

---

## Finding Aid to the Alan Stein papers

Phyllis DeMuth and Marilyn Kwock (Alaska State Library Historical Collections) Marjorie Bryer (The Bancroft Library)  
The Bancroft Library



1986-1995, 2018

The Bancroft Library

University of California

Berkeley, CA 94720-6000

[bancref@library.berkeley.edu](mailto:bancref@library.berkeley.edu)

URL: <http://www.lib.berkeley.edu/libraries/bancroft-library>

---

**Language of Material:** English

**Contributing Institution:** The Bancroft Library

**Title:** Alan Stein papers

**creator:** Stein, Alan

**Identifier/Call Number:** BANC MSS 2018/199

**Physical Description:** 4.6 Linear Feet (9 boxes)

**Date (inclusive):** 1955-1994

**Abstract:** The Alan Stein papers documents the work the Point Baker and Salmon Bay Protective Associations did to protest clearcut logging and lobby for buffer strip legislation in the Tongass National Forest on Prince of Wales Island in Alaska. The collection contains materials related to two significant lawsuits pertaining to clearcutting: the Point Baker Association's logging lawsuit (Zieske v. Butz), and the Salmon Bay Protective Association's lawsuit and Environmental Impact Study Appeal (Stein v. Barton). The collection also includes the Point Baker Association's forestry lobby legislation file for the National Forest Management Act of 1976 and the Tongass Timber Reform Act of 1990. These papers were collected by one of the lead plaintiffs, Alan Stein. According to Stein, these records document local Alaskan bush communities' efforts to protect salmon streams essential to their economy and way of life.

**Language of Material:** Collection materials are in English.

Many of the Bancroft Library collections are stored offsite and advance notice may be required for use. For current information on the location of these materials, please consult the library's online catalog.

**Conditions Governing Access**

Collection is open for research.

**Accruals**

No future additions are expected.

**Immediate Source of Acquisition**

The Alan Stein papers were given to The Bancroft Library in 2018 by Alan Stein. The collection was deaccessioned from, and received via, the Alaska State Library.

**Alternate Forms Available**

There are no alternative forms of this collection.

**Arrangement**

Original order was maintained, as were original folder titles and numbering. Stein sorted and organized the papers and provided explanatory materials and chronologies re: both lawsuits (this can be found in Box 1, folder A). The papers were housed according to Stein's instructions, and notes were not checked for accuracy by the archivists. Materials regarding the Point Baker Association logging suit (Zieske v. Butz) and forestry legislation lobby files are in Boxes 1-3, and Box 4, folders 41-42. Materials regarding the lawsuit Stein v. Barton (Salmon Bay Protective Association) are in Boxes 4-9.

**Biography**

Alan Stein, a fisherman, homesteader, and activist in Port Protection, Alaska, founded the Point Baker Association in 1973. This group of local citizens joined to protest clearcut logging near Point Baker. The Association initiated a federal lawsuit in December 1975, Zieske v Butz, which stopped clearcut logging near Point Baker and threatened all logging on the West Coast. Zieske (1975) spurred Congress into Passing the NFMA (National Forest Management Act, 1976) and Stein (1990) spurred Congress to pass the buffer strip provisions contained in the TTRA (1991). In both cases, Stein lobbied Congress extensively. In 1989, Stein organized a group of commercial fisherman into the Salmon Bay Protective Association (SBPA). They challenged the U.S. Forest Service Environmental Impact Statement and Record of Decision as they affected commercial clearcut logging of trees along approximately 1,800 salmon streams in the Tongass National Forest, as well as plans to clearcut in the watershed of Prince of Wales Island, Salmon Bay. The SBPA won a U.S. District Court order prohibiting logging along Class I and II streams and succeeded in persuading the U.S. Congress and Alaska State legislature to pass 100 foot buffer strip streams in the Tongass National Forest.

