

Representative Fields – I was listening to Friday's House Resources Committee Meeting regarding HB 120, dealing with state land sales. A major portion of the bill allows individuals to lease and then purchase land for commercial uses. I worked at DNR for 29 years, including as Deputy Director and then Director of Division of Mining, Land and Water. I retired in 2010.

Since 1978 when the legislature made major revisions to Alaska Statutes Title 38, decisions whether to sell state land have been made through DNR's land use plans (Area and Management Plans). HB 120 allows (actually encourages) the public to nominate for lease or sale land that DNR determined through its very public land planning process should be retained in public ownership. While DNR can say no to these requests, there will be considerable public expectations and political pressure for DNR to reclassify these parcels and approve these nominations.

Individuals could also nominate land slated for resource development – such as oil and gas properties, mineralized areas, gravel sources, and more. This can greatly complicate resource development. Such sales can even prevent resource development projects because of opposition from the private landowners (creating NIMBYs). This has been especially true where DNR or boroughs have sold land in mineralized areas.

HB 120 combines a number of other land sale related topics. The Sections 1 and 3 of the bill that allow DEED and DOTFPF to sell land are helpful. The increase in the cap on the Land Disposal Income Fund (Section 4) is also reasonable. The change of language from foreclosure to termination (Sections 8-11) is also helpful.

However, Section 13, new AS 38.05.086(c) that allow individuals to nominate parcels for commercial development leases essentially ignores land use planning processes and allows the state to essentially do non-competitive, sole source leases and sales of state land.

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