons can be learned. Whistleblowing does not have to be the sound of professional suicide. Despite the high personal risk, whistleblowers in Alaska and across the nation can and do make a difference.

Copies of the *Alaska Whistleblower Resource Guide* are available, at no charge, from the Alaska Forum. The *Resource Guide* can also be viewed and downloaded from the world wide web at <http://www.alaska.net/~afervdz>. 

(Response Plan, Continued from page 1)

the pipeline c-plan. Those flaws could lead to injuries to would-be responders and could result in increased damage to the environment.

Alyeska's pipeline c-plan came up for renewal last year, several months after the release of Miller's study. But the company's first draft of its new c-plan apparently did not fix any of the problems identified by Miller.


Last August, the Alaska Department of Environmental Conservation (ADEC) and other federal regulators rejected Alyeska's draft plan as inadequate and sent it back to the company for a major overhaul. Many of

(Survival Strategies, Continued from page 5)

7. Identify and copy all necessary supporting records before drawing any suspicion to your concerns.
8. Break the cycle of isolation: research, identify and seek a support network of potential allies, such as elected officials, journalists and activists. The solidarity of key constituencies can be more powerful than the bureaucracy you are challenging.
9. Invest the funds to obtain a legal opinion from a competent lawyer.
10. Always be on guard not to embellish your charges.
11. Engage in whistleblowing initiatives on your own time and with your own resources, not your employer's.
12. Don't wear your cynicism on your sleeve when working with the authorities.

their concerns paralleled those raised by Miller. As a result, ADEC was forced to extend the life of Alyeska's current, shoddy c-plan until March 1, 1998.

According to current schedules, a draft of the new c-plan should be issued by ADEC for public comment some time in February 1998. The public comment period will last at least 30 days, possibly longer.

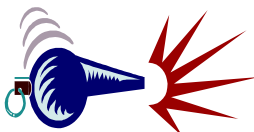
The Alaska Forum plans to conduct a careful review of the c-plan to ensure that the weaknesses identified by Miller and others have been addressed. The literally hundreds of rivers and wetlands the pipeline crosses deserve a first rate response in the event of an oil spill, nothing less. 



This cartoon originally appeared in the Anchorage Daily News on 10/21/97. Reproduction purchased from the Anchorage Daily News.

Hey, IT'S PROGRESS - THIS TIME THEY KEPT THE SPYING ON COMPANY GROUNDS.

TAPS Whistleblower News



“Walking the Talk” Still Proves Difficult for Alyeska and Joint Pipeline Office

As this cartoon and related stories on the next two pages make clear, Alyeska and the Joint Pipeline Office (JPO) still have a long way to go before the “shoot the messenger” mentality on the pipeline will be eliminated. Despite some steps in the right direction, Alyeska, its contractors and the Joint Pipeline Office (JPO) continue to send mixed signals to concerned pipeline workers. For example:

- ◆ Alyeska’s employee concerns program is bogged down in a large backlog of open investigations because of too few and inadequately trained staff.
- ◆ Alyeska’s new “Professional Dissent Awareness” classes are not mandatory for all Alyeska and contract managers and have reached only a small number of employees since they began last summer. Only two weeks of classes have been scheduled in 1998.
- ◆ Meanwhile, JPO still refuses to treat improving the performance of the employee concerns program as a regulatory requirement. Alyeska’s “Professional Dissent Awareness” classes are part of the company’s official response to the US Bureau of Land Management (BLM) March 1997 audit that was sharply critical of Alyeska’s employee concerns programs and JPO oversight of those programs. Despite this fact, JPO has failed to require Alyeska to make the classes mandatory and to develop an aggressive schedule for their delivery.

As BLM’s audit found, pipeline workers do not trust Alyeska and JPO because neither organization “walks the talk” when it comes to concerned employees. They have a long way to go to regain that trust.

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A Step in the Right Direction . . .

Attorney Billie Garde Teaches Professional Dissent to Alyeska and Contractor Managers

Hi, my name is Billie Garde. I'm the attorney that
sues Alyeska."

