

HB 77 Opposition Documents Index Group #5
Passed Out to Committee Members on 3/13/14

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From: debra

Sent: Wednesday, March 12, 2014 6:38 PM

To: Sen. Cathy Giessel

Subject: PLEASE INCLUDE THIS IN PUBLIC RECORD AND DISTRIBUTE TO COMMITTEE MEMBERS

Dear Senator Giessel and fellow Alaskan Representatives,

Alaskans have spoke up today in strong opposition to HB77. I also STRONGLY OPPOSE HB77.

HB 77 is a vile bill that takes away Alaskan citizens' democratic voice in our state's natural resource use and permitting process. Not only will this bill eliminate public comment periods and public hearings in regards to our state's permitting process, this bill would also withhold information from Alaskans on how our state lands will be used, and how our water resources could potentially be impacted. By eliminating Alaskan citizens from this process, you are welcoming outside interests, such as large corporations, to use our land, extract our state's resources, and harm our state's water resources.

If passed, HB 77 would detrimentally harm Alaska's livelihood, as the true cost will be paid by Alaskan citizens. YOU

CAN STOP THIS BILL NOW, and I highly encourage you to take action in doing so. We, the Alaskan people, are counting on you, to listen to our concerns, and accurately represent us.

Thank you for your time.

Sincerely, your concerned constituent,

Debra Ylijoki

Anchorage, Alaska

-----Original Message-----

From: Katherine Rowell

Sent: Wednesday, March 12, 2014 3:46 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Water is a public resource. We cannot live biologically without water.

Water supports the industry worth multi -billions of dollars in Alaska.... commercial, sport and subsistence fishing, and the ecological features and wildlife that millions of people travel from locations around the world to see.

Alaskans recreate and obtain their food from the water. Look at Campbell Creek park in Anchorage as a very popular spot for families to congregate.

One entity should not be in charge of our rights to our water quality, quantity and availability. This a resource in which the residents are the stakeholders and have the right to comment and participate in determining its use.

Katherine Rowell

3148 Tayshee Cir

Anchorage, AK 99504

From: Rebecca Noblin

Sent: Wednesday, March 12, 2014 3:45 PM

To: Sen. Cathy Giessel

Subject: HB 77 testimony: Please include in public record and distribute to Natural Resource Committee members

I am opposed to House Bill 77 because it inappropriately expands the Department of Natural Resources' (DNR) power, erodes Alaskans' rights to appeal DNR decisions and eviscerates the process for water reservations. Current revisions to the bill do not cure these defects. Moreover, I object to the closed-door process under which HB 77 was revised and the inexcusably abbreviated public comment period.

Alaskans deserve a voice in how our precious natural resources are managed. House Bill 77 should be rejected.

Please include this testimony in the public record and distribute to Natural Resource Committee members.

Sincerely,

Rebecca Noblin

2900 Wiley Post Ave.

Anchorage, AK 99517

From: Michelle Kaelke
Sent: Thursday, March 13, 2014 7:43 AM
To: Sen. Cathy Giessel
Subject: Attention: Senate Resource Committee members--opposition to HB77

I'm another Alaskan opposed to HB77. I find it amazing that we Alaskans do not learn from the mishaps of the lower 48. Our fish and the water and habitat that support them have always been one of Alaska's greatest resource. Why would we put this valuable resource at risk?
HB77 does just that.

Please oppose HB77 in your Senate committee.

