

**CITY OF CRAIG
COUNCIL AGENDA
FEBRUARY 4, 2021
COUNCIL CHAMBERS 6:30 PM**

ROLL CALL

Mayor Tim O'Connor, Hannah Bazinet, Jim See, Julie McDonald, Michael Kampnich, Chanel McKinley, Millie Schoonover

CONSENT AGENDA

Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed and placed on the regular meeting agenda.

HEARING FROM THE PUBLIC

- Open for public comment

READING OF CORRESPONDENCE

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

UNFINISHED BUSINESS

- Consider Intervenor Status in Roadless Rule Litigation

NEW BUSINESS

COUNCIL COMMENTS

ADJOURNMENT

Note: City council meetings have limited seating capacity due to COVID-19 protocols. For those wishing to attend the council meeting remotely go to:

<https://zoom.us/j/5281996980?pwd=V1RCbnJVcm85bDIRbURmNTdORjZkdz09> (if you are prompted for a passcode, use code 1111), or watch the meeting at:

<https://www.youtube.com/channel/UCTou8Pn03MIEjLLb9Em0Xrg> . To provide public comment to the council remotely, contact the Craig City Clerk at cityclerk@craigak.com, before 5:00 p.m. the day of the council meeting

CITY OF CRAIG MEMORANDUM

To: Craig City Council
From: Jon Bolling, City Administrator
Date: January 29, 2021
RE: Consider Intervenor Status in Roadless Rule Litigation

At its January 21 meeting, the city council directed staff to collect data on the effect of the Roadless Rule as it applies to the Tongass National Forest.

Background

The original 2001 Roadless Rule identified 110 inventoried roadless areas (IRA) in the Tongass National Forest that total 9.37 million acres, about 56% of the forest. Some of those roadless areas, about 847,000 acres, lie within LUD-II designated (non-development) sites; those sites do not permit most development activities even without application of the Roadless Rule. Prince of Wales and the islands to the west account for 22 IRAs, totaling about 1,162,337 acres. The Roadless Rule prohibits, limits, and/or otherwise further regulates certain development activities in IRAs beyond what would otherwise be allowed without the rule in place.

Two decades of litigation followed application of the rule to the Tongass. At least one of those cases remains open today in Federal Circuit Court in Washington, DC. The City of Craig is a party to that case.

During the Trump Administration, a new rulemaking process began that would exempt the Tongass from application of the rule, known as the Alaska Roadless Areas (ARA) Rule. The preferred alternative resulting from the ARA process is the total exemption of the Tongass from the original Roadless Rule. That rule is now finalized. At least one lawsuit has been filed against the federal government in Alaska Federal District Court to prevent application of the ARA rule. As a result both the 2001 original rule and the recent ARA rule will be litigated simultaneously in two different federal courts. That is complicated enough for the attorneys accustomed to complex legal proceedings, and it makes the layman's analysis more difficult.

Informational Materials

I have tried, in response to the council's January 21 direction, to compile as complete a packet as possible as to Roadless Areas in the Tongass and on POW Island without overwhelming all of you with the thousands of pages from the Federal Register, related regulations, court rulings, publications, tables, graphs, and other materials in the public record. A summary of those materials is provided below.

1. Maps

Attached is a series of maps. I chose maps that convey information about size and location of IRAs, as well as what areas would be subject to development without the Roadless Rule, and how the suitable timber base is altered by the application of the rule. Please note that Alternative 6 to the ARA exempts the Tongass from the Roadless Rule.

A. Roadless Area Inventory – dated January 2008

This map shows in tan color the inventoried roadless areas (IRAs) across the Tongass, based on the 2001 Roadless Rule. Each IRA on the map includes a three-digit identifier number.

B. Rulemaking for Alaska Roadless, Map 1: Alternative 1

This map shows IRAs in dark green. The IRAs shown on the map are those that would continue to exist if the ARA was not applied.

C. Rulemaking for Alaska Roadless, Map 6: Alternative 6

This map shows how the ARA rule, exempting the Tongass, would designate former IRAs into development and non-development designations. In other words, with the Tongass now exempt from the Roadless Rule, not all the IRAs would be subject to development.

D. Rulemaking for Alaska Roadless, Map 7: Alternative 1 with Suitable

This map demonstrates how the suitable old growth and young growth timber bases are located relative to IRAs.

E. Rulemaking for Alaska Roadless, Map 12: Alternative 6 with Suitable

This map demonstrates how the suitable old growth and young growth timber bases are located in the absence of the Roadless Rule.

2. Descriptions & Tables

A. Appendix E -- Craig Community Use Area

This print out, also attached, from the final Forest Service EIS document for the ARA Rule, profiles what the USFS calls the Craig Community Use Area. The document provides some data on use of the area by Craig residents for deer hunting, with additional information as to suitable timber harvest acreage.

B. Table ES-2

Attached is Table ES-2, from the ARA documents, provides detail as to the acreage subject to the ARA exemption, and the acreage suitable for old growth timber production. As noted above, remember that Alternative 6 of the ARA is the rule recently put into effect.

3. Litigation Filings

A. List of Plaintiffs Litigating Against the ARA Rule

Attached is a cover page of the recent litigation filed seeking to overturn the ARA rule.

B. List of Past Intervenor Applicants Asked to Support the ARA Rule

Attached is a partial list of organizations who intervened in past roadless rule litigation. I am told that some of these, and other parties, have been asked to join as intervenors.

Council Consideration

The council's February 4 meeting agenda will include just one item for the council: discussion/action as to whether to join as an intervenor in support of the ARA. The motion to join as an intervenor is already before the council, so no new motion is required prior to a

discussion or vote on the question. Any councilmember is, of course, able to by motion offer an amendment to the existing motion.

Please note that in my recent conversation with Steve Silver, I am told that once the supporters of the ARA rule file their intervenor brief, it will be difficult to add additional intervenor parties to the litigation.

