

HB 52

Public Testimony Packet

House Resources Committee

I do NOT support the bill Introduced by Representative Sarah Vance during the last legislative session, House Bill 52 (HB 52) removing Tutka Bay Lagoon and uplands—totaling 123.45 acres—from the heart of Kachemak Bay State Park.

HB 52 does not meet the Constitution’s requirement that Alaska’s lands and waters be managed “for the maximum benefit of its people” (Article 8, Section 2).

HB 52 goes against the Draft Kachemak Bay State Park Management Plan and the extensive 7-year public process that created it. HB 52 seeks to overturn the Park Plan.

This needs to be halted immediately. We the people are not in support of this travesty.

Respectfully,

Paul Wainamo

February 6, 2022

Alaska House Resources Committee

Dear Committee Members

I apologize for duplicate e-mailing to individuals.

I am a member of a coalition of business owners, commercial fishermen, landowners, and residents of Kachemak Bay who stand together with many others who live and work in the Cook Inlet Region opposing HB 52.

We support our families, friends, and neighbors whose way of life come from commercial fishing, and we agree with many of them that the Tutka Bay Lagoon Hatchery benefits few people but is paid for by the many.

We accept the facts as presented by Alaska Department of Fish and Game; on how Infectious Hematopoietic Necrosis Viral disease in the water supply at Tutka Bay Lagoon Hatchery, makes sockeye salmon production impossible. China Poot Bay sockeye fishery has no dependency on the Tutka Bay Lagoon Hatchery.

We agree with the proposed Kachemak Bay State Park Management Plan, which states that

the Tutka Bay Lagoon Hatchery is incompatible with the statutory purpose, intent, and definition of Kachemak Bay State Park.

We agree with the Alaska Department of Natural Resources that Tutka Bay Lagoon Hatchery is operating under an illegal Interagency Land Management Assignment. The Alaska Department of Natural Resources proposed park plan resolves this illegality and assures greater utilization for compatible park purposes. I support reclaiming and restoring the wonderful ecological nursery of the Tutka Bay lagoon-estuary,

We support the Kachemak Bay State Park Citizen Advisory Board resolution in strong opposition of HB 52.

We do not support the removal of any lands from within Kachemak Bay State Park. We respectfully request that you withdraw HB 52 from any further consideration.

Sincerely,

Rick Foster, PhD

Resident of Homer and Little Tutka Bay

Affiliate Professor of Resource Ecology & Management,
University of Alaska Fairbanks

Rick Foster, PhD

Affiliate Professor of Resources Ecology and Management, University of Alaska Fairbanks

rafoster@acsalaska.net

(907) 299-9295

Dear Committee Members,

HB 52 is a bad idea all around for the following reasons:

1. HB 52 would take away an irreplaceable, invaluable natural asset from all residents of the State of Alaska for no pressing or even logical reason! Tutka Bay is one of the most beautiful Fjords on this planet. We Alaskans have fought to keep it pristine, because it must be protected for future generations - in its entirety! The importance of the preservation of Kachemak Bay State Park for all Alaskans goes far beyond some backhanded 'deal'.
2. According to publicly available figures, TBLH has been losing approximately \$857,000 per year since 1991. The Lagoon is a fundamentally flawed location for a hatchery. Deeper water, better freshwater input, and improved access are needed to make it self-supported.
3. The turnover of the Tutka Hatchery to a tiny commercial special interest group does not benefit the commercial fisherman of the lower Cook Inlet, who get 95% of their catch from other runs in other areas. In fact - 97% of all commercial fisherman would benefit from the closure of this flawed operation, by not having to pay Salmon Enhancement Tax for this 'White Elephant' hatchery!
4. The bill is unconstitutional because: HB 52 does not meet the Constitution's requirement that Alaska's lands and waters be managed "for the maximum benefit of its people" (Article 8, Section 2) or the requirement for "efficient development of aquaculture in the State" (Article 8, section 15).
5. The popular China Poot red salmon dipnetting is not in jeopardy, as Rep Vance tries to falsely argue. It ran for 9 years while the hatchery was closed between 2005 to 2014, because the Reds are raised at the Trail Lakes Hatchery near Moose Pass!
6. This would also set a precedence for future possible sellouts of public lands!