thank you,
Michelle Kaelke
Juneau

Michelle Kaelke
9723 Trappers Lane
Juneau, AK 99801

-----Original Message-----

From: kathrin McCarthy

Sent: Thursday, March 13, 2014 9:57 AM

To: Sen. Cathy Giessel

Subject: HB 77

Dear Ms. Giessel, Cutting off the public testimony on HB77 is a blatant example of what this bill will do to Alaskans if it is allowed to pass. You are advancing a very un-Alaskan and un-democratic position by cutting off public testimony yesterday. Since I do not know you and have no idea how long you have lived in Alaska you may not have some history of the kind of states-person-ship that "real" Alaskan's have shown (both Republican and Democrat) to help people trust their elected representatives and take part in the political process. This bill in my opinion and in my experience is the kind of thing that "no conscience developers" put forward to keep people from speaking out and taking political initiative. No matter what side you are on, the public needs to know and to feel they can speak up, sue and do what they think is right to protect or promote what they value. HB77 is terrible policy for good management of both our lands and waters. This bill reminds me of the awful campaign that destroyed our Coastal Zone policy. "Shut the people up, make them afraid to protest, tell them this is way things are supposed to be and we your government will not do things that will harm you". Please do not respond that there were just too many people who wanted to speak to keep the public testimony open-- HB77 is probably the most important piece of environmental legislation before the Ak legislature this session. Unfortunately, it has the finger prints of the worst pro-bad- development in our state on it. It is your job to listen to the public- you work for the people of Alaska, all of them.

Sincerely yours

~ Kathrin McCarthy

-----Original Message-----

From: Andrew Malavansky

Sent: Thursday, March 13, 2014 10:57 AM

To: Sen. Cathy Giessel

Subject: HB77. Please include this in public record and distribute to Natural Resource committee members

HB77. Please include this in public record and distribute to Natural Resource committee members.

The words of the people should not be ignored, neither now or in the future, the passage of HB77 would silence public input and that alone spells disaster. This by itself runs against the States constitution and plain common sense. There is one place HB77 belongs and that is in the trash bin. Shame on those who made an attempt to bulldoze this through.

Andrew Malavansky

Anchorage Alaska

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-----Original Message-----

From: Gregory Jurisich

Sent: Thursday, March 13, 2014 8:21 AM

To: Sen. Donny Olson

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Gregory Jurisich

2 Arctic Way

Kobuk, AK 99751

-----Original Message-----

From: Victoria Kotongan

Sent: Thursday, March 13, 2014 9:50 AM

To: Sen. Donny Olson

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Victoria Kotongan

Box. 246

Unalakleet, AK 99684

-----Original Message-----

From: John Jensen

Sent: Thursday, March 13, 2014 2:09 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

In re: HB 77. For general permits, powers are too broad for "any activity." A given administration, now or later, could take this to an extreme if it so chose. We can only hope that that would not happen but we must consider that DNR lost a court case over holding permits back. General permit powers are especially troubling considering that "any activity" would not be noticed to the public.

Alaskans should not have to be "significantly adversely affected" before they can challenge decisions. This sets the bar too high, especially for individuals or small groups who simply do not have the money or other power to challenge the State government.

In re: water reservations, DNR should be required to consider and act on applications (which cost applicants their own money) and give a logical, non evasive reason for any refusal. DNR should be required to act on them within a reasonable length of time. Corporations, for example, should not get a higher priority than Alaskans in this regard.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

John Jensen
12900 Patrick Rd
Anchorage, AK 99516

Date: March 12, 2014 at 11:20:27 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Cc: <Senator.Lyman.Hoffman@akleg.gov>

Subject: HB 77

Dear Senator Giesel,

Thank you for the opportunity to comment. I have heard and read references to a "version H" of HB 77 unveiled 3/10/2014 but cannot find it anywhere on BASIS or the internet. However, I viewed Gavel Videos of the 3/10/2014 and 3/12/2014 Senate Resources Committee meetings, including testimony by Wyn Menafee of DNR Mining, Lands and Water.

Article VIII, Section 1 of the Alaska Constitution directs development of Alaska resources to occur "by making them available for maximum use consistent with the public interest." Alaska residents deserve a voice to express their interests in public policy decisions and a means to seek redress when public will is ignored by legislators or public agency officials.

HB 77 "H" continues to allow the Department of Natural Resource directors the option to not make public the preliminary written finding (or provide opportunity for public comment on the same), regarding the sale, lease, or other disposal of available land, property, resources, or interests. This may have been the case all along, but this bill highlighted this sensitive issue. This places substantial power in the hands of appointed officials.