As stated above, there is much, much more in the public record as to the Roadless Rule. You can find more information at <https://www.fs.usda.gov/roadmain/roadless/alaskaroadlessrule>, and by entering “Tongass Roadless Rule” in any internet search engine.

Recommendation

That the council discuss the merits of joining with plaintiffs supporting the Alaska Rule exemption and vote on the matter.

Maps

- A. Roadless Area Inventory – dated January 2008**
- B. Rulemaking for Alaska Roadless, Map 1: Alternative 1**
- C. Rulemaking for Alaska Roadless, Map 6: Alternative 6**
- D. Rulemaking for Alaska Roadless, Map 7: Alternative 1**
- E. Rulemaking for Alaska Roadless, Map 12: Alternative 6**

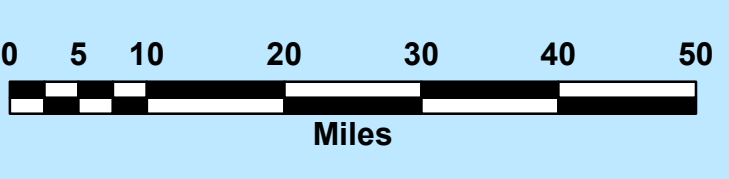
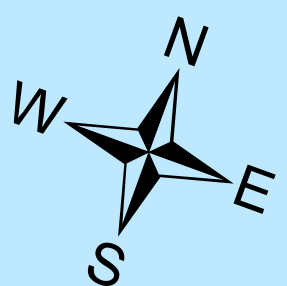
Roadless Area Inventory

**Tongass National Forest
Land and Resource Management Plan
January 2008**



LEGEND

- Inventoried Roadless Area
- Unroaded Area Greater than 1,000 and Less than 5,000 Acres
- Unroaded Area Less Than 1,000 Acres
- Developed Area
- Wilderness
- National Monument Wilderness
- Non-Wilderness National Monument
- Congressionally Legislated LUD II
- Non-National Forest System Land within the Tongass Boundary
- Glacier Bay National Park
- Haines State Forest
- Klondike Gold Rush National Historic Park
- BLM-managed Land



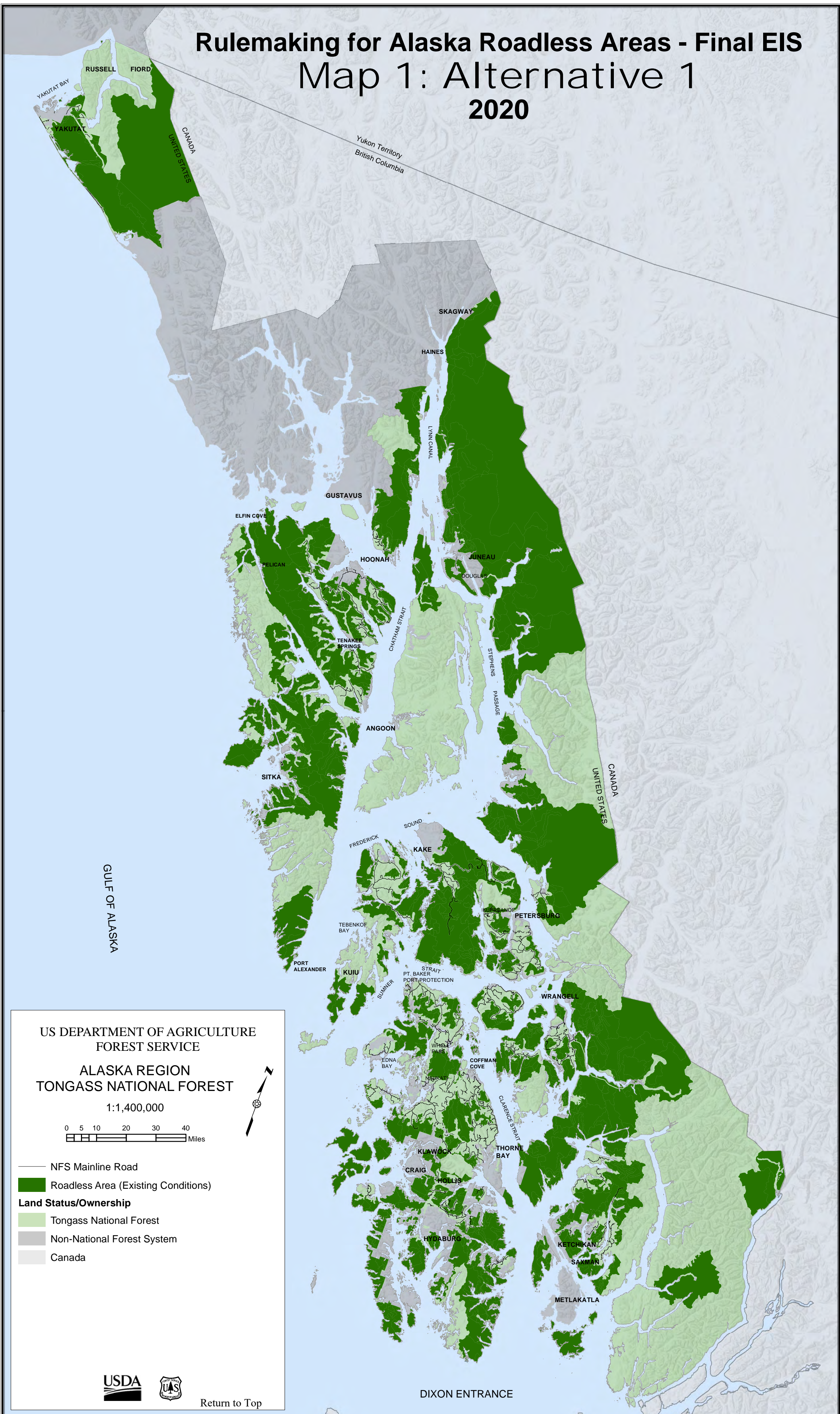
United States Department of Agriculture
Forest Service
Alaska Region
Tongass National Forest
Ketchikan, Alaska

