



**Denali Commission**  
510 L Street, Suite 410  
Anchorage, AK 99501

907.271.1414 *tel*  
907.271.1415 *fax*  
888.480.4321 *toll free*  
[www.denali.gov](http://www.denali.gov)

March 26, 2018

The Honorable Andy Josephson  
Representative, Alaska State Legislature  
Co-Chair, House Resources Committee  
State Capitol Room 102  
Juneau, AK 99801

Dear Representative Josephson:

RE: Comments on [HB 173](#) – Alaska Climate Change Response (ACCR) Commission

This letter is written to comment on the May 10, 2017 version of the above-referenced bill (not the March 10, 2017 version). The following is offered.

**General Comments:** The Denali Commission since September 2015 has been engaged in the question of flooding, erosion, and permafrost degradation risks to the built environment in rural Alaska. Currently, the work of the agency's Village Infrastructure Protection program (VIP) is driven by Government Accountability Office [Report 09-551](#) – “*Alaska Native Villages - Limited Progress Has Been Made on Relocating Villages Threatened by Flooding and Erosion*”. Specifically, the report identifies 31 communities that face extreme erosion risk as defined by the US Army Corps of Engineers (USACE) in 2008 (see [USACE Alaska Baseline Erosion Assessments](#)). These 31 communities receive the bulk of the Commission’s VIP funding.

The USACE conducted extensive community level research on erosion impacts in rural Alaska. In 2017, the Denali Commission entered into an [agreement](#) with the USACE to carry out a similar analysis of riverine and coastal flooding threats. Similarly, the University of Alaska – Fairbanks (UAF) is carrying out an analysis on permafrost degradation funded by the Denali Commission. In short, we believe that we must know **what the available science can predict about climate change impacts to the built environment**. This work is to be completed by UAF and USACE this summer (2018), and we anticipate that the Denali Commission’s VIP priority communities will expand beyond the 31 identified in GAO Report 09-551.

We believe that the science must be applied to local communities and their built environment to understand what core community infrastructure is at greatest risk. Such an understanding will lead to **prioritizing resources to the highest need**. It is an axiom of the Denali Commission that we want the agency’s funds to go to high need projects, and not to the community that can hire the best grant writer.

After the USACE and UAF analyses are completed, we intend to compare the erosion, flooding and permafrost degradation risks to local Hazard Mitigation Plans (HMPs), which are available at the [Community Plans Library](#) on the Alaska Division of Community and Regional Affairs

website. The HMPs are a good start to understand the threats to the built environment, but we believe integrating the flooding, erosion, and permafrost degradation risks into these documents is the next step in applying climate change science. The amended HMPs can then provide funders an investment roadmap for priority protect in place solutions or village relocation projects, as well as, serve as the basis for engineered solutions for infrastructure in harms way.

Enclosed is a letter dated November 9, 2017 to Governor Walker in the development of the Climate Action for Alaska Leadership Team. I point you to Paragraph No. 4 which discusses a recommendation that the **State of Alaska insist on an intentional relationship on climate change impacts with the Federal Government** from Washington DC and/or regional offices (i.e. Seattle) and local Alaska Federal offices. This may be a point of consideration in HB 173.

Also enclosed is a letter dated February 26, 2018 to Ms. Nikoosh Carlo, Senior Advisor, in the Office of the Governor on climate change impacts to infrastructure. I want to highlight a matter the Commission finds problematic in our quest to bring other funders to assign resources to **Mertarvik community development**. In those situations where it is clear that a community must relocate to remain viable, as is the case for Newtok, neither the Federal Government, nor the State of Alaska, as far as we can discern, has ever expressly passed legislative policies that identify village relocation as a priority over relocation of families or doing nothing. As such, we find **the lack of policy on village relocation to be a significant barrier** to engaging with other Federal agencies. This may be a point of consideration in HB 173.

A final general comment – we believe that the **work of responding to climate change must incorporate the disaster mitigation, response and recovery sector**. Staff at both the Federal Emergency Management Agency (FEMA) and the Alaska Division of Homeland Security and Emergency Management (A-DHSEM) are highly skilled in disaster response. I will note though, that Congress is still navigating how to develop a whole of government approach to disaster mitigation and disaster recovery. I am hopeful, that in time, more resources and authorities will be extended to FEMA (and therefore their State partner, A-DHSEM) to better address disaster mitigation and recovery needs in rural Alaska.

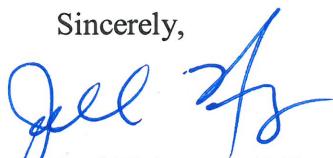
**Specific Comments:**

1. I do not know if discussion has occurred with the Governor's office, but there may be some consideration in housing the ACCR Commission within A-DHSEM (44.19.650(a)).
2. We recommend adding the A-DHSEM Division Director to the ACCR Commission membership (44.19.650(b)).
3. We question nine members to be appointed by the Governor all being elected officials from the municipal sector (44.19.650(b) (7). We suggest that there may be value in having a city manager or city public works director within those representing the municipal sector. In addition, we suggest representation from the following sectors: tribal, Alaska-based academic, Federal Government, Alaska Legislature, and stakeholder groups operating in this space such as the Alaska Native Tribal Health Consortium.

