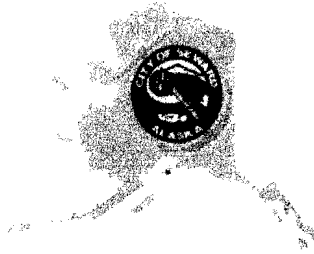


**CITY OF SEWARD**

P.O. Box 167  
410 Adams Street  
Seward, Alaska 99664-0167



- Main Office (907) 224-4050
- Fax (907) 224-4038
- [jhunt@cityofseward.net](mailto:jhunt@cityofseward.net)
- [www.cityofseward.us](http://www.cityofseward.us)

April 1, 2013

Honorable members of the 28<sup>th</sup> Alaska Legislature State Finance Committee,

The Alaska Vocational and Technical Center (AVTEC) has had a long and productive history in Seward, and we are proud of their record of training work-ready graduates from every region of the state and in just about every field of expertise.

Of particular statewide significance right now is AVTEC's focus on filling workforce needs in emerging and expanding industries in Alaska. As oil and gas exploration in the Bering and Chukchi Seas enters a renewed period of activity and overall commercial vessel traffic in the arctic regions continues to increase, travel and certified bridge crews will be necessary. AVTEC is one of a very few maritime training facilities in the US and as the lead facility in the nation's only arctic state, should be where the new workforce is attending to get new certifications being required by the world's maritime regulatory agencies. Upgrades to AVTEC's bridge simulator, as described on their CAPSIS request, are needed to realize this goal.

As a state we all need more production from our onshore oil facilities, and that depends on people and machinery to get oil to market. AVTEC has an unequalled record of job placement for heavy machinery mechanics and pipe welders. The current equipment shop and training site is outgrown, deficient in code compliance and in great need of relocation into a safer and bigger facility. AVTEC has provided detailed back up for this in their CAPSIS request.

Finally, AVTEC operates and maintains sixteen state owned buildings in Seward that face operational obsolescence due to deferred maintenance; Items ranging from heaters to fire alarms. The requested \$968,000 appropriation will address the most critical needs.

AVTEC, as a state organization, continues to train Alaskans for jobs in the State's industries. The City of Seward supports their request and your favorable consideration.

Respectfully yours,

Jim Hunt,  
City Manager

# KODIAK LEGISLATIVE INFORMATION OFFICE

Email: Kodiak\_LIO@akleg.gov  
907-486-8116/ phone, 907-486-5264/fax

## WRITTEN TESTIMONY

NAME: Anjuli Grantham  
 REPRESENTING: Alaska Historical Society  
 BILL#/ SUBJECT: SB 18  
 COMMITTEE & HEARING DATE: SENATE FINANCE  
4-1-2013

I am writing in support of the Governor's inclusion of \$20 million dollars for the State Library, Archives + Museum building project. This year we had the site ground breaking, and now we are seeking the final \$50 million to complete this project. The SLAM facility not only holds our state's historic treasures, it provides critical support to museums + historical societies across the state. Please continue in supporting the SLAM project.



**Alaska SeaLife Center**  
*w i n d o w s   t o   t h e   s e a*

April 1, 2013

Alaska State Senate Finance Committee  
State Capitol Building  
Juneau, AK 99801

Dear Senate Finance Committee Members:

Thank you for arranging for today's Statewide Public Testimony Session regarding the FY2014 State Capital Budget. The Alaska SeaLife Center has submitted several requests for consideration in this budget. I would like to take this opportunity to draw special attention to our top two priorities, which will provide funding for projects and equipment that are vital to our organization's long-term sustainability.

- 1) Veterinary and emergency oil spill response equipment
- 2) Critical building and equipment repairs, upgrades and replacements

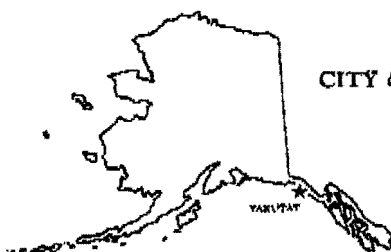
Components included in our request for veterinary and emergency oil spill response equipment are vital to the Center's ability to meet regulatory and permit requirements. An equally important benefit to upgrading this equipment is that it will enable us to maintain and build our capacity to respond to events involving oiled wildlife or endangered ice seal species. Ensuring that adequate veterinary care equipment and infrastructure is in place before it is needed will become increasingly important over the coming years.

Critical building and equipment repairs, upgrades and replacements included in our second priority request collectively represent a singular facility improvement. The Center is in its 15th year of operation, and much of the equipment and infrastructure installed with the building are nearing the end of their useful lives. Elements in this funding request will safeguard the reliable function of this infrastructure, which is paramount to the safety of Alaska SeaLife Center staff, animals and visitors.