projects_2005int_forest_planmaps\FEIS\Roadless_887040.mxd

Rulemaking for Alaska Roadless Areas - Final EIS

Map 1: Alternative 1

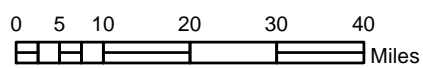
2020



US DEPARTMENT OF AGRICULTURE
FOREST SERVICE

ALASKA REGION
TONGASS NATIONAL FOREST

1:1,400,000



- NFS Mainline Road
- Roadless Area (Existing Conditions)
- Land Status/Ownership**
- Tongass National Forest
- Non-National Forest System
- Canada

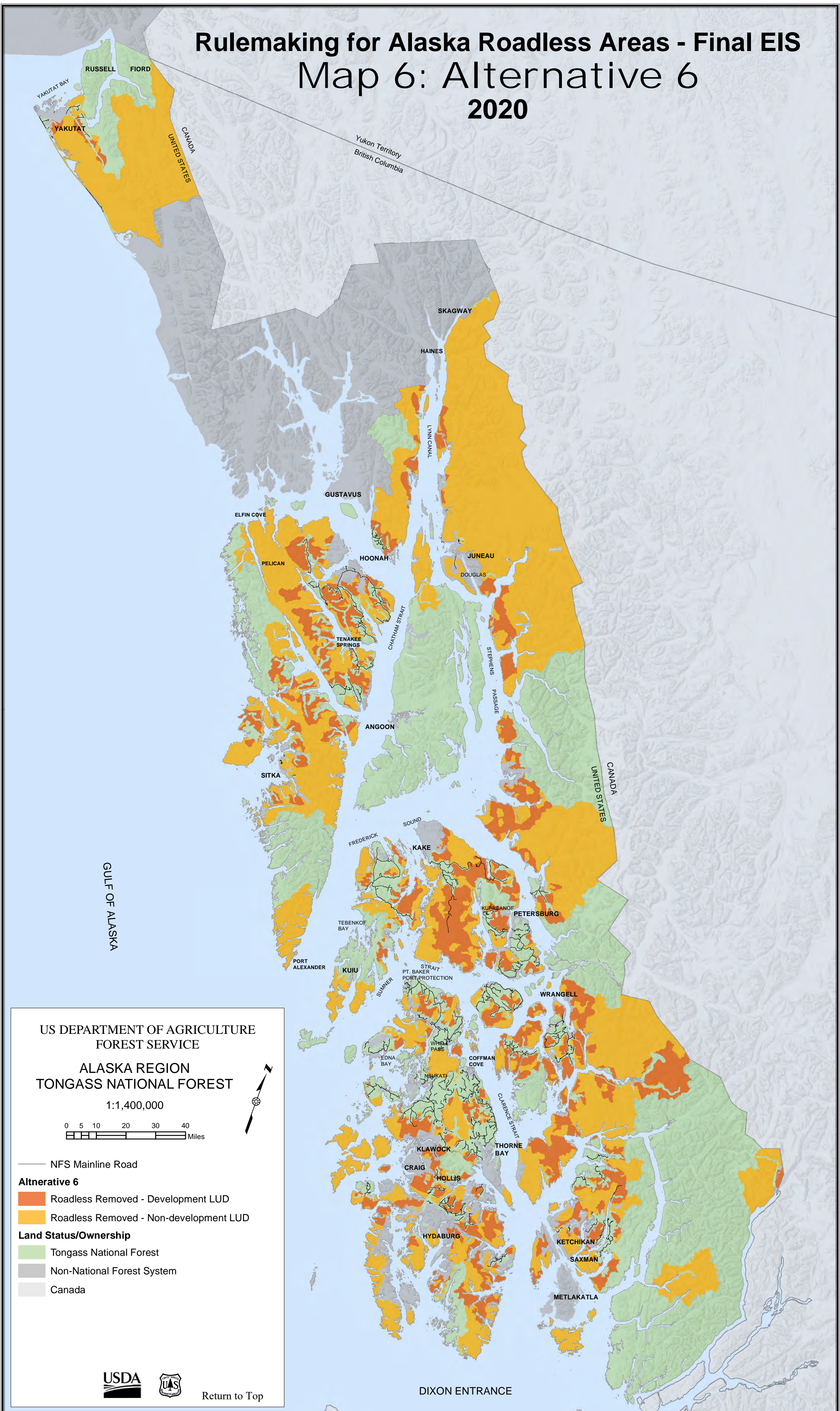


[Return to Top](#)