**Preferred Citation**

[Identification of item], Alan Stein papers, BANC MSS 2018/199, The Bancroft Library, University of California, Berkeley

**System of Arrangement**

Arranged to the folder level

**Processing Information**

Processed by Phyllis DeMuth and Marilyn Kwock at the Alaska State Library, 1986-1995 (formerly MS 093)

---

Updated by Marjorie Bryer at The Bancroft Library, in 2018

### **Scope and Content of Collection**

The Alan Stein papers document the work the Point Baker and Salmon Bay Protective Associations did to protest clearcut logging and lobby for buffer strip legislation in the Tongass National Forest on Prince of Wales Island in Alaska. The collection contains materials related to two significant lawsuits pertaining to clearcutting: the Point Baker Association's logging lawsuit (Zieske v. Butz), and the Salmon Bay Protective Association's lawsuit and Environmental Impact Study Appeal (Stein v. Barton). The collection also includes the Point Baker Association's forestry lobby legislation file. These papers were collected by fisherman Alan Stein, who was also one of the lead plaintiffs. According to Stein, these records document local Alaskan bush communities' efforts to protect salmon streams essential to their economy and way of life. Materials in the collection include correspondence; legal documents; legislation and lobbying materials; materials re: buffer strips on streams; newspaper clippings; position papers on salmon stream protective measures; resolutions passed by the United Fishermen of Alaska, the Alaska State Legislature, and conservation groups; state and federal agency memos; Stein's testimony before the U.S. Senate and House committee of Agriculture, and his diaries and notes.

### **Publication Rights**

Some materials in these collections may be protected by the U.S. Copyright Law (Title 17, U.S.C.). In addition, the reproduction of some materials may be restricted by terms of University of California gift or purchase agreements, donor restrictions, privacy and publicity rights, licensing and trademarks. Transmission or reproduction of materials protected by copyright beyond that allowed by fair use requires the written permission of the copyright owners. Works not in the public domain cannot be commercially exploited without permission of the copyright owner. Responsibility for any use rests exclusively with the user. All requests to reproduce, publish, quote from, or otherwise use collection materials must be submitted in writing to the Head of Public Services, The Bancroft Library, University of California, Berkeley 94720-6000. See: <http://bancroft.berkeley.edu/reference/permissions.html>.

### **Subjects and Indexing Terms**

United States. -- Forest Service. -- Alaska Region  
Clearcutting -- Environmental aspects -- Alaska.  
Fishery management -- Alaska.  
Lumbering -- Alaska -- Prince of Wales Island.  
Forestry law and legislation--United States  
Water -- Pollution -- Alaska.  
Tongass National Forest (Alaska) -- Management.  
Stein, Alan

---

box 1, Folder A	<b>Background Materials/Alaska State Library Collection Guide 1993</b>
	<b><i>Correspondence Files</i></b>
box 1, Folder 1	<b>Baade, Dixie (Tongass Conservation Society). Correspondence re: Point Baker 1972-1984</b>
box 1, Folder 2	<b>Barlow, Tom (Coalition to Save Our National Forest). Letter to John McGuire, Chief, U.S. Forest Service, Dated November 24, 1976; Notes, etc. 1976</b>
box 1, Folder 3	<b>Folta, Richard C: (Attorney for Point Baker Association in Zieske vs. Butz) 1975</b>
box 1, Folder 4	<b>Governor, Office of. Copies of Letters in Gov. Jay Hammond's Office File Pertaining to State Policy on Environmental issues in Southeast Alaska (from Alaska State Archives) 1975</b>
box 1, Folder 5	<b>Myren, Richard T. (Sierra Club, Juneau Group President; Retired NOAA-Auke Bay Laboratory Employee). Correspondence and Material re: Point Baker 1970-1979</b>
box 1, Folder 6-7	<b>Stein, Alan. Letters Sent 1973-1979</b>
box 1, Folder 8	<b>Stein, Alan. Letter to Senator Ted Stevens and Reaction to Bill He Introduced Allowing Clearcutting January 26, 1976</b>
box 1, Folder 9-12	<b>Stein, Alan. Letters received 1974-1984</b>
box 1, Folder 13	<b>Wilson, Richard (U.S. Forest Service Supervisor). Regarding Point Baker Appeal to the Forest Service 1974</b>
box 1, Folder 14-15	<b>Letters (Various Correspondents) 1972-1976</b>