We are grateful for the legislature's support of our organization in the past and hope you will continue to be champions for our great state's only public aquarium. I urge you to support these requests, which are an investment in Alaska's oceans and the people who depend on them.

Sincerely,

Tara Riemer Jones, Ph.D.  
President and CEO



## CITY &amp; BOROUGH of YAKUTAT

P.O. Box 160  
Yakutat, Alaska 99689  
Phone (907) 784-3323  
Fax (907) 784-3281

April 1, 2013

Senate Finance Committee  
Alaska State Legislature  
Juneau, Alaska 99689

Dear Members of Senate Finance:

Just like some private sector businesses, all of your Alaska municipalities are major employers of Alaskans. And, like the private sector, our production in the area of public services such as road maintenance, utilities, police and fire protection, transportation infrastructure maintenance and education has been reduced by escalating costs.

The dollars you give us through capital project and municipal revenue sharing are used to put Alaskans to work building and maintaining our State's base economic strength. We hire Alaskan workers, Alaskan lawyers, Alaskan engineers, Alaskan planners and, whenever possible, the money is spent in Alaska to purchase Alaska products. The dollars you give Alaskan municipalities feed the economic multipliers of our State to the maximum degree possible.

Like all municipal governments, the City and Borough of Yakutat performs absolutely necessary functions that support private entrepreneurs. We keep their power system going and maintain roads so their customers can access their businesses. We maintain our harbors so charter and commercial fishermen can access the resources that underpin our local economy. We operate our schools so that businesses have a new generation of intelligent and capable young people for the local and statewide workforce. Municipalities really need your continued help in dealing with escalating operating costs just so we can continue these vital core functions. Municipal revenue sharing and capital projects deserve priority consideration and I respectfully request you give it same.

I sincerely thank you for your consideration.

Frank L. "Skip" Ryman, Manager  
City and Borough of Yakutat

Wilbur R. Hootch, Mayor of Second Class City of Emmonak

Alaska State finance Committee- SB18

April 1, 2013

Honorable Kevin Myers, Honorable Pete Kelly, Co-Chairs and members of the Alaska State Finance Committee,

I would like to emphasize SB21 and SB 23 which will include SB18 on Capital Projects.

I would like to address what some oil companies said about after adjustments were made to SB21. Oil Companies executive said that the fresh proposal does not provide enough tax breaks and said they would not promise big investments to Alaska.

SB23 explains, the interior delegation(Fairbanks region) is interested in strengthening ties between the interior and Yukon Kuskokwim region. The election districts of our region of Senators and representatives that combines Western Alaska are focused on building relations. On development of infrastructures linking communities reasonable close together in proximity such that each of the communities and residents benefit from shared connectivity's, i.e.: Roads, airports, electrical interties, economic development and education.

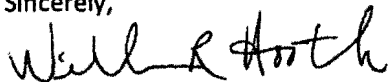
Our region has long been in disaster since the 1980's when our fall chums were cut off by State of Alaska, Alaska Department of Fish and Game and now our Yukon River Chinook is in disaster since the years 2000 to date.

Another issue I like to emphasize is our Port and Dock is ready to accommodate the steadily increasing vessels traffic at the Yukon River system.

A safe and efficient transshipment port and dock facility is essential. The City of Emmonak has completed design and engineering studies for such a port and dock facility. This project has been permitted and job ready.

As the legislature please consider energy to provide LNG to interior Alaska, I suggest that the legislatures consider "completing projects already undertaken" We respectfully urge members to consider funding this particular port and dock project hereby accomplishing fiscal control, energy distribution through enhanced transportation infrastructure and focusing limited funding on "job ready" projects.

Sincerely,



Wilbur R. Hootch

Mayor of Second Class

City of Emmonak

Martin B. Moore Sr. testimony

Alaska State Finance Committee-SB18

April 01, 2013

Honorable Kevin Meyers, Honorable Pete Kelly, Co-Chairs and members of Alaska State Finance Committee,

Good afternoon and thank you for this opportunity to testify to SB18, The Fiscal Year 2014 Capital Budget.

My Name is Martin B. Moore Sr., City Manager of Emmonak, located on the Lower Yukon River Delta. Emmonak is a transportation hub community with approximately 800 residents. My area is better known as Wade Hampton Census District. Communities have greater than 8,500 residents. I served in the State House of Representatives in this area 1971-1972.

The Yukon River is our life blood; both for fishing and for transportation.

The Port of Emmonak currently consists a river bank. This presents very unsafe loading and offloading conditions for industry.

Recognizing the unsafe conditions and dealing with increased traffic at the barge landing, the City of Emmonak developed professional engineering documents for the construction of a modern efficient port project that would serve commerce in the region. The design envisions a \$16 million project: Phase I is \$10 million for Phase I funding of the Port of Emmonak in the original version of HB286 in the 27th Legislature. Unfortunately, the final version of the bill had reduced the request to \$3.0 million.