4. The nine regional areas identified for appointment by the Governor do not reflect, in our opinion, the regions that face the greatest climate change threats (44.19.650(b) (7(A to I)) and (44.19.662(1)). For example, of the 31 communities identified in GAO Report 09-551 seven villages (Allakaket, Hughes, Huslia, Koyukuk, Nulato, McGrath and Lime Village) are not represented at all – with the possible exception that Lime Village may or may not be considered as part of the Upper Cook Inlet area. Furthermore, at least four of the regions do not have a community facing significant erosion risk, and it may be five regions, depending upon the placement of Lime Village. A map is enclosed which addresses this question.
5. We recommend striking “renewable energy technology” (Powers of the Commission [44.19.660(1)] and Duties of the Commission [44.19.662(7)]) from the scope of the ACCR Commission. Furthermore, we recommend striking “greenhouse gas emissions for in state sources” (44.19.662(9)) from the scope of the ACCR Commission. We view these as distractions. If climate is changing due to the impact of human development, the amount of greenhouse gases generated in Alaska are minuscule and of no consequence to the warming of the Arctic, in my opinion. Focus of the ACCR Commission should be on responding to climate change - not stopping climate change. As an aside, the Alaska Energy Authority already operates in the space of rural energy and renewable energy.
6. We recommend recognition of need, as discussed in this letter, in prioritizing assistance based upon the risks to the built environment (44.19.662(1-3)).
7. With respect to developing an outreach program to rural Alaska communities (44.19.662(6)), we encourage specific language that the ACCR Commission collaborate with the Denali Commission’s VIP program on complementary activities, projects and programming.

I can be reached at 907-271-1440 (direct line) should you or your staff have any questions.

Sincerely,



Joel Neimeyer, P.E.  
Federal Co-Chair

cc: Nikoosh Carlo, Office of Governor Walker / Lt. Governor Mallott  
Mike O'Hare, FEMA Region X Administrator  
Mike Sutton, A-DHSEM Division Director  
Janet Reiser, Executive Director, AEA

Enclosures



**Denali Commission**  
510 L Street, Suite 410  
Anchorage, AK 99501

907.271.1414 *tel*  
907.271.1415 *fax*  
888.480.4321 *toll free*  
[www.denali.gov](http://www.denali.gov)

---

November 9, 2017

Bill Walker  
Governor, State of Alaska  
550 West 7th Avenue, Suite 1700  
Anchorage, AK, 99501

Dear Governor Walker:

RE: Administrative Order 289 / Climate Action for Alaska Leadership Team

First, I applaud you, Lt. Governor Byron Mallott, and your senior leadership team in executing Administrative Order (AO) 289. I am proposing that your office name the Federal Co-Chair position (by title) as one of the fifteen public members to the Climate Action for Alaska Leadership Team. I am also proposing that the State of Alaska and the Denali Commission formulate a proactive State/Federal collaboration on village relocation and protect in place solutions for communities facing flooding, erosion and permafrost degradation threats to the built environment. I see this second recommendation as a subset of the AO 289 scope of work.

The following is offered to support my recommendations.

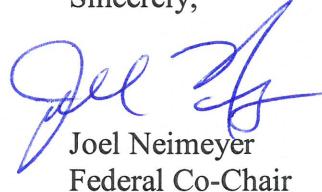
1. Former Governor Sarah Palin's work on this matter through the Alaska Climate Change Sub-Cabinet (AO 238) set the standard, and from my perspective the State of Alaska made significant progress on policy formulation during her leadership. Unfortunately, the Federal Government did not have an intentional engagement with the State of Alaska at senior levels of cabinet agencies in Washington DC. Federal engagement with the Sub-Cabinet appeared to be almost exclusively by local Federal managers. As you know, Federal policy formulation is developed, and resource allocation assigned, mostly at the headquarters level and implemented at the local levels.
2. When former President Obama in September 2015 identified the Denali Commission as the lead coordinating Federal agency for rural Alaska village relocations and protect in place solutions, his administration also identified the Arctic Executive Steering Committee (AESC) – Community Resilience Workgroup (CRWG) to provide guidance to the Commission on this assignment. For reasons unknown to me, my agency was not extended an invitation to join the CRWG until the summer of 2016, and the State of Alaska was not extended an invitation until the summer of 2017. Furthermore, the AESC's efforts to establish a tribal advisory body never materialized during the prior Presidential administration. I believe the lack of meaningful engagement by the AESC/CRWG with the State of Alaska, Alaska tribes, and tribal groups has limited the effectiveness of the Commission, specifically, and the family of Federal agencies,

in general, in responding to flooding, erosion and permafrost degradation threats in rural Alaska.