Please vote NO on HB 52!

Sincerely,

Richard A Harness

Sent from my iPhone

Representative Patkotak, Chair

Representative Hopkins, Vice Chair

Members of House Resources Committee

House Bill 52

02/06/2022

Dear Chair Patkotak, Vice Chair Hopkins, and House Resources Members,

My name is Kyle Webb, I live in the Homer area and I am opposed to house bill 52.

I have worked for a small, locally owned fish processing plant here in Homer for the past 8 years. We provide a processing and shipping service for both sport and commercial fishermen in the area, and have grown to have a solid relationship with the fishermen that depend on us. It is a symbiotic relationship, as we also rely on them to generate revenue for us to continue operating. The beauty of mutually beneficial and respectful operations and relationships like these is that they can be long standing, we can continue to help each other out in this community for many decades to come

What happens then, to a business that does not work towards symbiotic and respectful relationships with the community? Well the Tutka Bay Lagoon hatchery is a great model of that. Instead of a mutualistic or symbiotic relationship with the community, they have developed a parasitic one. The hatchery takes from our fishermen with every single landing they perform, by inflicting a salmon enhancement tax on them. These fishermen are harvesting just about everywhere but the hatchery, as Cook Inlet Aquaculture Association has an exclusive right of fishery for the area that the majority of fish are returning to.

By leeching off of 1100 of our commercial fishermen and catching over 4/5ths of produced fish, you'd think they'd be rolling in dough over at the hatchery. However these guys are losing hundreds of thousands of dollars each year. The state comes in and bails them out with loans on the regular... What is going on over there that they are failing so badly? Being in the fisheries industry myself I understand a good hatchery and a bad hatchery when I see it. Compared to PWS hatcheries that only harvest 1/5th for cost recovery, Tutka Bay Lagoon hatchery is a big failure.

This has harbored a lot of resentment from people in our community, we are all sick of being scammed by Tutka Bay Lagoon hatchery. The fishermen that are paying for it (and getting no benefit) are small families, people just trying to raise their children and put food on the table. Everyone has been struggling so much over these past few years and the burden of being financially responsible for someone else's operation does not help.

It makes me think of the business I work at, if we put some special tax on all our fishermen every time they dropped off an order to be processed we would lose the trust of the community and be out of business right quick! Or if we were financially failing so miserably, that the state had to give us loans on the regular just to stay afloat.. How long would that last

for? We are actually providing a huge service to our community, so it is insane to me that Tutka is getting all this help and benefits when they cannot even provide for themselves, let alone the community!

HB 52 is a fiscally irresponsible bill, and to attach a fiscal note that says \$0 is absolutely ridiculous. It is laughable that the representative who crafted this bill would consider herself a fiscal conservative when she is supporting this failing operation that the state has become a sugar daddy for. My biggest hope is that you folks shut this bill down here in your committee, but if not I would highly suggest it gets sent to House Finances so they can get to the root of what it actually costs the state and its citizens to continue supporting this “welfare hatchery”.

I hope you all take the time to look into the operations at the Tutka Bay Lagoon hatchery and don't take everything the smooth talkers of CIAA tell you as facts. Obviously that is their domain and they'll say anything they can to make it seem beneficial. They like to throw out their invasive species and habitat restoration work as leverage, I'm sure you'll hear about it. They also like to say the pinks pay for the reds but... i'm not sure how that's possible when the pinks don't even cover operational expenses. There are also empty promises of booming future productions. They have been operating since the 90's, so if they haven't reached that boom in 30 yrs of production when will we see it?