On behalf of the City of Emmonak and the residents of the Wade Hampton Census District and in recognition of the many businesses on the Yukon River, I urge Senate Finance Committee members to consider funding the remaining \$7.0 million to complete Phase I of the port project.

on March 04, 05, 2013 Calista, YDFDA, Newtok and City of Emmonak visited Governor's specialist John Moller, 8 Senators, 8 Representatives, State agencies and U.S. Senator Mark Begich. We appreciate this opportunity and we thank you.

Senator Bishop and Senator Kelly, welcome both to the SFIN Committee. As "upriver" Senators, I ask you to consider assisting Senator Hoffman in his efforts on his new district which includes our region. Ask businesses in Fairbanks about our current facility, they will tell you our need is genuine and our approach is measured. Emmonak Corporation purchased thousands of gallons of propane from Jack Cochill at Nenana for downriver communities. We want to be a part of the Fairbanks LNG and Propane distribution concept. The Yukon River is the highway to get product from the interior to the coastline or returning empty containers from the coastal region back for re-supply.

Our project is job ready, it's permitted and our very impoverished region could use the jobs. Our in-region commercial fishery businesses desperately need modern safe loading facilities.

Senator Meyers, You spoke of focusing the committee's attention on "partially funded" projects; Senator, we qualify under that threshold.

Please support the region, support the Governor in his early efforts and let's get a functioning port at the mouth of our state's largest river system.

Thank you.

Information for Senator Hoffman  
for of Emmonak

CITY OF EMMONAK, ALASKA ORDINANCE NO. 08-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EMMONAK, ALASKA,  
ENACTING EMMONAK CITY CODE CHAPTER 18.08, PORT FACILITIES.

BE IT ORDAINED By The City Council of the City of Emmonak, Alaska, that:

Section 1. Chapter 18.08 of the Emmonak City Code is enacted to read as follows:

Chapter 18.08

CITY PORT

18.08.010. City port. The city port consists of the city dock, the adjacent waters located within the city limits, and adjacent city-owned land that the city council designates from time to time by resolution for port uses.

18.08.020. Administration of city port. (a) There shall be a port administrator, who shall be the city manager or a city employee designated by the city manager from time to time,

(b) The port administrator shall enforce the provisions of this chapter and shall be vested with all powers of a peace officer of the city necessary to such enforcement duties.

(c) The port administrator shall classify areas within the port for various uses, shall mark mooring spaces to be assigned, and shall post such signs, numbers, markings or other informational devices as will notify and inform interested parties of authorized and prohibited uses of the city port facilities. The port administrator may post informational signs specifying areas where designated conduct is prohibited, but posting of signs shall not be necessary to the enforcement of any provision of this chapter, unless otherwise required in this chapter.

(d) The port administrator shall allocate and assign all mooring spaces.

18.08.030. Regulations.

All operations within the city port, if not provided for specifically by ordinance, shall be conducted in accordance with regulations established by the council by resolution.

18.08.040. Fees and charges. (a) The council by resolution shall establish the fees and charges for the use of all city port facilities.

(b) Fees and charges for the use of city port facilities that the city requires to be paid in advance shall be paid at the port administrator's office prior to utilization of any facility or equipment, or receipt of any service.

(c) Fees and charges for the use of city port facilities that the city does not require to be paid in advance shall be paid within thirty (30) days after billing. Billings that are not paid within thirty (30) days shall accrue interest at the rate of twelve percent (12%) per year from the due date.

(d) The owner of a vessel is liable for fees and charges for moorage, equipment, and services that the city provides to the vessel under this chapter, notwithstanding the fact that the moorage, equipment or services were provided at the request of an operator or other agent. In addition to any suits for collection against the vessel owner or other available remedies, the city



may assert a lien under admiralty law for fees or charges for moorage, equipment or services provided or rendered to the vessel that are not paid when due and may initiate appropriate proceedings for the seizure of the vessel and foreclosure of the lien.

(e) The city finance department shall maintain a separate account titled "Emmonak Port fund". All dockage, wharfage and other fees arising out of the operation of the port facilities by the city shall be deposited to this fund and used exclusively for such costs of operation, maintenance and supervision of the port facilities as the city council may from time to time authorize; except, that when advances are made to such fund by the city general fund, the port fund may reimburse such general fund by approval of the city council.

18.08.050 Denial of facilities, equipment, or services. (a) The port administrator may refuse moorage to any vessel which is or may become or create a fire hazard or otherwise become a menace to the safety or welfare of other boats or their occupants.

(b) As a condition to permitting a vessel access to mooring facilities, the port administrator may require satisfactory evidence of seaworthiness of the vessel or evidence of adequate insurance coverage.

(c) The port administrator may refuse moorage facilities or other services or equipment to any person or vessel in violation of the provisions of this chapter or delinquent in the payment of any authorized fee or charge.