That's how whistleblower attorney and Alaska Forum Legal Counsel Billie Garde began a recent training for Alyeska and contractor managers about "Professional Dissent Awareness."

Garde lectured the managers for several hours on how to react correctly to employee concerns about worker safety, the environment and other issues. The purpose of the training was to teach managers how to correctly react to and process employee concerns before they become major oil spills, accidents, or expensive repairs or court battles.

Alyeska CEO Bob Malone initiated the trainings earlier this year. After Garde delivered her message to Malone and the rest of Alyeska's upper management team, Malone decided it was something the entire company needed to hear. He realized that the company's notorious "shoot the messenger" approach to concerned employees had cost the company terribly, both in dollars and a poor public image. Since the early 90s, Alyeska has spent millions of dollars on legal fees and whistleblower settlements, and on fixing the safety and environmental problems exposed by whistleblowers.

"It teaches us to listen carefully when people raise concerns, take appropriate actions to resolve those concerns, and treat people with the respect they deserve," Malone told the *Valdez Vanguard* (11/19/97). "It will improve our safety and environmental effort because we will be aware of issues before they become problems."

But immediately after the training, James Spence, a contract electrical inspector who attended the class, remained skeptical. Spence told the *Vanguard* that Malone's idea is a good one, but only if the whistleblower-friendly philosophy is accepted by upper-level management as well.

"Malone has to convince the people on every level, or else you still have the Old Guard in power," Spence said. "And I see this new philosophy not being acted out in middle management. All the contractors must practice it too or it won't work. But I do applaud Mal-

one for having the guts to try it."

Garde said the class is "a good start." "Hopefully," she said, "the company will follow up this class with additional support for supervisors to do the right thing."

Alaska Forum President Stan Stephens is also encouraged by the classes. "We have been telling Alyeska for some time to get whistleblower training from the experts, like Billie. These classes are an important first step in the right direction," said Stephens.

"But the classes will be meaningless if Alyeska, and especially contractors, fail to practice what Billie teaches, and if the classes are not made mandatory for all employees," continued Stephens. "With each new concerned employee who comes forward, Alyeska has a brief window of opportunity to show that things have changed. If they don't, employees will quickly get the message that these trainings were just more window dressing."



But Meanwhile, Alyeska Was Up to its Old Tricks . . .

Alyeska Lawyers Raid Employee's Confidential Computer Files

Last October, Alyeska attorneys ordered technicians to break into the confidential computer files of Patrick Higgins, an investigator for the company's internal whistle-blower program.

When Higgins arrived at work on October 9, he was unable to sign-on to Alyeska's e-mail system. His computer told him that he was logged on somewhere else. After some investigating and stalling from Alyeska management, Higgins finally learned that Alyeska attorneys had ordered computer technicians to download approximately 4000 pages of files from his computer.

Higgins is an investigator for Alyeska's Employee Concerns Program. The program was created in 1995 to respond to complaints from concerned employees, citizen watchdog organizations and Congress that Alyeska was retaliating against pipeline workers who reported threats to worker safety and the environment.

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(Lawyers Raid Files, continued from page 8)

Higgins computer files contained sensitive, confidential information from both active and closed investigations.

Higgins is also a whistleblower. Earlier this year he filed a complaint alleging that Alyeska and contractor managers threatened and harassed him over employee concerns investigations he was conducting. According to his complaint, Alyeska's reprisals included reducing his clerical support, giving him a bad job review, and placing him on a lay-off list. Higgins believes the company was upset because he was doing his job too well.

Alyeska President Bob Malone told the *Anchorage Daily News* (11/19/97) that Higgins computer files were searched in response to a request for production of documents from Higgins lawyers at the Government Accountability Project (GAP).

GAP Attorney Joanne Royce said that was nonsense. Royce told the *Daily News* that Alyeska denied her documents request a month before the raid on Higgins computer on the grounds that it violated privacy and confidentiality concerns.