3. Since the September 2015 Presidential assignment to the Commission on village relocation and protect in place solutions, I have concluded that the overall Federal response to flooding, erosion and permafrost degradation threats in rural Alaska is lacking. I have observed some Federal agencies leaning forward to assist and others standing back and watching. In short, the Federal Government is challenged in working in a multi-jurisdictional / cross agency framework. It is my opinion that the Federal Government has not envisioned the complex task of moving a village – if it had we would have all Federal agencies leaning forward. That being said, I believe the State of Alaska under your and Lt. Governor Mallott's leadership can be a model to the highest levels of the Federal Government on how to undertake such complex undertakings.
4. AO 289 is a good first step. The next step is a clear expression by the State of Alaska that it wants an intentional relationship with the Federal Government both at the local and headquarter levels. I believe that your office must insist on this intentional relationship to the highest levels of the Federal Government. We stand ready to assist you and your senior leaders in the event you find favor with this recommendation.
5. Lastly, my position as the Federal Co-Chair ends on April 20, 2018, and it is for this reason I recommend that you name the position and not the individual occupying the position to the Leadership Team. Furthermore, I recommend that in the absence of a Federal Co-Chair, or Acting Federal Co-Chair, that the Commission's Director of Programs (who is well versed on these matters) be identified to represent the Commission. I will complete the on-line application for the Leadership Team based upon my recommendations outlined above.

I can be reached at 907-271-1440 should you or your staff have any questions regarding the recommendations in this letter.

Sincerely,



Joel Neimeyer  
Federal Co-Chair



Denali Commission  
510 L Street, Suite 410  
Anchorage, AK 99501

907.271.1414 *tel*  
907.271.1415 *fax*  
888.480.4321 *toll free*  
[www.denali.gov](http://www.denali.gov)

February 23, 2018

Nikoosh Carlo  
Senior Advisor  
Office of the Governor, State of Alaska  
550 West 7th Avenue, Suite 1700  
Anchorage, AK, 99501

Dear Ms. Carlo:

RE: Input for the 2/26/2018 Meeting on Climate Change Impacts to Infrastructure .

This letter is written to provide thoughts to the Governor's Climate Action Leadership Team in advance of the February 26<sup>th</sup> meeting to discuss climate impacts on infrastructure. Since September 2015, the Commission has served in a coordinating role for the federal response to threats from flooding, erosion and permafrost degradation. It is from this perspective that we provide our thoughts on climate change impacts to rural Alaska infrastructure.

Enclosed is a one-page summary of challenges and barriers to successful implementation of relocation and/or protect in place solutions. We are offering these ideas to stimulate discussion and can provide background material as needed.

On another note, at the October 4, 2017 climate change roundtable meeting we spoke about scheduling a visit so that I and my team can share with you our work as the lead federal coordinating agency. I will follow up with you on this opportunity separately from this correspondence.

I can be reached at 907-271-1440 should you have any questions.

Sincerely,

A blue ink signature of the name "Joel Neimeyer".

Joel Neimeyer  
Federal Co-Chair

Enclosure

cc: Nils Andreassen, Secretariat, Climate Action Leadership Team

**State of Alaska**  
**Climate Action Leadership Team**  
**26 February 2018**

**Denali Commission Input**  
*(in the context of protecting rural infrastructure)*

***Challenges and Barriers***

- Public Policy
  - Lack of formal public policy on protect in-place vs. relocation
  - Lack of formal public policy on village relocation vs. family relocation
- Funding
  - No lead implementing agency or dedicated funding source
  - Stafford Act does not apply when damage is caused by non-singular events
  - Local match requirements are too high
  - Lack of flexibility and need-based criteria in existing formula driven grant programs
  - Too many gaps and Catch-22 situations
  - Imbalance between planning vs. implementation funding
- Land Related Issues
- Conflicting Authorities and Regulations
- Local Capacity
- NEPA