Rulemaking for Alaska Roadless Areas - Final EIS

Map 6: Alternative 6

2020



US DEPARTMENT OF AGRICULTURE
FOREST SERVICE

ALASKA REGION
TONGASS NATIONAL FOREST

1:1,400,000

0 5 10 20 30 40 Miles

— NFS Mainline Road

Alternative 6

- Roadless Removed - Development LUD
- Roadless Removed - Non-development LUD

Land Status/Ownership

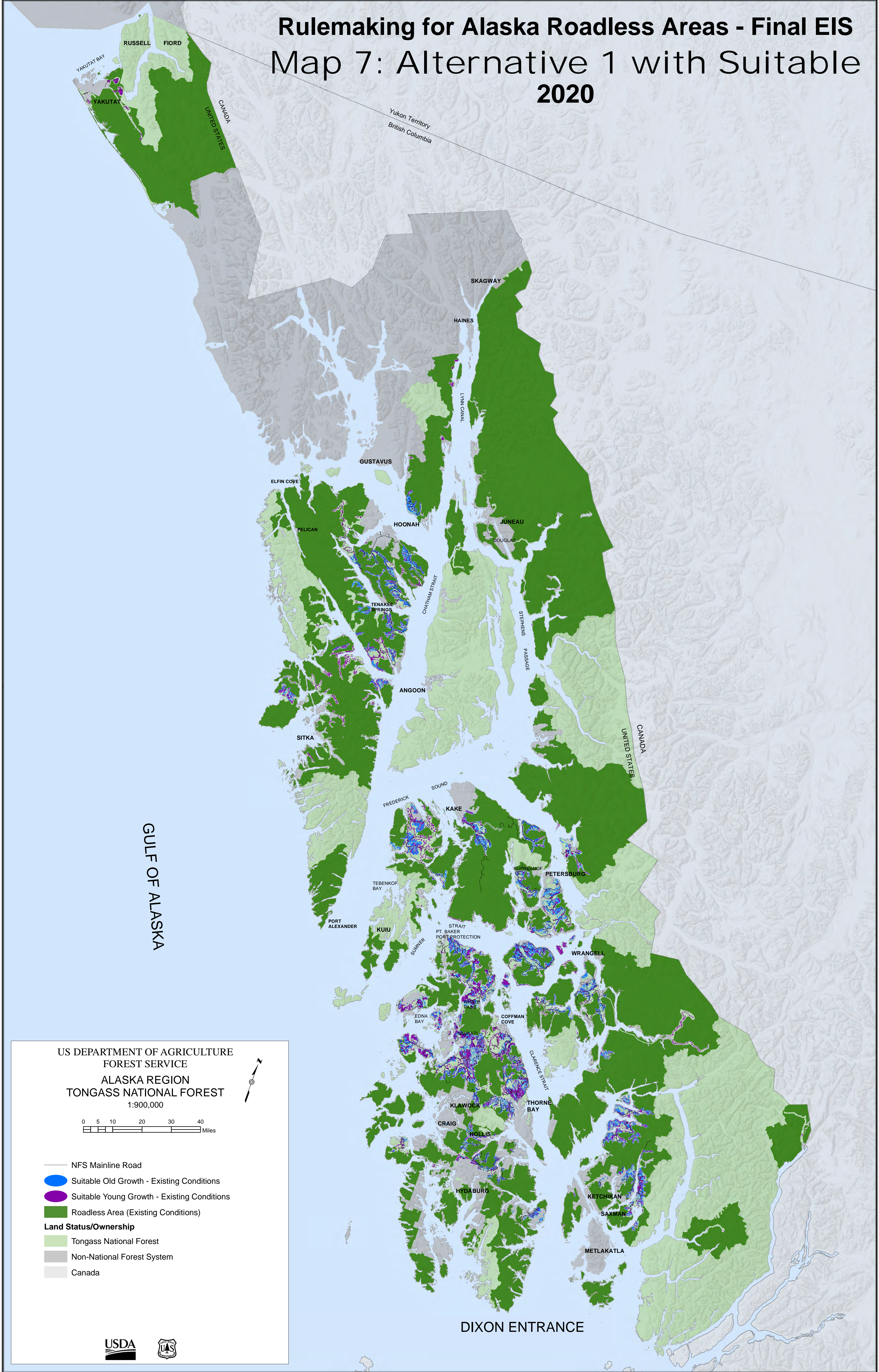
- Tongass National Forest
- Non-National Forest System
- Canada

USDA UAS

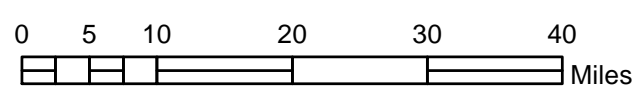
[Return to Top](#)

Rulemaking for Alaska Roadless Areas - Final EIS

Map 7: Alternative 1 with Suitable 2020



US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
ALASKA REGION
TONGASS NATIONAL FOREST
1:900,000