"A month ago they said we couldn't have the information because of privacy concerns," Royce said. "A month later they obliterated any privacy considerations and just grabbed the stuff. . . . I suspect they were looking for documents to target and tarnish Mr. Higgins."

Alyeska does deserve some kudos for a constructive response to this incident. As soon as he learned of it, Malone ordered the downloaded documents placed under lock and seal and initiated an internal investigation by a consultant specializing in employee concerns issues. Malone also followed up by personally apologizing to Higgins and acknowledging the mistake and lessons learned in a company-wide e-mail message.

Despite Malone's commendable response -- no doubt learned from Billie Garde's classes (see the previous story) -- a loud and clear message had already been sent to pipeline workers. Pat Higgins story goes to the heart of Alyeska's efforts to end its "shoot the messenger" approach to dealing with whistleblowers. If even the employee concerns investigators experience retaliation and harassment, and their supposedly confidential files can be accessed on demand by company attorneys, then no Alyeska or contractor employee is safe if they raise a concern.

We couldn't have said it better than the *Anchor-*

age Daily News editorial published shortly after this story hit the press: "[This is] the kind of treacherous mischief that we had hoped was a thing of the past at Alyeska. . . . This can't be what CEO Bob Malone had in mind when the company initiated a new era under his leadership."



And Yet Another Whistleblower Case Remains Unresolved . . .

Former Safety Specialist Still in the Lurch

As we reported in our last newsletter, a safety worker at the Ship Escort/Response Vessel System (SERVS) in Valdez filed a whistleblower complaint against his former employer Tatitlek, Chenega, and Chugach, (TCC) and the Alyeska Pipeline Service Company. TCC has a contract with Alyeska to operate and maintain the oil spill response equipment for Prince William Sound. The complaint, filed last June, alleged the worker lost his job because he raised worker safety concerns.

As we went to press, the worker still remained in the lurch. Despite the best efforts of the Alaska Forum, the Government Accountability Project, and the former TCC employee, TCC and Alyeska continued to resist settlement of the complaint and reinstatement of the worker.

While long delays between filing complaints and their resolution were common in the past, their persistence is especially disappointing. We had hoped that Alyeska would make good on its promises to end retaliation and harassment against pipeline workers, both those on its payroll and contractor employees. By taking swift and decisive action to correct reprisals immediately after they occur, Alyeska and its contractors can send a new signal that the tide has turned away from shooting the messenger and towards encouraging professional dissent.

Unfortunately, the continued delay in resolving the TCC case sends just the opposite message: nothing has changed.



(Forest Violations, Continued from page 1)

on these small timber sales, how can the public be assured that compliance will be achieved on state lands elsewhere in Alaska?" Smiley asked the Board.

"I am especially concerned about the 36,000 acres the Division has proposed to log under its five-year plan for the Kenai Peninsula. Timber sales on these and other state lands should not go forward until the public is assured that the Division can and will perform rigorous monitoring and enforcement of the Act."

The US Environmental Protection Agency (EPA) has also expressed concerns about the violations documented by the Community Forest Watch. EPA is concerned because the State of Alaska has identified its Forest Practices Act as a major element in its program to minimize nonpoint source pollution, an EPA priority under the federal Clean Water Act.

"The [Community Forest Watch] report raises the concern that implementation of the FPA is not monitored with sufficient level of effort to assure its requirements are being met," Elbert Moore, EPA's Director of EPA's Office of Ecosystems and Community Services told Alaska State Forester Jeff Jahnke in a recent letter. "This is certainly the case of the specific violations identified at the two sites [this summer], and is likely to be occurring at other sites where forestry activities are taking place."

The Board of Forestry has been discussing the lack of Forest Practices Act monitoring and enforcement for nearly two years. But so far, they have taken no action to improve the situation.

That may finally be changing, thanks in part to the Community

Forest Watch. Our report got the Board's attention -- it sent a clear message to the Board and the timber industry that citizens are watching and that we expect the law to be followed and enforced. The Board's next report to the Legislature is likely to recommend additional funding and other steps to improve monitoring and enforcement.