***Action Files: Appeals, Memos, etc.***

---

box 1, Folder 16	<b>Point Baker Association Petition to Governor's Office January 1975</b>
box 1, Folder 17	<b>Sierra Club (Juneau group). Statement on Point Baker-Port Protection Clearcut Suit. undated</b>
box 1, Folder 18	<b>Stein, Alan. Memo to State Administration Officials Regarding State Strategy for National Forest Management Act Legislative Action 1976</b>
box 1, Folder 19	<b>Memos/Policy Statements of Government Agencies Regarding Protection Measures 1976</b>
box 1, Folder 20	<b>Memos/Comments of Agencies and Organizations on Forest Land Use Plan, etc. 1972-1976</b>
box 1, Folder 21	<b>Resolutions: Tenakee Springs Council re: Logging at Tenakee Inlet; Alaska Legislature Senate Joint Resolution No. 12 re: Timber Sale, Afognak Island; Northern Southeast Regional Aquaculture Association Resolution re: Chilkat-Chilkoot Drainages 1974-1979</b>
box 1, Folder 22	<b>Comments of State Agencies on Management Plan for South Lindenber, Tongass National Forest 1976</b>
box 1, Folder 23	<b>Hammond, Governor Jay. "State Action Following Clearcutting Decision" (Speech) 1976</b>
box 1, Folder 24	<b>Appeal: Forest Service Responses from Supervisor Richard.Wilson and Decision of the Secretary of Agriculture 1974-1975</b>
	<b><i>Stein Files on Point Baker Lawsuit Activity, etc.</i></b>
box 1, Folder 25	<b>Stein, Alan. Photographs: Point Baker Logging (Shown in Washington D.C. and Juneau for Lobbying) 1976</b>
box 1, Folder 26	<b>Stein, Alan. Writings Regarding Issues Relative to Point Baker Lawsuit, Stream Protection, etc. circa 1976-1985</b>
box 1, Folder 27	<b>Stein, Alan. Testimony Before the U.S. Congress 1976</b>
	<b><i>Newspaper Clippings and Publications</i></b>
box 2, Folder 28-29	<b>Point Baker Association Clearcut Suit, Coalition to Save the National Forests, and Environmental Issues 1973-1976</b>
box 2, Folder 30	<b>Yates, Charles. Article Reprinting Yates' Speech that Led to His Termination as Regional Forest Supervisor 1975</b>
box 2, Folder 31	<b>Southeast Alaska Conservation Council/Sitka Conservation Society. Publications 1971-1976</b>
box 2, Folder 32	<b>Publications: Ketchikan Pulp Company Timber Sale, Draft Environmental Impact Statement, Tongass National Forest; Studies on Alaska by Federal Agencies 1974-1979</b>
box 2, Folder 33	<b>Publications: General Activities and Studies Regarding Fishing, Logging and Other Topics 1955-1976</b>
box 2, Folder 34	<b>Folta, Richard (Attorney). Reference Material (Copies), including Several Laws and Court Cases circa 1975</b>
box 2, Folder 34A	<b>Sierra Club vs Hardin et al. Affidavits (Folta Reference Material) 1970</b>
box 2, Folder 34B-34C	<b>Area Guides, Land Management Plans, Draft Environmental Statement (South East Alaska/Tongass National Forest) 1973-1978</b>
box 3, Folder 35	<b>Miscellaneous: Cartoon, Point Baker Legal Defense Fund Bills, Misty Fjords-U.S. Borax Material circa 1976-1979</b>
	<b><i>Lobby/Lawsuit Files</i></b>
box 3, Folder 36	<b>Stein, Alan. Notes of Meetings; Preparation for Lawsuit Hearing 1974-1976</b>
box 3, Folder 37	<b>National Forest Management Act: Copies of Legislation and Lobbying Materials 1974-1979</b>
box 3, Folder 38	<b>Forest Practice Drafts and Responses (Received from Jeff Haines, Assistant Attorney General) 1975-76</b>
box 3, Folder 39	<b>Zieske vs Butz: Pleadings, Affidavits, Notice of Forest Service Certification of the Appeal Record 1975-1979</b>
box 3, Folder 40	<b>Bob Weeden, Division of Policy and Planning (State of Alaska). Files: Zieske vs. Butz 1975-1976</b>
box 4, Folder 41	<b>List of Filings at Federal Court Archives, Washington (Zieske vs. Butz) (Acc. 95-50) 1977</b>