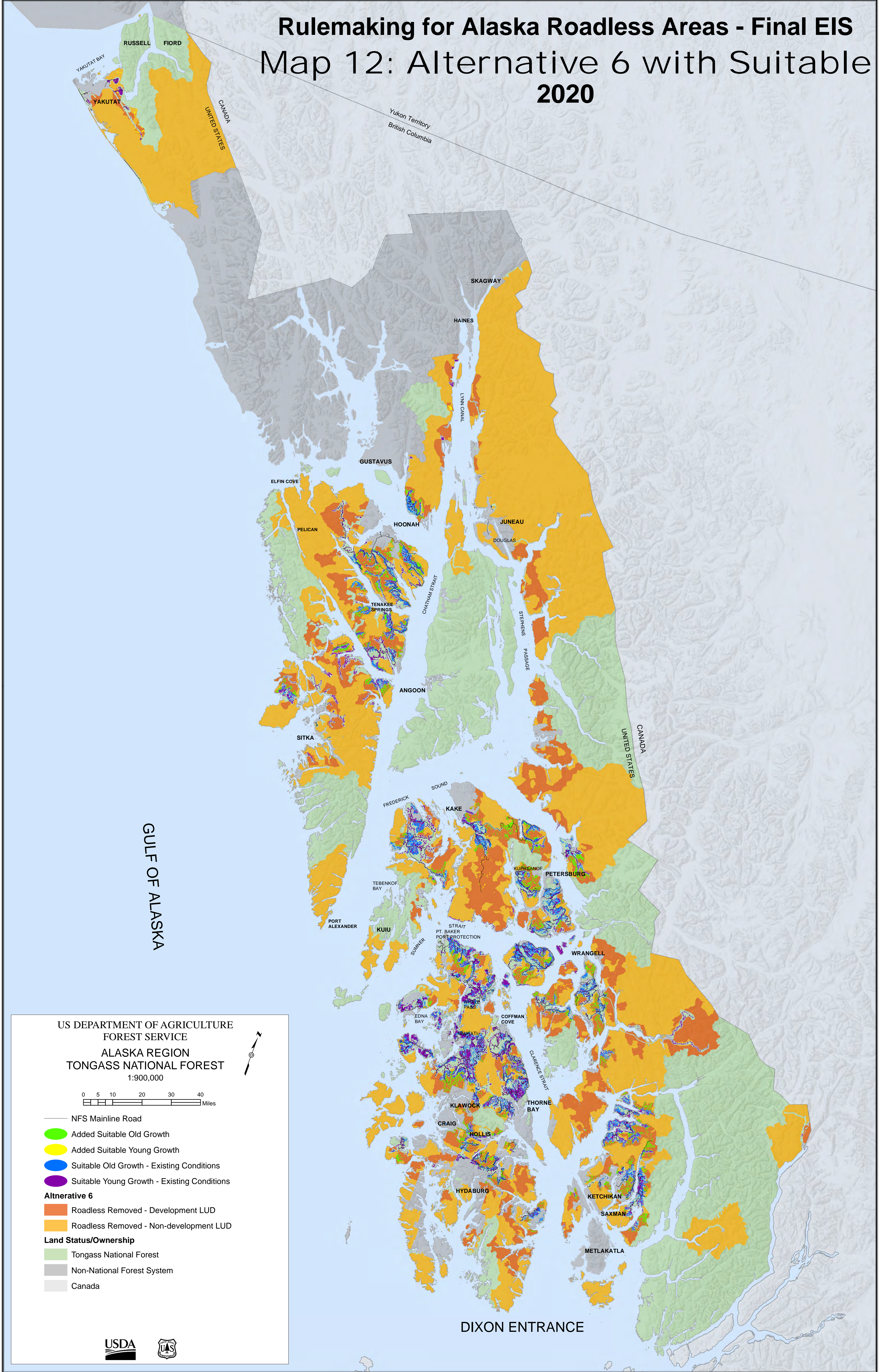
- NFS Mainline Road
- Suitable Old Growth - Existing Conditions
- Suitable Young Growth - Existing Conditions
- Roadless Area (Existing Conditions)
- Land Status/Ownership**
- Tongass National Forest
- Non-National Forest System
- Canada



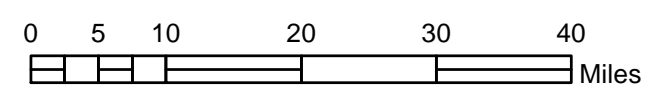
DIXON ENTRANCE

Rulemaking for Alaska Roadless Areas - Final EIS

Map 12: Alternative 6 with Suitable 2020



US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
ALASKA REGION
TONGASS NATIONAL FOREST
1:900,000



- NFS Mainline Road
- Added Suitable Old Growth
- Added Suitable Young Growth
- Suitable Old Growth - Existing Conditions
- Suitable Young Growth - Existing Conditions
- Alternative 6**
- Roadless Removed - Development LUD
- Roadless Removed - Non-development LUD
- Land Status/Ownership**
- Tongass National Forest
- Non-National Forest System
- Canada