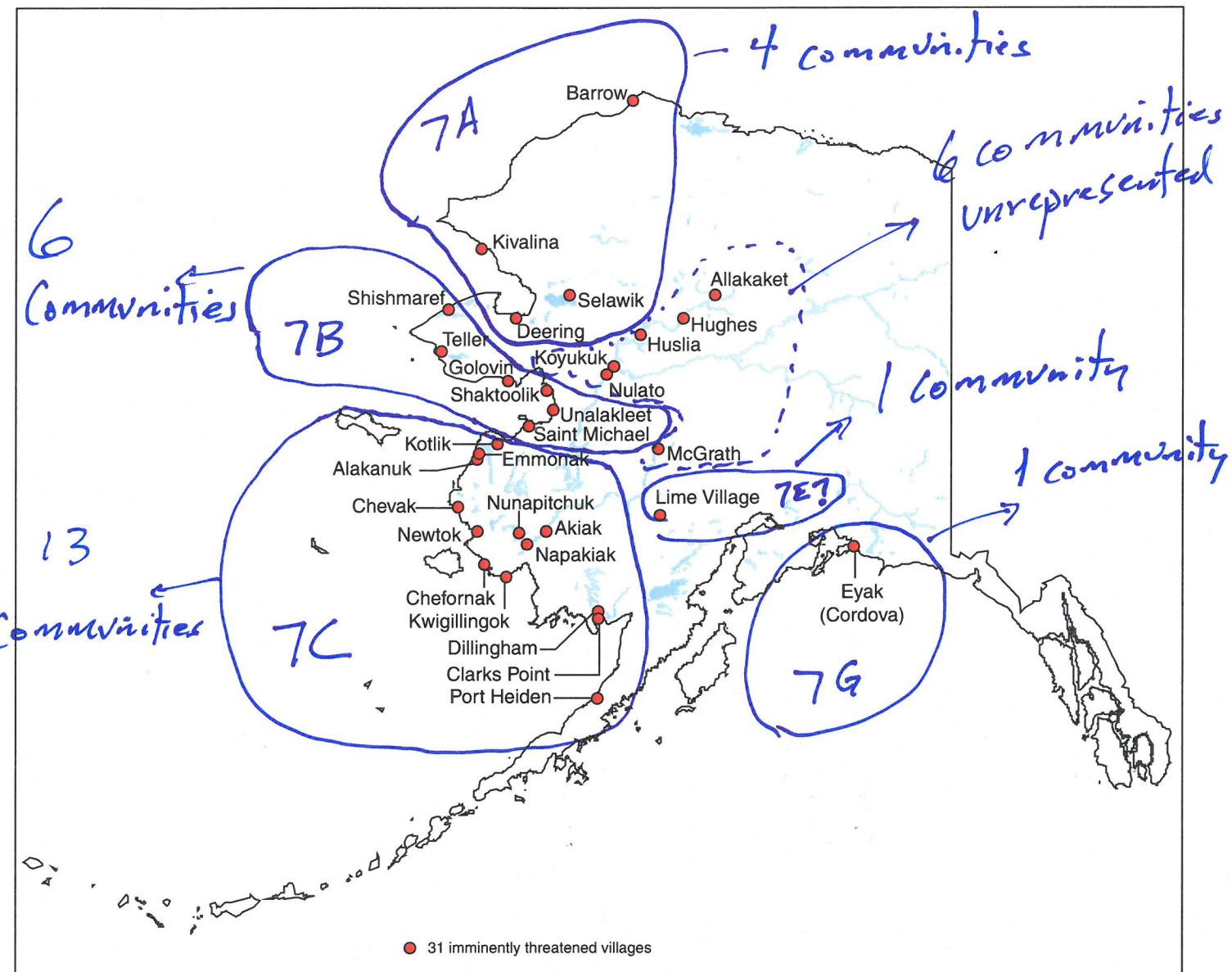
---

***Recommendations***

1. Strengthen State – Federal relationship
2. Establish consistent State and Federal policies with respect to relocation
3. Advocate for an update to GAO Report 09-551
4. Advocate for amendments to the Stafford Act
5. Perform a no-action economic analysis
6. Establish a \$200M State *Village Protection, Relocation and Match (VPRM) Fund*
7. Use \$50M of unobligated Surface Transportation funds for the *VPRM Fund*
8. Adopt the UAF/USACE *Statewide Threat Assessment* as a criterion in allocating State resources
9. Advocate for increased Federal implementation funding
10. Advocate for decreased local match requirements on Federal grants and loans
11. Provide \$50M for construction of a school and other critical infrastructure in Mertarvik and continue to advocate for federal funding consistent with the Governor's May 2017 letter to OMB
12. Provide \$45M for construction of evacuation centers in Kivalina, Shaktoolik and Shishmaref
13. Streamline ROW and land transfer procedures
14. Request that OMB establish a place-based Cross-Agency Priority (CAP) Goal focused on infrastructure protection that is co-lead by the State of Alaska and either the Denali Commission or a TBD lead Federal implementing agency
15. Increase funding for DCRA local government assistance programs
16. Advocate for changes to NEPA regulations
17. Include youth in the development of the State Action Plan

# Comparison of HB173 regional representation to GAO Report 09-551 priority communities.

Figure 4: Locations of 31 Alaska Native Villages Imminently Threatened by Flooding and Erosion



Sources: GAO (analysis); Pitney Bowes Business Insight (map).

7D-0 communities in GAO 09-551

7F-0 "

7H-0 "

7I-0 "