---

---

box 4	<b>Richard Myren Materials: Affidavit, etc. in Sierra Club vs. Champion Plywood (Acc. 95-50) 1970</b>
	<b><i>Stein v. Barton: Appeal Research and Freedom of Information Act Requests</i></b>
box 4, Folder A	<b>Box Content List (Made by Alan Stein) 1989</b>
box 4, Folder 1	<b>Early Correspondence February 1989</b>
box 4, Folder 2	<b>Freedom of Information Requests 1988-1989</b>
box 4, Folder 3	<b>Department of Environmental Conservation (DEC)/Environmental Protection Agency (EPA) Water Quality on Federal Land 1989-1990</b>
box 4, Folder 4	<b>Research Notes and Data circa 1979-1989</b>
box 4, Folder 5	<b>Evidence, U.S. Forest Service 1989</b>
box 4, Folder 6	<b>Notes for Lawsuit 1988-1989</b>
box 4, Folder 7	<b>U.S. Forest Service and U.S. Department of Agriculture Memos 1988-1989</b>
box 4, Folder 8	<b>Analysis for Lawsuit 1989</b>
box 4, Folder 9	<b>Buffer Strips...(Draft) circa 1989</b>
box 4, Folder 10	<b>Department of Environmental Conservation (DEC) Archives: Enforcement, Water Quality Violations: Salmon Streams 1977-1981</b>
box 4, Folder 11	<b>Key to U.S. Forest Service Database, Early 1989 (GIS Codes) 1989</b>
box 4, Folder 12	<b>Stein's Notes of Interview with Doug Swanston 1989</b>
box 4, Folder 13	<b>Tracy Moore Interview 1989</b>
box 4, Folder 14	<b>DEC Research Streams 1989</b>
box 4, Folder 15	<b>Freedom of Information Act Responses 1989</b>
box 4, Folder 16	<b>"State Forest Practices Act Lobbying for Buffers, 1989" 1989</b>
box 4, Folder 17	<b>"Stream Committee..." 1988-1989</b>
box 4, Folder 18	<b>"Legal Research" 1989</b>
	<b><i>Stein v. Barton: Appeal to the Record of Decision &amp; Environmental Impact Statement for the 1989-1994 Operating Period for the Ketchikan Pulp Company Long-Term Sale Area</i></b>
box 5, Folder 1	<b>Affidavit of Michael Murphy, National Marine Fisheries Service June 21, 1989</b>
box 5, Folder 2	<b>Decision on Environmental Impact Statement for Ketchikan Pulp Co. 1989-1994</b>
box 5, Folder 3-4	<b>Drafts of Stein's Appeal 1989</b>
box 5, Folder 5	<b>Appeal by Buck Lindekugel, Attorney 1989</b>
box 5, Folder 6-8	<b>Exhibits to First and Second Appeals 1989</b>
box 5, Folder 9	<b>Third Appeal and Exhibits 1989</b>
box 5, Folder 10	<b>U.S. Forest Service Final Decision on Appeal, etc. 1991-1992</b>
box 5, Folder 11	<b>Myren's Calculations during Lawsuit...used by Buck circa 1989</b>
box 5, Folder 12	<b>Staney Creek, Prince of Wales Island: Water Quality circa 1990</b>
	<b><i>Stein v. Barton: 1989 EIS Appeal Papers &amp; Documents, Salmon Bay Protective Association (SBPA) Records</i></b>
box 6, Folder 1	<b>Temporary Restraining Order September 29, 1989</b>
box 6, Folder 2	<b>SBPA Daily Activities 1989-1990</b>
box 6, Folder 3	<b>"Discovery" 1989</b>
box 6, Folder 4	<b>Addendum to Record of Decision 1989</b>
box 6, Folder 4A-6	<b>"Negotiations I-IV" 1989</b>
box 6, Folder 7	<b>"Notes Meeting" 1989</b>
box 6, Folder 8	<b>"Evidence" 1989</b>
box 6, Folder 9	<b>Reprint circa 1989</b>
box 6, Folder 10	<b>"Sturdevant Affidavit" 1990</b>
box 6,	<b>Notes/Telephone Notes/Conversation 1989</b>
Folder 11-12	
box 6,	<b>SBPA Business Papers, Membership Information, Telephone Log, Incorporation</b>
Folder 13-21	<b>Papers, Meeting Minutes, Mailing Lists, Organizational Records, Tax Forms, Correspondence 1989-1990</b>
box 9, Folder A	<b>SBPA Correspondence 1989</b>
	<b><i>Stein v. Barton: SBPA Records and Activities, Lobbying, Timber Industry, 1988-1990</i></b>
box 7, Folder 1	<b>Southeast Alaska Seiners Association Settlement Agreement circa 1990</b>
box 7, Folder 2	<b>SBPA Correspondence 1990</b>
box 7, Folder 3	<b>"Correspondence with Buck [Lindekugel]" 1990</b>