DIXON ENTRANCE

Appendix E -- Craig Community Use Area

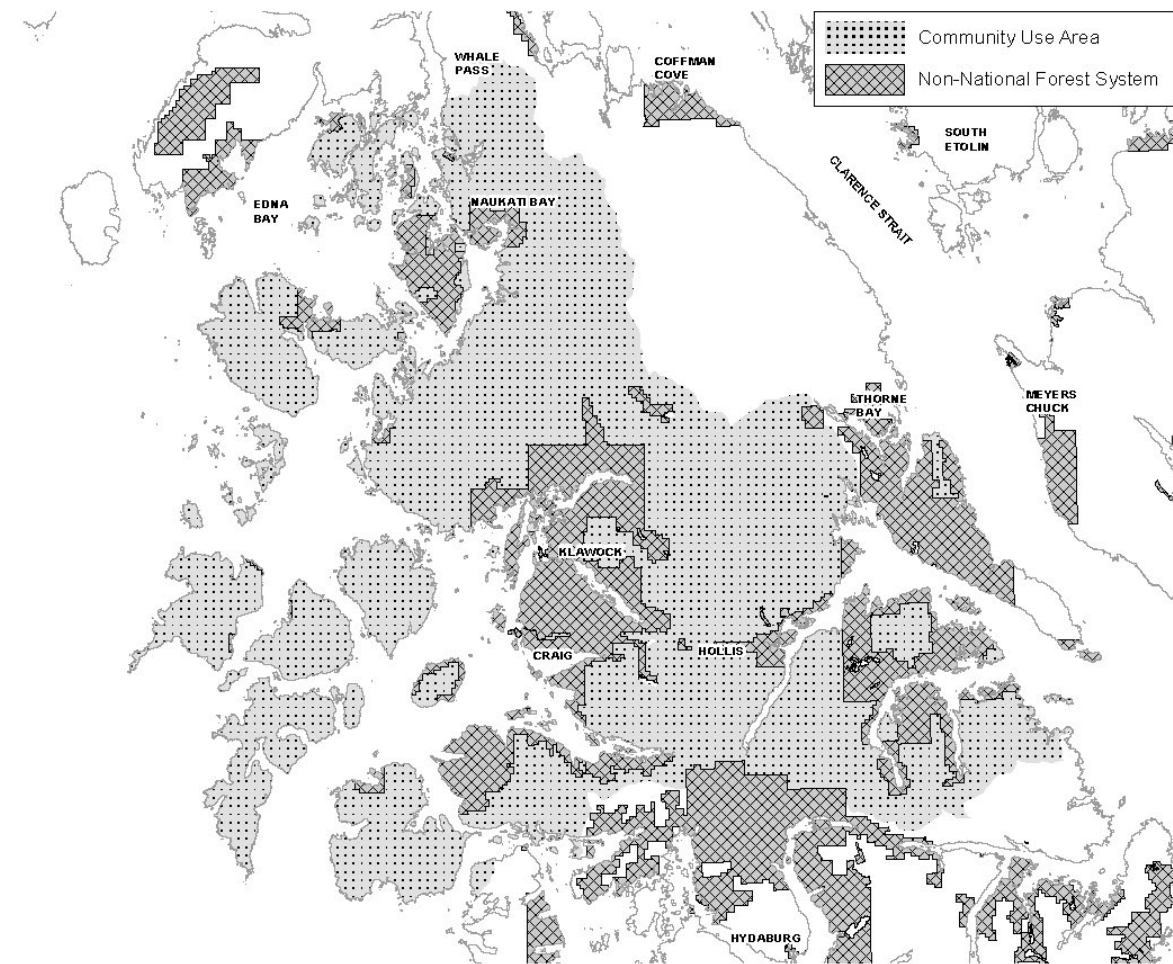
Appendix E

Craig (Shaan da)

Community Use Area

Craig's CUA encompasses a total of 733,670 acres (Figure E-3). Over half of this area (57 percent) is presently managed as roadless (Table E-11). This share would drop to 33 percent under Alternatives 3 and 5, with no acres managed as roadless under Alternative 6. The removal of LUD II acres under Alternative 3 accounts for approximately 55 percent of the decrease in roadless acres under this alternative. These areas would retain their congressional protections and continue to be managed in a roadless state. Alternative 4 includes ARA acres that would be managed as Timber Priority and allow timber harvest and road building. Timber Priority acres account for 12 percent of the ARA in the Craig CUA. Areas allocated to Roadless Priority would explicitly allow the cutting, utilization, customary trade, and removal of trees for the purposes of Alaska Native customary and traditional uses, as well as road construction deemed necessary by a federally recognized Tribe for access to Alaska Native cultural sites. This type of use would also be allowed in Timber Priority areas, which allow all timber harvest and road construction.

Figure E-3
Craig's Community Use Area



**Table E-11
Roadless Areas, ARA Management Categories, and Development Opportunity in
Craig's Community Use Area**

Roadless Category (acres)	Alternative					
	1	2	3	4	5	6
Total Community Use Area:	733,670	733,670	733,670	733,670	733,670	733,670
Total Roadless Area	418,413	396,858	239,678	330,167	240,160	0
Roadless Share	57%	54%	33%	45%	33%	0%
ARA Management Categories (acres)						
LUD II Priority	na	99,731	0	99,731	98,201	0
Watershed Priority	na	132,064	29,012	0	0	0
Roadless Priority	na	165,063	80,188	192,343	141,960	0
Community Priority	na	0	29,012	0	0	0
Timber Priority	na	0	0	38,093	0	0
Development Opportunity						
Development LUDs (acres)	204,185	225,706	276,493	280,712	375,588	381,527
Timber Opportunity (Acres Suitable for Harvest)						
Old-Growth	40,738	46,824	60,255	64,177	65,495	65,495
Young-Growth	72,268	75,911	76,953	76,940	76,995	77,119
Estimated Harvest over 100 Years (acres)						
Old-Growth	9,263	9,435	9,613	8,691	8,712	7,043
Young-Growth	61,531	62,519	62,701	62,665	62,388	61,922
na = not applicable						

Not all acres removed from roadless management would be available for development. The change in acres in development LUDs serves as a measure of development potential as it presently exists by alternative. Approximately 28 percent (204,200 acres) of the Craig CUA is presently managed in development LUDs. This total would increase under all action alternatives, with net gains ranging from about 21,500 acres (Alternative 2) to 177,350 acres (Alternative 6).

Suitable old-growth and young-growth acres available for harvest would increase under all action alternatives. Estimated net gains in suitable old growth range from about 6,100 acres (Alternative 2) to 24,800 acres (Alternatives 5 and 6). Increases in suitable young-growth acres range from about 3,650 acres (Alternative 2) to 4,850 acres (Alternative 6).

Total acres harvested are assumed to remain constant across all alternatives. Estimated old-growth harvest over 100 years ranges from about 7,050 acres (Alternative 6) to 9,600 acres (Alternative 3). Estimated young-growth harvest ranges from about 61,500 acres (Alternative 1) to 62,700 acres (Alternatives 3 and 4), with an increase in potential young-growth harvest relative to Alternative 1 in all cases (Table E-11).

Subsistence

No significant effect on salmon, other finfish, or invertebrate habitat capability is expected from implementation of any alternative. These resources account for 70 percent of the total edible pounds of subsistence resources harvested by Craig households (Kruse and Frazier 1988). Marine resources (fish and marine invertebrates) accounted for 67 percent of per capita subsistence harvest in Craig in 1997 (ADF&G 2018).

The 1988 TRUCS study found that deer accounted for 22 percent of the total edible pounds of subsistence resources harvested by Craig households (Kruse and Frazier 1988). Deer accounted for 19 percent of per capita subsistence harvest by Craig residents in 1997 (ADF&G 2018).

Deer harvest by Craig residents is spread over many WAAs, but a majority (55 percent) are harvested from six WAAs in central and northern Prince of Wales Island (the top six WAAs in Table E-12). The Craig portion of the harvest in these six WAAs represents about one-third of the total harvest and about one-half of the rural hunter harvest (Table E-12). About 32 percent of the combined harvest in these WAAs is by non-rural hunters, indicating that there is a harvest buffer that could be restricted, if necessary, before restrictions are placed on rural harvests.