(d) An owner or operator of a vessel may not fail or refuse to remove the vessel from the city port and any city port facilities and may not cause or permit the vessel to be moored, tied, affixed, or located adjacent to any city port facilities after the port administrator has notified the owner or operator of the vessel that moorage or mooring facilities are refused, terminated or withdrawn.

(1) Notice of refusal, withdrawal, or termination of facilities or other services or equipment to a vessel that is not registered may be given verbally by the harbor master and shall be effective immediately.

(2) Notice of refusal, withdrawal, or termination of moorage facilities to a registered vessel may be given by the port administrator orally or in writing. Oral notice relating to services and equipment shall be effective immediately, Oral or written notice personally delivered to the owner or operator relating to the refusal, withdrawal, or termination of mooring facilities shall be effective twenty-four (24) hours after the time of delivery unless a later effective date is specified in writing.

(3) Written notice of refusal, withdrawal, or termination of mooring facilities for a registered vessel may be mailed to the address designated on the registration information or may be posted in a conspicuous place on the vessel. A written notice that is posted or mailed shall be effective at four-thirty p.m. on the fifth day following posting or mailing of such notice.

18.08.060. Storage areas. (a) Areas designated by the port administrator shall be available for lease for the storage of cargo received at the city port and awaiting further transportation. A person desiring to utilize a storage area shall first register with the port administrator and provide the requested information regarding the description and quantity of items to be stored, as well as the anticipated period for storage.

(b) The lessee of storage space at the city port shall be responsible for the security of all stored items. The city provides storage space as a lessor and shall not act as bailee of any stored items.

(c) Rent shall be charged for storage area space used to store items for a period longer than

any initial free period the council may establish.

(d) The port administrator may impound and remove any items stored at the city port outside of a designated storage area, or for which the required rent has not been paid, and dispose of the items, using the procedure for the impoundment of vessels in Section 18.08.070.

18.08.070 Impoundment sale or disposal of vessels and other property. (a) The port administrator may impound a vessel in the city port that the port administrator determines to be (1) derelict; (2) in violation of a provision of this chapter, or (3) delinquent in the payment of 11100rage or other charges for services rendered to the vessel by the City. The harbormaster may impound a vessel by immobilizing the vessel or by hauling the vessel out of the water and storing it, with all expenses and risks of haul-out and storage to be borne by the owner of the vessel.

(b) Except in the circumstances described in subsection (c) of this section, the port administrator shall not haul-out or otherwise impound a vessel without first providing notice and an opportunity for a hearing on the impoundment under this subsection.

(1) At least 15 days before impounding the vessel, the port administrator shall (i) post notice of the impoundment on the vessel, in the port administrator's office, at the City offices, and at the United States Post Office; and (ii) mail the notice by certified mail, return receipt requested, to the last-known address of the registered owner, lienholder, operator, master or agent of the vessel as identified on the Vessel Mooring Agreement or application for certificate number filed with the Department of Motor Vehicles.

(2) The notice of proposed impoundment shall contain (i) the name and number of the vessel; (ii) the name and address, if known, of the registered owner, lienholder, operator, master or agent of the vessel; (iii) the location of the vessel; (iv) the reasons for impoundment and, if the vessel was impounded pursuant to subsection (c), the date of impoundment; (v) a statement that unless a hearing is requested, the port administrator will impound the vessel under this section within 15 days after the date of the notice; (vi) a statement that the right to a hearing will be waived if not timely requested and the port administrator may proceed with impoundment and disposition of the vessel by sale, destruction or other disposition authorized by law; (vii) a statement that if the vessel is impounded and not redeemed within 30 days after impoundment, title to the vessel and its contents shall vest in the City and the vessel and its contents will be sold or otherwise disposed of as provided in this title; and (viii) the name, address and telephone number of the port administrator or other City representative to be contacted concerning the impoundment,

(3) A person claiming an interest in the vessel may obtain a hearing on the impoundment of the vessel by requesting the hearing in writing at the office of the port administrator not more than 15 days after the date of the notice of impoundment.

(c) If the port administrator determines that the derelict condition of a vessel constitutes a fire or safety hazard to harbor facilities or other vessels, or a pollution hazard to the waters and marine life of the city port, and that damage from such fire, safety or pollutant hazard will more likely than not occur within the notice period required under subsection (b) of this section, the port administrator may take reasonable steps to prevent damage from the fire, safety or pollutant hazard without prior notice or hearing, including without limitation impounding the vessel by immobilizing the vessel or by hauling the vessel out of the water and storing it. Promptly after impounding a vessel under this subsection, the port administrator shall give notice of the impoundment in accordance with subsection (b)(1) of this section. A person claiming an interest in the vessel may obtain a hearing on the impoundment of the vessel by requesting the hearing in writing at the office of the port administrator not more than 15 days after the date of the notice of

impoundment.