Please ask the how's and why's when presented with their fluff. My community is upset and we just want to see this thing finally go away. The Kachemak Bay State Park is the real winner for Homer, it would be a shame to start whittling it away for private failing groups like this hatchery. Please vote this bill down and let the hatchery close in 2031, it is the best solution to cure the land disposal, and the best solution to get Tutka hatchery off the backs of our local fishermen.

If you are unsure and don't feel comfortable voting it down, then please send it over to House Finances so they can get to the root of the costs. Alaskans and Lower Cook Inlet fishermen deserve to know exactly what they are paying for if this thing stays open.

Thank You, Kyle Webb

To Whom it May Concern:

I grew up in Kodiak and later lived in Anchorage and then the Homer area. My husband and I lived in Tutka Bay for 26 years and I served on the Kachemak Bay State Park Citizen's Advisory Committee for several years. The park designation for this pristine area protects public lands for the Alaskan people and should not be diminished. Tutka Bay Hatchery practices have upset the natural balance of life in the bay and should be stopped.

Over the decades we lived in Tutka Bay, from a layman's perspective, through general observations, we were alarmed at the unintended consequences we suspected were created by the Tutka Lagoon hatchery operations. When pink salmon fry are released and pink carcasses are dumped into Tutka Bay, it's the dinner bell ringing for cod and a host of other hungry mouths. Those predator mouths don't stop with pink salmon meals. They also scarf up whatever food is available including crab and shrimp larvae.

Please protect and support the integrity of Kachemak Bay State Park. Tutka Bay is a gorgeous fjord that should be kept intact for the benefit of all in perpetuity. Thank you for planning for the next generation of Alaskans and beyond.

Nelda Osgood

(928) 300-5713

Respectfully, please do not allow the extraction of an important 123 acres of Kachemak Bay State Parkland to be removed under your leadership, stewardship, and watch!

The reasons that HB52 was crafted are an obfuscation you should easily be able to see through. The motives are not in the best interest of Alaska or its residents. This is not a partisan issue - it is an Alaskan issue.

There are thousands of citizens at the ready to protest, appeal, and argue without relenting or tiring on this issue and none of us need that kind of distraction.

Thank you so much for keeping Alaska's best interest at top of mind.

Hello from Mandy Dixon:

I am asking for your help - to protect and preserve 123.45 acres of threatened Kachemak Bay State Parklands that are within Tutka Bay and Tutka Lagoon.

This land is scheduled to be removed from State of Alaska Park protection and become general use State land - meaning no land protection whatsoever.

There is a State House Bill hearing happening on Monday, February 7th for discussion and then public testimony will occur on the following Friday, February 11th.

We were just informed of this on Friday, Feb. 4th.

- Send written testimony now to hres@akleg.gov.
- Give oral testimony at a public hearing on Friday, February 11 at 1:00 pm.

The hearing can be viewed at www.akl.tv Gavel to Gavel This LINK becomes available very close to starting time.

- Share this email with your friends.

DON'T ALLOW POLITICIANS TO REMOVE ANY OF OUR STATE PARKLAND!

KACHEMAK BAY STATE PARK IS ALASKA'S FIRST DESIGNATED PARK - THE OLDEST PARK, AND IN MY OPINION THE MOST BEAUTIFUL AND DIVERSE.

Introduced by Representative Sarah Vance during the last legislative session, House Bill 52 (HB 52) removes Tutka Bay Lagoon and uplands—totaling 123.45 acres—from the heart of Kachemak Bay State Park.

HB 52 does not meet the Constitution's requirement that Alaska's lands and waters be managed "for the maximum benefit of its people" (Article 8, Section 2).

HB 52 goes against the Draft Kachemak Bay State Park Management Plan and the extensive 7-year public process that created it. HB 52 seeks to overturn the Park Plan. This Park Plan calls for relocating the hatchery out of the Park by 2031 and converting present structures in the lagoon into a "group camp facility."