Appendix E

The majority of the WAAs used heavily by Craig residents are in areas with substantial past timber harvest, and deer habitat capabilities are currently estimated to be below 1954 levels (Table E-12). The 2016 Forest Plan Amendment EIS analysis found that additional harvest under the current Forest Plan could further reduce estimated habitat capabilities by 1 to 7 percent after 100 years, except for two WAAs where there would be no effect (0902 and 1107) (Table E-12).

Table E-12
Deer Harvest and Deer Habitat Capability on NFS Lands for the WAAs where Craig Residents Obtain Approximately 75 Percent of their Average Annual Deer Harvest¹

WAA	Average Deer Harvest from 2004 to 2013			Deer Habitat Capability ³		
	Craig Residents	All Rural Hunters ²	All Hunters	2014	After 100 Years of Implementation	Change
1422	106	247	383	57%	50%	-7%
1318	70	159	198	90%	84%	-6%
1214	60	120	235	77%	71%	-6%
1332	56	67	76	88%	87%	-1%
0902	55	65	82	100%	100%	0%
1317	51	93	133	58%	56%	-2%
0901	43	56	66	95%	93%	-2%
1319	40	169	226	74%	69%	-5%
1107	30	99	130	99%	99%	0%
1315	29	201	317	56%	50%	-6%

¹ Calculated based on harvest where location is known.

² The category "All Rural Hunters" includes residents of Southeast Alaska communities, excluding the cities of Juneau and Ketchikan.

³ Deer habitat capability in 2014 and after 100 Years of full implementation is expressed as a percent of the 1954 habitat capability. Data presented for 100 Years of Implementation are estimates developed for the current Forest Plan in the 2016 Forest Plan Amendment EIS (USDA Forest Service 2016).

The 2016 Forest Plan Amendment EIS analysis found that use of most subsistence resources by Craig residents (fish and marine invertebrates) was not expected to be affected by any of the alternatives. Based on the Deer Availability and Anticipated Demand analysis completed for the 1997 Forest Plan Revision EIS, the 2016 analysis found that subsistence use of deer may be affected to the point that some restriction in hunting might be necessary over the long term, especially for non-rural hunters. The risk of hunting restrictions would be reduced somewhat, through more intensive management (e.g., thinning) of the existing and future closed-canopy, young-growth forests in this area. Indirect effects associated with increased competition for deer within Craig's subsistence use areas could also occur if hunters from other communities were displaced due to timber harvest activity.

Suitable old-growth acres would increase relative to Alternative 1 under most of the action alternatives, with larger increases under Alternatives 5 and 6 (Table E-13). In five of the WAAs, projected old-growth harvest is mostly expected to decrease relative to Alternative 1 under all five action alternatives, with projected harvest mostly expected to increase in the other five WAAs (Table E-14). These relative changes in projected harvest are small in absolute terms (i.e., number of acres), and none of the alternatives are expected to affect the findings of the 2016 Forest Plan Amendment.

Table E-13
Suitable Old-Growth by WAA and Alternative for the WAAs where Craig Residents Obtain Approximately 75 Percent of their Average Annual Deer Harvest

WAA	Total Acres	Alt 1	Change from Alternative 1 (Acres)				
			Alt 2	Alt 3	Alt 4	Alt 5	Alt 6
1422	120,282	10,120	350	3,770	3,900	3,900	3,900
1318	53,715	1,300	140	1,310	1,410	1,410	1,410
1214	61,675	3,440	1,910	3,190	3,190	3,190	3,190
1332	58,173	1,230	140	550	540	550	550
0902	105,924	-	-	-	-	10	10
1317	57,222	2,460	730	2,190	2,510	3,380	3,380
0901	36,528	490	(10)	(10)	1,270	1,270	1,270
1319	103,213	3,250	170	570	600	600	600
1107	124,051	360	10	80	80	90	90
1315	55,043	3,820	230	1,240	1,240	1,240	1,240

Table E-14
Projected Old-Growth Timber Harvest over 100 Years by WAA and Alternative for the WAAs where Craig Residents Obtain Approximately 75 Percent of their Average Annual Deer Harvest

WAA	Total Acres	Alt 1	Change from Alternative 1 (Acres)				
			Alt 2	Alt 3	Alt 4	Alt 5	Alt 6
1422	120,282	3,020	(180)	20	(360)	(410)	(410)
1318	53,715	390	-	180	120	110	110
1214	61,675	1,030	420	420	230	200	200
1332	58,173	370	-	20	(30)	(40)	(40)
0902	105,924	-	-	-	-	-	-
1317	57,222	730	130	290	210	360	360
0901	36,528	140	(10)	(30)	190	190	190
1319	103,213	970	(40)	(130)	(240)	(250)	(250)
1107	124,051	110	(10)	(10)	(30)	(30)	(30)
1315	55,043	1,140	(40)	(30)	(180)	(200)	(200)

Edna Bay

Community Use Area

Edna Bay's CUA encompasses a total of 633,338 acres (Figure E-4). Slightly more than half of this area (55 percent) is presently managed as roadless (Table E-15). This share would drop to 28 percent under Alternative 3 and 37 percent under Alternative 5, with no acres managed as roadless under Alternative 6. The removal of LUD II acres under Alternative 3 accounts for approximately 84 percent of the decrease in roadless acres under this alternative. These areas would retain their congressional protections and continue to be managed in a roadless state. Alternative 4 includes ARA acres that would be managed as Timber Priority and allow timber harvest and road building. Timber Priority acres account for 14 percent of the ARA in the Edna Bay CUA. Areas allocated to Roadless Priority would explicitly allow the cutting, utilization, customary trade, and removal of trees for the purposes of Alaska Native customary and traditional uses, as well as road construction deemed necessary by a federally recognized Tribe for access to Alaska Native cultural sites. This type of use would also be allowed in Timber Priority areas, which allow all timber harvest and road construction.