(d) Upon written request by the owner, master, or agent of the vessel, a hearing officer as designated by the city manager shall conduct a hearing on the impoundment of the vessel within seven (7) days after the request for hearing. The sole issue before the hearing officer shall be whether there is probable cause to impound the vessel. Probable cause to impound shall mean a state of facts that would lead a person of ordinary care and prudence to believe that one or more of the grounds stated in subsection (a) of this section for impounding the vessel has occurred and is continuing. The hearing officer shall conduct the hearing in an informal manner and shall not be bound by the technical rules of evidence. Any person claiming an interest in the vessel may appear, present evidence, and cross-examine witnesses. The hearing shall be recorded. Within seven (7) days after the conclusion of the hearing, the hearing officer shall prepare a written decision whether to impound the vessel, or, in the case of a post-impoundment hearing, whether to release the vessel from impoundment, stating the reasons for the decision. The hearing officer shall provide a copy of the decision to each person who appeared at the hearing and claimed an interest in the vessel. The hearing officer's decision has no effect on any criminal proceeding for the violation of this chapter, which will be resolved by the court regardless of the impoundment decision.

(e) Any person aggrieved by the port administrator's decision under subsection (d) of this section to impound a vessel or not to release a vessel from impoundment may appeal the decision to the superior court within 30 days after the date the decision was mailed or delivered to the parties. Unless the court orders otherwise, the port administrator may impound a vessel under this section immediately after issuing a decision approving the impoundment, but may not sell or otherwise dispose of the vessel until either the court affirms the decision, or the time for appeal expires without an appeal having been filed.

(f) An impounded vessel, and its registered owner, master or agent shall be jointly and severally liable for the costs of hauling out, storing, securing, and selling or otherwise disposing of the vessel, as well as the costs of abating any fire, safety or pollution hazard that is caused by the vessel.

(g) A vessel that is impounded under this section shall be held by the city for a period of not less than 30 days. After impounding a vessel, the port administrator shall determine whether to sell or to otherwise dispose of the vessel. The port administrator shall sell the vessel unless the port administrator determines that the market value of the vessel does not exceed the amount owed from the vessel to the city plus the costs of the sale, or that the vessel is a derelict and unlikely to be returned to a safe and seaworthy condition. If the amount owed from the vessel plus the costs of sale do not exceed \$10,000 the port administrator may estimate the market value of the vessel to make this determination. Otherwise, the port administrator shall make the determination after obtaining an independent appraisal of the market value of the vessel from a qualified appraiser. If the vessel need not be sold, the port administrator may destroy or otherwise dispose of the vessel. The owner of the vessel shall be liable for the costs of destroying or otherwise disposing of the vessel.

(h) The port administrator shall give notice of the city's intent to sell or dispose of an impounded vessel in the manner provided in subsection (b) of this section at least 10 days before the date of sale or disposal. The notice shall state the name and number of the vessel, the name and address, if known, of the registered owner, master or agent of the vessel, the lienholder, if known, the location of the vessel, that the port administrator has impounded the vessel under this section, that the port administrator intends to sell or dispose of the vessel on a day and at a place and time

certain, as the case may be, and the requirements for a person claiming an interest in the vessel to reclaim the vessel. If the vessel is to be sold, the notice shall describe the vessel to be sold, state any required terms of the sale and any required minimum sale price, and the date, time and place where bids will be received. This notice shall also be published in a newspaper of general circulation in the city once at least 10 days prior to the date of the sale or disposal of the vessel.