We plan to keep the heat on in 1998, by expanding and strengthening the Community Forest Watch program. We'll tell you more about how you can get involved in future issues of our newsletter.

The complete report describing the findings of the Community Forest Watch is available upon request from the Alaska Forum, as well as on our web site at <http://www.alaska.net/~afervdz>.



Thank You!

The Alaska Forum says a big thank you to the following foundations and government agencies for their generous grants over the last several months: the Alaska Conservation Foundation, the Ben and Jerry's Foundation, the Environmental Support Center, and the Alaska Department of Environmental Conservation.

We also want to thank the following individuals and companies for their significant contributions of time, services and/or dollars: John Bernitz, Billie Pirner Garde, George Whalen, Stan Stephens Cruises, Dan Lawn, Richard Fineberg, Deborah Taylor, Sue and Smiley Shields, and Kinko's.

To all our members and supporters, your support is critical to our success. Thanks!

Call to Action!

Oil Companies Rush to Drill Western Arctic

A new wave of oil expansion is rushing across Alaska's Arctic. In addition to putting tremendous pressure on President Clinton and Congress to drill in the Arctic National Wildlife Refuge, the oil industry has expanded east and west across the Arctic, onshore and offshore. Right now, oil companies are pushing to open the 23.5-million acre National Petroleum Reserve-Alaska in the eastern Arctic to full scale oil exploration and drilling.

The Reserve is the largest expanse of undeveloped public land in America and one of the most important Arctic habitats for waterfowl and raptors. More than five million migratory birds -- over 90 different species -- return to the Reserve year after year to feed, molt, and raise their young. The Reserve also contains the year-around range of two caribou herds, the 25,000-animal Teshekpuk herd and the 500,000-animal Western Arctic herd.

Responding to a request from Alaska's Governor Tony Knowles, the US Bureau of Land Management (BLM) is rushing to complete an environmental impacts statement (EIS) in just 18 months. Concerned citizens can submit public comments on the Draft EIS to the US Bureau of Land Management through February 10, 1998. BLM's final decision will be announced in July 1998.



Conservationists have identified the following problems with the Draft EIS:

- ◆ The Draft EIS fails to display and evaluate the full range of viable alternatives, including a true conservation alternative that gives permanent protection to internationally significant special bird and wildlife habitat areas such as Teshekpuk Lake and the Colville River;
- ◆ The Draft EIS fails to identify a preferred alternative, making it impossible for the public to understand and evaluate the actual action proposed by BLM;
- ◆ The DRAFT EIS fails to address cumulative impacts on the Alaska's North Slope environment from this and other related development actions and permissively allows the continuation of the decades-old practice of piece meal decisions.
- ◆ The DRAFT EIS fails to specify oil and gas stipulations that give adequate protection the unique wildlife resources of the NPR-A.

Before any decision is made to lease in the NPR-A, conservationists believe the following must be done by US BLM:

- ⇒ Identify, describe and evaluate a true conservation alternative that provides permanent protection for special areas;
- ⇒ Provide the public an opportunity to comment on the full range of alternatives (including a conservation alternative) and the agency's preferred alternative prior to a decision;
- ⇒ Conduct a cumulative impacts analysis for the entire Arctic region;
- ⇒ Extended public comment period by at least 45 days to allow for these changes; and
- ⇒ Hold field hearings in several locations in the Lower 48 to allow input from the American public.

To learn more about the Reserve, visit the Northern Alaska Environmental Center's NPR-A web page at <http://www.mosquitonet.com/~naec/npra>. Or call the Northern Center at (907)452-5021 or send an e-mail to sarag@mosquitonet.com.

US BLM also has a web page on NPR-A, at <http://aurora.ak.blm.gov/npra>. You can request a complete copy of the Draft EIS (several large documents) or a summary from BLM by calling Jim Ducker at (907)271-3369 or jducker@ak.blm.gov. Mail your comments to: NPR-A Planning Team, US BLM, 222 West 7th Ave, Suite 13, Anchorage, AK 99513.



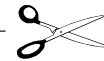


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