Table ES-2

**Table ES-2
Roadless Areas by Alternative and Management Designation**

Roadless Designation (acres)	Alternative					
	1 No Action	2 <u>Roaded</u> Roadless	3 Logical Extension	4 Partial Dev. LUDs ¹	5 All Dev. LUDs	6 Full Exemption
Total Roadless Area	9,368,000	9,336,000	8,224,000	8,975,000	7,047,000	0
ARA Management Designations						
LUD II Priority	N/A	854,000	0	854,000	847,000	0
Watershed Priority	N/A	3,284,000	3,259,000	0	0	0
Roadless Priority	N/A	5,199,000	4,595,000	7,363,000	6,200,000	0
Community Priority	N/A	0	370,000	0	0	0
Timber Priority	N/A	0	0	757,000	0	0
Change in Roadless Area Acres						
Roadless Area Removed	0	142,000	1,252,000	401,000	2,321,000	9,368,000
Roadless Area Added	0	110,000	107,000	7,000	0	0
Net Change	0	-32,000	-1,144,000	-394,000	-2,321,000	-9,368,000
Old-Growth Acres Suitable for Timber Production						
Total Acres	227,000	247,000	312,000	388,000	395,000	395,000
Net Change	0	20,000	85,000	161,000	168,000	168,000
T77 & TNC/ Audubon Conservation Priority Areas Outside of Roadless given Long-term Regulatory Protection						
Total Acres	0	0	507,000	0	0	0

¹ Includes Timber Production and Modified Landscape LUDs, but not Scenic Viewshed.

N/A = not applicable

Note: Numbers may not appear to sum correctly due to rounding.

Litigation Filings

List of Plaintiffs Litigating Against the ARA Rule

Katharine S. Glover (Alaska Bar No. 0606033)
Eric P. Jorgensen (Alaska Bar No. 8904010)
EARTHJUSTICE
325 Fourth Street
Juneau, AK 99801
907.586.2751; kglover@earthjustice.org; ejorgensen@earthjustice.org

Nathaniel S.W. Lawrence (Wash. Bar No. 30847) (*pro hac vice pending*)
NATURAL RESOURCES DEFENSE COUNCIL
3723 Holiday Drive, SE
Olympia, WA 98501
360.534.9900; nlawrence@nrdc.org

Garett R. Rose (D.C. Bar No. 1023909) (*pro hac vice pending*)
NATURAL RESOURCES DEFENSE COUNCIL
1152 15th St. NW
Washington DC 20005
202.289.6868; grose@nrdc.org

Attorneys for Plaintiffs Organized Village of Kake, et al.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ORGANIZED VILLAGE OF KAKE; ORGANIZED VILLAGE OF)
SAXMAN; HOONAH INDIAN ASSOCIATION; KETCHIKAN)
INDIAN COMMUNITY; KLAWOCK COOPERATIVE)
ASSOCIATION; WOMEN’S EARTH AND CLIMATE ACTION) Case No. 1:20-cv-
NETWORK; THE BOAT COMPANY; UNCRUISE; ALASKA) _____
LONGLINE FISHERMEN’S ASSOCIATION; SOUTHEAST)
ALASKA CONSERVATION COUNCIL; NATURAL RESOURCES)
DEFENSE COUNCIL; ALASKA RAINFOREST DEFENDERS;)
ALASKA WILDERNESS LEAGUE; SIERRA CLUB; DEFENDERS)
OF WILDLIFE; NATIONAL AUDUBON SOCIETY; CENTER FOR)
BIOLOGICAL DIVERSITY; FRIENDS OF THE EARTH; THE)
WILDERNESS SOCIETY; GREENPEACE, INC.; NATIONAL)
WILDLIFE FEDERATION; and ENVIRONMENT AMERICA,)
)
Plaintiffs,)
v.)
)
SONNY PERDUE, in his official capacity as Secretary of)
Agriculture, UNITED STATES DEPARTMENT OF)
AGRICULTURE, STEPHEN CENSKY, or his successor, in his)
official capacity as Deputy Secretary of Agriculture; and UNITED)
STATES FOREST SERVICE,)
)
Defendants.)

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF
(5 U.S.C. §§ 701-706; 16 U.S.C. § 551; 16 U.S.C. § 1608; 42 U.S.C. § 4332; 16 U.S.C. § 3120)

Litigation Filings

List of Past Intervenors Asked to Support the ARA Rule

Steven W. Silver DC Bar # 413357
Hoffman, Silver, Gilman, and Blasco
2300 Clarendon Blvd. #1010
Arlington, VA 22201
Tel: 703-527-4414
Fax: 703-527-0421
ssilver628@aol.com

James F. Clark, AK Bar #6907025
Law Office of James F. Clark
1109 C Street
Juneau, Alaska 99801
Tel: 907-586-0122
Fax: 907-586-1093
jfclarkiii@gmail.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE STATE OF ALASKA

Plaintiff,

ALASKA ELECTRIC LIGHT & POWER,
ALASKA POWER & TELEPHONE,
ALASKA MINERS ASSOCIATION,
CITIZENS PRO ROAD, ALASKA
MARINE LINES, INC., NORTHWEST
MINING ASSOCIATION, DURETTE
CONSTRUCTION COMPANY, INC.
FIRST THINGS FIRST FOUNDATION,
JUNEAU CHAMBER OF COMMERCE,
THE CITY OF KETCHIKAN D/B/A
KETCHIKAN PUBLIC UTILITIES,
KETCHIKAN GATEWAY BOROUGH,
SOUTHEAST STEVEDORING CORP.,
CHRIS GERONDALE, SOUTHEAST
ROADBUILDERS, INC., HYAK MINING
CO., INC., INSIDE PASSAGE ELECTRIC
COOPERATIVE,)

Proposed Plaintiff Intervenors)

MOTION FOR LEAVE TO
INTERVENE AS PLAINTIFF
INTERVENORS AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
MOTION

CASE NO. 1:11-cv-01122_____
(RJL)