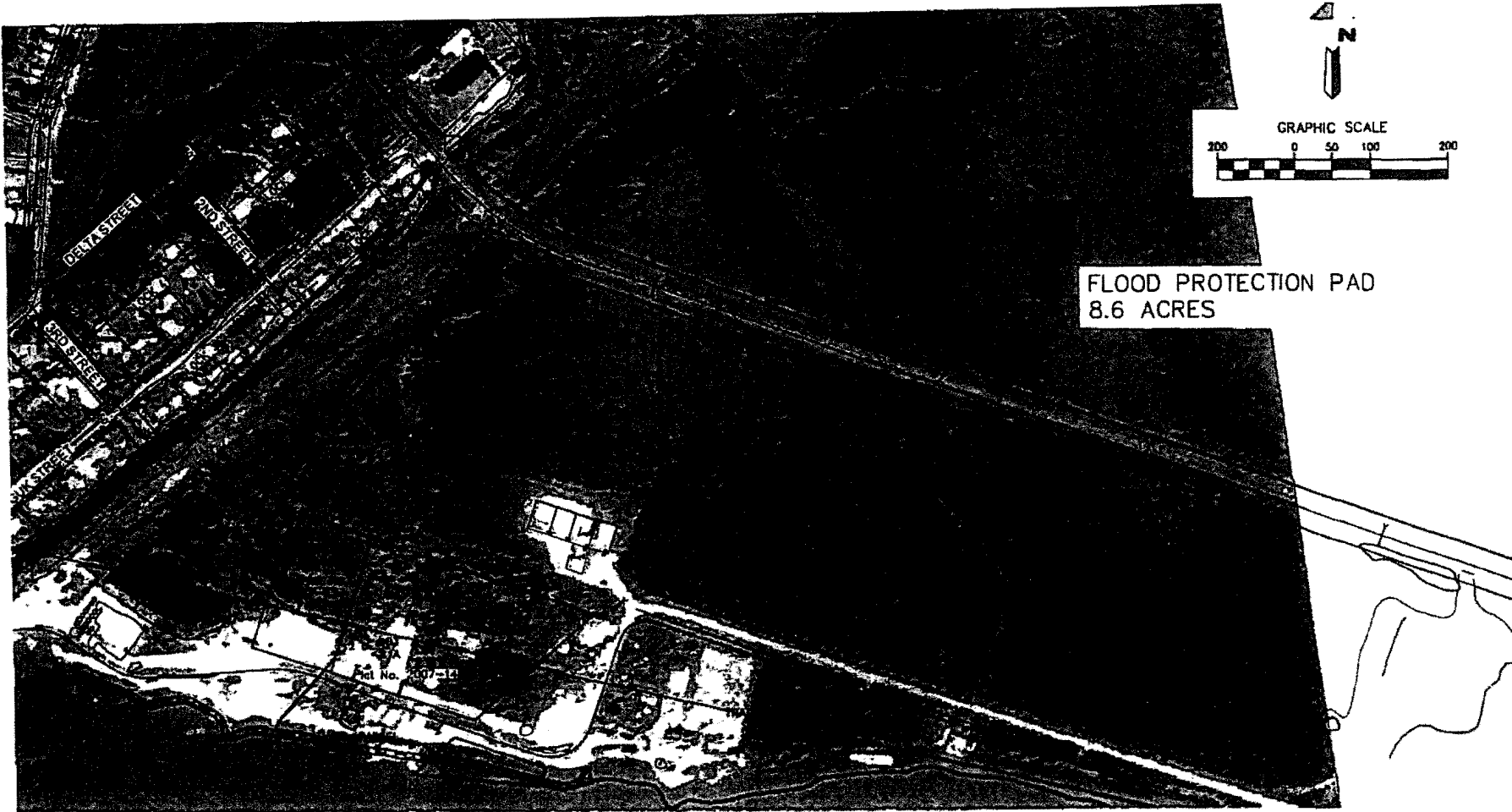
(i) At any time prior to the sale or disposal of the vessel, a person claiming an interest in an impounded vessel may reclaim possession by paying to the city all charges against the vessel to the date possession is reclaimed; provided that, if the port administrator determines that an impounded vessel is a derelict and unlikely to be returned to a safe and seaworthy condition, the port administrator may refuse further moorage of the vessel, and condition the return of possession of the vessel on the claimant making satisfactory arrangements to remove the vessel from the city port, and providing the city with security acceptable to the port administrator for the vessel's proper and timely removal,

(j) The city may offer an impounded vessel for sale at public auction or by sealed competitive bid. Continued moorage of the vessel in the city port after sale shall be at the discretion of the port administrator. If the city intends to refuse further moorage of the vessel, the notice of sale shall so state, and the sale shall be conditioned upon the purchaser making satisfactory arrangements to remove the vessel from the harbor, and providing the city with security acceptable to the port administrator for the vessel's proper and timely removal, The sale by the city of an impounded vessel shall be without warranty as to title or otherwise, If the city receives no acceptable bids for the vessel, the port administrator may destroy or otherwise dispose of the vessel.

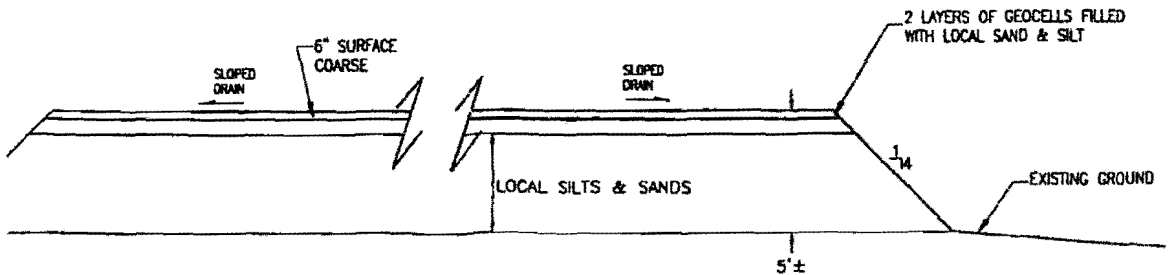
(k) The proceeds of the sale of an impounded vessel shall be applied first to any fees or charges owed to the City on account of the vessel, including reimbursement for all costs of impoundment and sale. Any part of the proceeds remaining thereafter shall be made available to the owner of the vessel if claimed within 30 days from the date of sale, and if not so claimed shall become the property of the city.