- This bill is being introduced now because:

1) Recent court decisions make it clear that State Parks cannot have long-term leases with private entities (There is a commercial salmon hatchery operating in the Tutka Lagoon under lease with ADFG).

2) The most recent State Park Plan indicates that ADFG violated the law by leasing out the land for hatchery operations, defying the purpose of the Park–Alaska Statute 41.21.990, and gives them until 2031 to relocate out of the Park.

3) Commercial land use of the Tutka Lagoon has never been legal, from the very beginning. The State of Alaska DNR illegally allowed State ADFG special use of the land.

Let's preserve and protect this special place. Let's continue to value its rare beauty and uniqueness for generations to come.

Here are some recent op-eds on the issue.

- Hatchery Misinformation
- Rep Vance's Bill is Anti-Fishermen
- Moving the Tutka Bay Lagoon Hatchery Makes Good Sense
- Bad Hatchery Bill
- HB 52 Would Hurt Commercial Fishing and Community

Thank you so much for your help to protect the future of Alaska's wild places. Your voice matters now.

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Mandy Dixon

Chef/Owner

Within The Wild Adventure Company, Alaska

I am writing to you today both as a traveler and travel advisor who has a deep appreciation for the great state of Alaska. It has come to my attention that HB 52 will remove over 123 acres from the heart of Kachemak Bay State Park, which will have a huge impact on the beauty and uniqueness of this special place. I urge you to reconsider this change and protect the land that was placed in your care and preserve it for generations to come.

Thank you for your time and consideration of this important matter.

Cordially,

Cordially,

Melissa Warren, CTA

[Park Cities Travel Concierge](#)

Affiliated with Montecito Village Travel | Virtuoso

I am writing to you as a concerned citizen and someone who works in the travel industry that has seen so much beautiful land overrun and overused. We need to care for and protect our parkland not just for the environment, but for future generations.

Kachemak Bay State Park is a beautiful and diverse park. It was the first designated park in Alaska and deserves to be protected.

PLEASE do not allow Tutka Bay Lagoon and the uplands—123.45 acres!—from the heart of Kachemak Bay State Park.

This parkland needs to be managed “for the maximum benefit of its people” (Article 8, Section 2) and HB 52 goes against this.

Please note: Commercial land use of the Tutka Lagoon has never been legal, from the very beginning. The State of Alaska DNR illegally allowed State ADFG special use of the land.

Let's preserve and protect this special place. Let's continue to value its rare beauty and uniqueness for generations to come.

Thank you,

Liz

--

Liz Matassa | Travel Designer

306 Water Street Excelsior, MN, 55331

Direct: 612-605-1157 | PiqueTravel.com

Dear Committee,

I have lived in Homer for over 40 years and am writing to ask you to not support HB 52 and please preserve the 123.45 acres in Kachemak Bay State Park's Tutka Bay and Lagoon as part of the Park for future generations of Alaskans and visitors. HB 52 does not meet the AK Constitution's requirement that Alaska's lands and waters be managed “for the maximum benefit of its people” (Article 8, Section 2).

HB 52 is contrary to the Draft Kachemak Bay State Park Management Plan and the extensive 7-year public process that created it.

Also, recent court decisions clarified that State Parks cannot have long-term leases with private entities. The most recent State Park Plan indicates that ADFG violated the law by leasing out the land for hatchery operations and contrary to the purpose of the Park—Alaska Statute 41.21.990.

I understand this is a very complexed bill and issue, but it is not in the best interests of Alaskans, constitutionally flawed and contrary to initial Legislative establishment of the Park and former court rulings.

Thank you for your consideration.

Carol Swartz

Box 2748

Homer, Ak 99603

To the Alaska Legislature:

I am in favor of protecting and preserving 123.45 acres of threatened Kachemak Bay State Parklands that are within Tutka Bay and Tutka Lagoon.

This land should remain in State of Alaska Park protection.