---

---

box 7, Folder 4	<b>"Buffer Policy, United Fisherman of Alaska (UFA), National Marine Fisheries Service" April-May 1990</b>
box 7, Folder 5	<b>"Resolution" 1990</b>
box 7, Folder 6	<b>"Post-March 20th Lobbying" 1990</b>
box 7, Folder 7	<b>"Wilderness Society Proposed Johnstone Amendment..." April 1990</b>
box 7, Folder 8	<b>"Time Limit Johnstone Demo, 5-1" 1990</b>
box 7, Folder 9	<b>"State's Testimony, Mark-Up Bill" 1990</b>
box 7, Folder 10	<b>"Mark-Up Correspondence Activities" 1990</b>
box 7, Folder 11	<b>"Letters of Support" 1990</b>
box 7, Folder 12	<b>"Energy Committee Report" March 1990</b>
box 7, Folder 13	<b>"Testimony, Me. and Southeast Alaska Conservation Council (SEACC)" 1989-1990</b>
box 7, Folder 14	<b>"Johnstone Markings" 1990</b>
box 7, Folder 15	<b>"UFA-Salmon Bay Letter Dispute" May 1990</b>
box 7, Folder 16	<b>"Tongass Conference" October 1990</b>
box 7, Folder 17	<b>"Frank and Denny: Petition Originals and Drafts" 1987-1990</b>
box 7, Folder 18	<b>"Petition" 1990</b>
box 7, Folder 19	<b>"TTRA Lobbying, SEACC, Koeler": Operation Meltdown 1990</b>
box 7, Folder 20	<b>"SBPA Operation Meltdown" October 1990</b>
box 7, Folder 21	<b>"Map of Salmon Bay in Bill" 1990</b>
box 7, Folder 22	<b>"Application on SBPA for Grant" 1990</b>
box 7, Folder 23	<b>"DEC Lobbying" 1990</b>
box 7, Folder 24	<b>Timber Companies that Try to Regain Buffers after TIRA 1991</b>
box 7, Folder 25	<b>"Lobbying 1990 to Get UFA Support" 1990</b>
box 7, Folder 26	<b>"Map of Salmon Bay, Fish and Game Values for Wildlife" undated</b>
box 7, Folder 27	<b>"Fish Kills Working Group" 1990</b>
box 7, Folder 28	<b>SBPA Grant Letter 1990</b>
box 7, Folder 29	<b>"DEC" 1988</b>
box 7, Folder 30	<b>Research Data 1989-1990</b>
box 7, Folder 31	<b>National Forest Management Act of 1976 1976</b>
box 7, Folder 32	<b>Wennekens, M.P., "Sediment Pollution..." 1986</b>
box 7, Folder 33	<b>"Buffer Research, Fish and Game" undated</b>
box 7, Folder 34	<b>"Archaeology" undated</b>
box 7, Folder 35	<b>"Senator Wirth's Speech" 1990</b>
box 7, Folder 36	<b>Miscellaneous, includes Photographs of Ward Creek Fiasco 1988-1990</b>
	<b><i>Stein v. Barton: Lawsuit Papers, 1989-1991</i></b>
box 8, Folder 1	<b>"Alaska National Interest Lands Conservation Act (ANILCA) Issues" 1991</b>
box 8, Folder 2-3	<b>"Dispute [with] Buck Over Lawsuit"/Last Fight with BL Over Continuing Lawsuit" 1991</b>
box 8, Folder 4	<b>Motion on ANILCA Claim 199</b>
box 8, Folder 5	<b>"1992 Final Judgment and Circumstances," including Filing Attorney's Fees 1991-1992</b>
box 8, Folder 6	<b>"Legal Docs" 1989-1990</b>
box 8, Folder 7	<b>Stein's Diaries 1989-1991</b>
	<b><i>Stein v. Barton: SBPA Publicity; Publications, and Newspaper Clippings</i></b>
box 9, Folder 1	<b>Newsletters 1989-1991</b>
box 9, Folder 2	<b>"Publicity on Salmon Bay and Buffers. Stein, Murkowski, and Others" 1990</b>
box 9, Folder 3	<b>Publications and Articles 1976-1990</b>
box 9, Folder 4-5	<b>News Articles 1989-1993</b>
box 9, Folder 6	<b>Miscellaneous 1976-1990</b>
box 9, Folder 7	<b>Stein's Engagement Calendar and Notes 1990-1993</b>

---