Section 2. This ordinance shall become effective upon passage and approval.

PASSED AND APPROVED by the City Council of the City of Emmonak, Alaska, this 9 day of December 2008.



FLOOD PROTECTION PAD  
8.6 ACRES



NOTES:

- PAD SURFACE WILL BE 2-FT ABOVE 100 YEARS FLOOD AS DETERMINED BY ARMY CORPS OF ENGINEERS'S FLOOD HAZARD DATA EMMONAK.
- THE 100 YEARS FLOOD ELEVATION EQUALS ELEVATION 11.5 ON THIS MAP.

9.5 Acres of land have been made available by the City Council w/  
appraised value of \$750,000.00. Info. For Senator Hoffman

NO.	DATE	REV.	BY	DESCRIPTION


**DOWL HKM**

CONCEPT  
FLOOD PROTECTION PAD  
EMMONAK, AK

CHECKED BY	
DESIGNED BY	
DRAWN BY	
DATE	10/27
W.O. NO.	60
F.B. NO.	
REF.	OWG

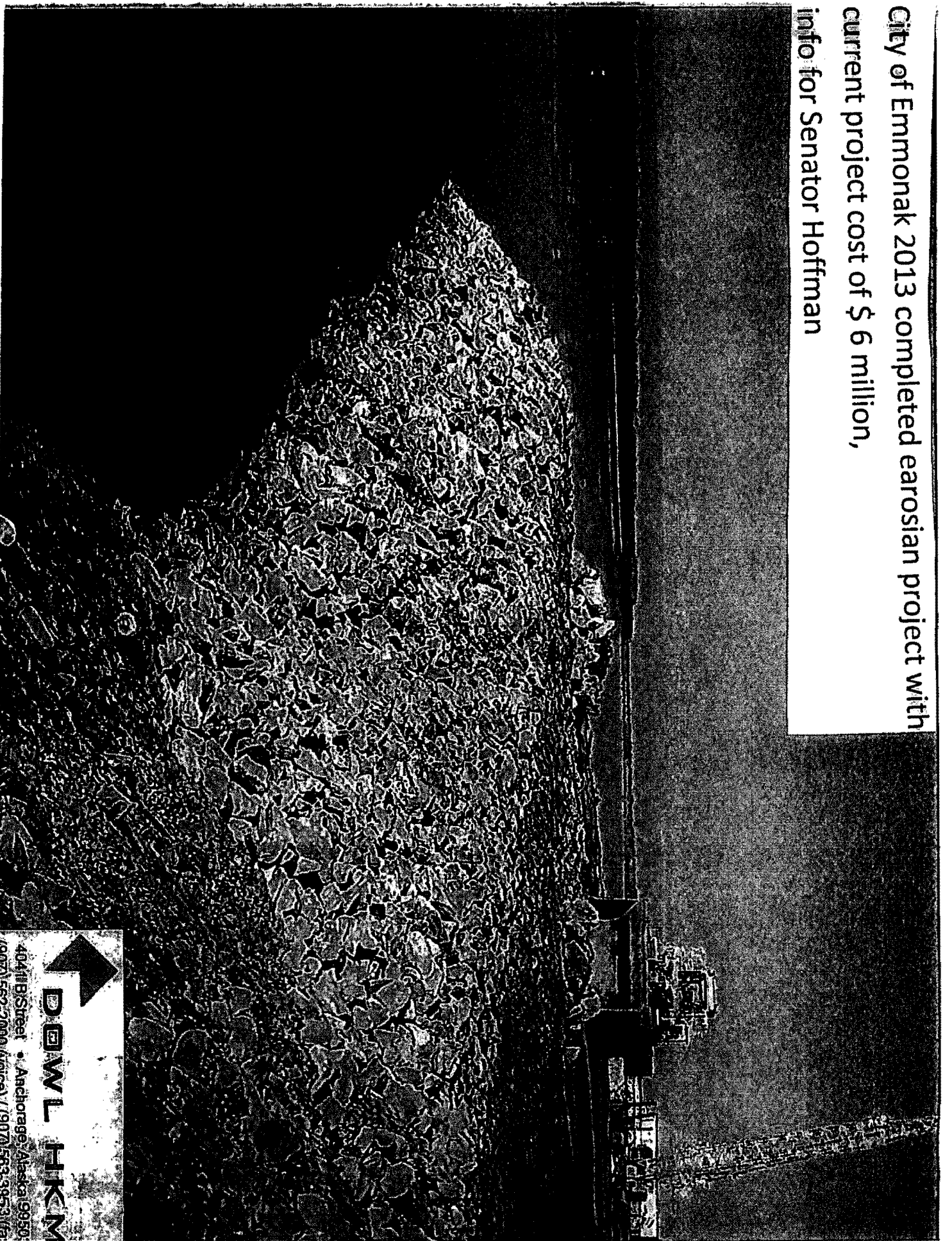
City of Emmonak 2013 completed erosion project with  
current project cost of \$ 6 million,  
info for Senator Hoffman