Regards,

David Sleeper

684 Deer Meadow Drive

Loveland, CO 80537

Hi there,

I am writing in support of protecting and preserving the 123.45 acres of threatened Kachemak Bay State Parklands that are within Tutka Bay and Tutka Lagoon.

Please make it happen!

Kate Sheldon

I fully support the actions that House Bill 52 addresses and encourage the passing of this legislation.

Tom Stroozas

P. O. Box 1481

Homer, AK 99603

704-488-3779 cell; 907-235-3677 office

www.americascuisine.com

DO NOT CUT 124 ACRES OF (FORMERLY) PRISTINE LAGOON OUT OF KACHEMAK BAY STATE PARK

HB 52 v.N would set a precedent of removing land from all state parks in Alaska. This is unacceptable - it could affect all state parks.

HB 52 v.N ignores that fact the Ak DF&G recognizes that Tutka Bay Lagoon is a continuous source of Infectious Hematopoietic Necrosis Viral Disease - that water can not support a profitable hatchery as sockeye salmon production is impossible there.

HB 52 v.N would benefit a very tiny fraction of the fishermen who must pay into the Cook Inlet Aquaculture Association to support this totally unprofitable hatchery.

The land to be "traded" in this bill is already owned by the Ak DNR. The Friends of Kachemak Bay State Park has paid the fee to start an ILMA - Interagency Land Management Assignment - to include this land around mile 17 of East End Road near Homer in a transfer to be included in the KBayState Park.

The ocean has too many unprofitable pink salmon. CIAA has proven that a profitable pink salmon hatchery in Tutka Bay benefits only a few cost recovery fishermen, while taxing all the CIAA members.

The China Poot Bay dipnet fishery does not depend on the Tutka Bay Lagoon hatchery. Trail Lakes Hatchery is responsible for incubating these fish, no sockeye salmon have been in the Tutka Bay hatchery for years - they can not survive there!

Tutka Bay Lagoon should be repurposed into an educational youth camp, rental cabins, or another PARK facility compatible with outdoor recreation.

Thank you,

Kevin Walker

Member of Kachemak Bay State Park Citizens Advisory Board (I have talked to dozens of Alaska citizens about this, all but Sarah Vance and employees of CIAA agree this bill should not be considered - and Tutka Bay Lagoon should be repurposed for park activities!)

Dear Committee Members,

Tutka Bay lagoon hatchery has been a failure and financial disaster for years. Now Rep Vance wants to turn it over to the small group who has utterly failed to make this pink salmon hatchery a success for many years.

I strongly oppose HB 52, and urge you to please vote against it for the following reasons.

This action is clearly against the State Constitution, because:

HB 52 does not meet the Constitution's requirement that Alaska's lands and waters be managed "for the maximum benefit of its people" (Article 8, Section 2) or the requirement for "efficient development of aquaculture in the State" (Article 8, section 15).

This bill would cut out 123 acres in the middle of Kachemak State Park to serve the interest of a minuscule group of commercial fisherman!

HB 52 serves only the hatchery itself, not the fishermen of the lower Cook Inlet as a whole.

CIAA has \$16 million of outstanding debts to the State, and part of their loans have been used at the TBLH facility. All Cook Inlet fishermen pay for TBLH through the Salmon Enhancement Tax - yet only a handful catch Tutka fish. Closing the hatchery is a win for 97.5% of Cook Inlet fishermen!

The Kachemak Bay State Park belongs to the people of Alaska! As that, it is an extremely valuable, and irreplaceable treasure and asset. Chopping it up to cater to a tiny, insignificant commercial special interest group is an unacceptable short-sided move!

Please vote NO on HB 52!

Thank you for your service to our great State!

Sincerely, Dorothea Harness

Sent from my iPhone

To Whom it May Concern,

I am writing to express my **opposition to HB52**.