 **DOWL HKM**  
4041 B Street • Anchorage, Alaska 99503



City of Emmonak 2013 completed earosian project with  
current project cost of \$ 6 million,  
info for Senator Hoffman



  
**DOWL HKN**  
40411 B Street • Anchorage, Alaska 99501  
(907) 562-2700 (voice) / (907) 563-3953 (fax)

City of Emmonak 2013 completed erosion project with  
current project cost of \$ 6 million,  
info for Senator Hoffman



**DOWL HKM**


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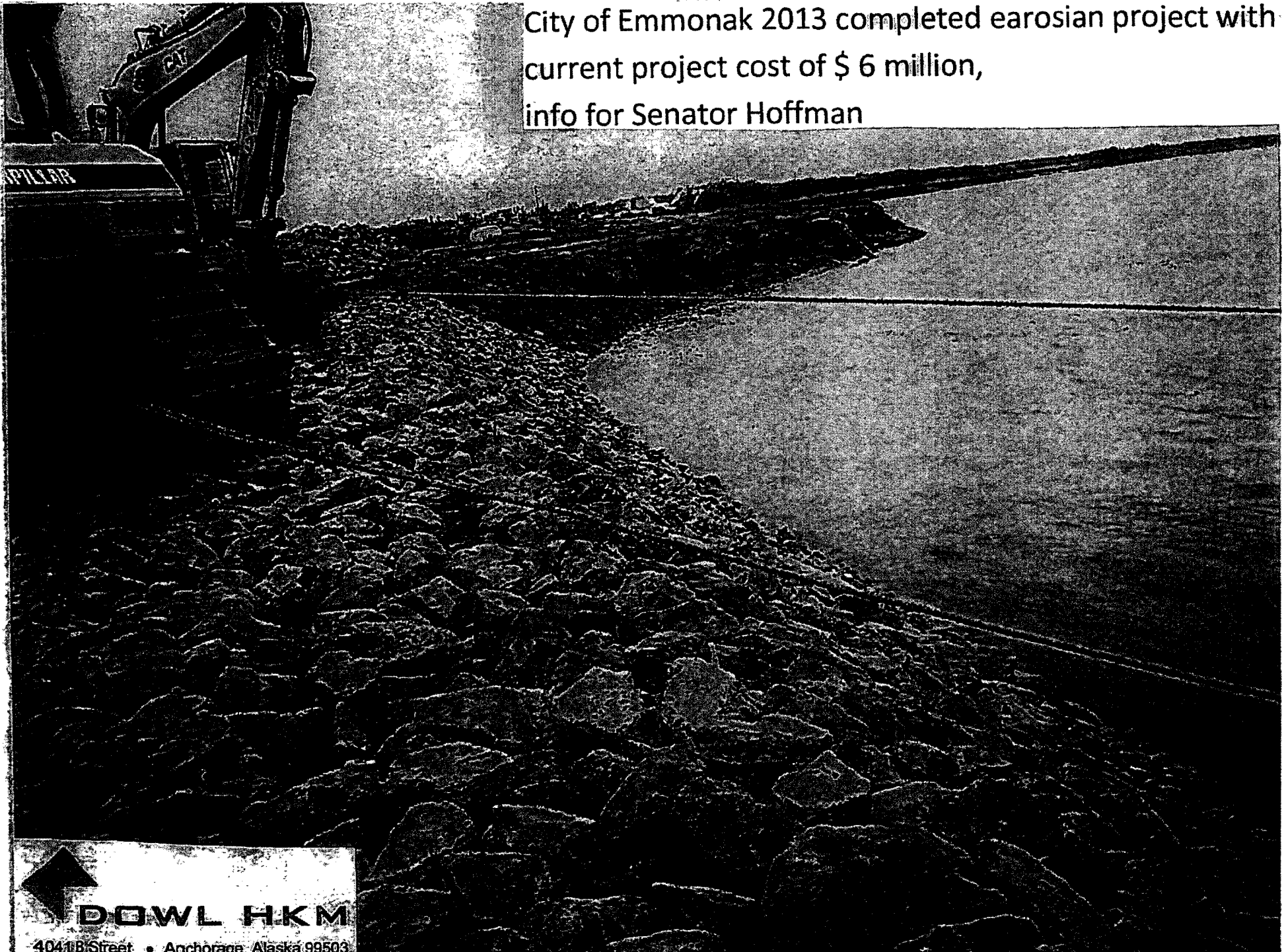



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