Removing a piece from designated state park lands is anathema to the entire legal process of conservation and preservation of public lands. The fact that a commercial hatchery was illegally leased within the Kachemak Bay State Park does not set a precedent for removing land from the Park. There is already a plan in place to move the hatchery out of the park.

As a resident of Kachemak Bay, a user of public lands in Tutka Bay, and a constituent of the bill's sponsor, I wholeheartedly insist that this bill is a misguided effort which will set an awful precedent for state land management, deprive Alaska citizens of public lands, and harm independent fishermen.

Regards

Scott Bartlett

Homer, Alaska

206-484-1804

To the people empowered with deciding the fate of our public lands:

Greetings, this correspondence finds me concerned and wishing to Xpress an opinion of utmost importance to me regarding the upcoming review of approximately 124 acres of currently protected state park land in Kachemak Bay state park- specifically in Tutka Bay. I have personally spent many hours in this wonderful part of our state parks. I have enjoyed the vistas, put in an incredible number of hours volunteering to keep the trails cleared, and have even been gainfully employed by the state conducting maintenance operations in Tutka bay. As a veteran of Iraq and Afghanistan, I have come to find peace in the park.

When you cast your votes on this matter I. The upcoming days, please remember that countless hours have been invested into this park from an enormous variety of diverse Alaskans. The park has a connection to the people who use it, who live by it, and especially to those who have cared for it. Please vote to keep the land protected as state park lands for many future generations to enjoy

Thank you for your time

Adam DePesa

PO Box 1247

Anchor Point, AK 99556

907-854-1272

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Adam DePesa

South Peninsula Special Projects

907-854-1272

Spsquared.ak@gmail.com

House Resources Committee

House.resources@akleg.gov

Subject; House Bill 52

February 7, 2022

To Committee Chair Josiah Patkotak ,

All House Resource Committee Members,

My name is Jon Faulkner of Homer, Alaska. I am the owner and operator of The Lands End Resort located at the southern tip of the Homer Spit in the middle of Kachemak Bay.

I stand in opposition to House Bill 52.

My statement is this:

Kachemak Bay State Park, as a public asset with a defined purpose, contributes immeasurably to tourism. Expanding quasi-industrial enterprises within the park is not an economically wise trade off.

Secondly, the Tutka Bay Lagoon Hatchery is a financial drain on the public. It is economically unsustainable, and has been since inception. The true total cost has been hidden from the public.

Thirdly, it has unknown impacts to the biomass of the bay. It is an artificial, man made fishery. The bay is in decline, and no one can tell us why.

Finally, the narrow purpose that this hatchery serves to rebuild our salmon stocks in Cook Inlet can be met in other ways.

I respectfully submit these comments and hope the committee will understand my feelings.

Sincerely,

Jon Faulkner

landsendjdf@gmail.com

February 7th, 2022

Representative Sarah Vance

Representative.Sarah.Vance@akleg.gov

House.Resources@akleg.gov

Dear Rep. Vance and House Resources Committee Members,

My name is Phil Brudie. My family and I have been long time residents in the Homer area.

I am writing this letter to express my strong opposition to House Bill 52.

I have been a long time participant in the Lower Cook Inlet Salmon Seine Fishery. I have also been a member of the Board of Directors of Cook Inlet Aquaculture Association. As a long time member of the Kachemak Bay State Park Citizen's Advisory Board I gained valuable insight and a strong commitment to integrity of the park, and maintaining it for the future. My personal view is that CIAA has done a poor job making the Tutka Bay Hatchery a viable economic factor for the Lower Cook Inlet Fishery. This bill represents a free giveaway that only rewards CIAA incompetence.

I strongly oppose removing the 123 acres of Tutka Bay Lagoon and hatchery facility. I feel this sets a terrible statewide precedent for our Alaska State Park System.

Please consider these factors and pull the bill from any further consideration.

Sincerely,

Phil Brudie

plbrudie@yahoo.com

907 399-6257