Decisions on resource development must balance the potential for net revenue gain from extracting commodities such as minerals, oil, coal, or gas with potential threats to habitat quality or sustainable harvest of renewable resources that provide food (marine and fresh waters, fish, game) or commodities (timber, fish, livestock forage) over the long-term (decades to centuries).

The controversy over this bill strikes me as state government having difficulty convincing its citizen residents that the potential for short term monetary gain from commodity extraction or public resource sale outweighs risk of reduced yield from renewable resources, or a reduction in other desired public values.

Seeking to restrict appeal of policy decisions to those "substantially and adversely affected" may clarify the issues of redress for DNR. However, based on the preponderance of comments I have read online or in newspapers and heard in your committee meeting today, public trust in the Division of Mining, Land, and Water seems to be low. In hindsight, DNR should have undertaken some type of public process in developing this bill. Such a process will be difficult after this experience.

I have limited confidence that renewable resource conservation and public process can occur reliably or consistently under this bill, even in revised form "H." I urge you to oppose HB 77 so the process can begin anew in the next legislative session.

Tom Paragi
1271 Lowbush Lane
Fairbanks, AK 99709
(Goldstream Valley)

PS-I want to commend the Alaska Legislature for making video archives of committee meetings available on 360 North-this is a huge improvement in citizen participation from outside of Juneau.

From: Paul Zimmerman
Date: Wed, 12 Mar 2014 14:22:07 -0800
To: <Senator.Peter.Micciche@akleg.gov>
Conversation: HB 77
Subject: HB 77

Senator,

The purported amendments to HB 77 do not in any way address the concerns I have with this legislation. I still find this so-called compromise legislation abhorrent and untenable.

To agree these amendments add up to a 'well thought out compromise' is simply preposterous. The bill and it's intent is still an insult to rights of the public.

Your disparaging suggestion, that "only those at the most extreme wings of these two issues may have difficulty agreeing that this is a well-thought compromise", only adds further insult.

This bill does not sufficiently address the inherent risks of abuse associated with blanket general permitting and does not in any way serve to protect the right of the public to have a meaningful voice in the permitting process.

This legislation's intent, by design, is to limit and/or deny the public's right to participate. That intent is in direct opposition to the very ideals which are the foundation of our nation's form of government.

I spoke to you recently about my disgust with more and more proposed legislation arising which attempts to do away with the rights of citizens to directly participate in government process, and I have to say, despite the supposed posture of 'public concern' you showed earlier, I'm not surprised to see you now speaking in support of doing away with the rights of citizens to participate in government processes, and now attempting to disparage those who may not willingly and give up those rights.

I urge all legislators to reject HB77 and further, I'd like to see the day more and more legislation is proposed to strengthen the rights of the public to have a meaningful voice in their government. I cannot support any legislation proposing to deny citizens their rights. And I sure can't support any legislators who would vote to deny the rights of citizens, especially while attempting to disparage those citizens at the same time.

Paul Zimmerman
PO Box 15
Kasilof, Ak. 99610

----- End of Forwarded Message

I attempted to also submit additional testimony earlier today, (this Wednesday), and I will be making the attempt once again on this coming Friday, along with additional, more comprehensive written comments.

Sincerely,

Paul Zimmerman
PO Box 15
Kasilof, Ak. 99610

From: Heather Hardcastle

Subject: Please include this in public record and distribute to Senate Natural Resources committee members

Date: March 12, 2014 3:25:17 PM AKDT

To: senator.cathy.giesel@akleg.gov, senator.lesil.mcguire@akleg.gov,
senator.peter.micciche@akleg.gov

Cc: senator.dennis.egan@akleg.gov, representative.sam.kito.III@akleg.gov,
representative.cathy.munoz@akleg.gov

Hello Members of the Senate Natural Resources Committee,

In a few minutes, you will hear public testimony on the proposed amended version of HB 77. I'm unable to attend this hearing because I am home with a 1 1/2 year-old daughter. As a lifelong Alaskan, Southeast Alaska commercial fisherman, biologist, teacher and mother, I strongly feel the amendments to HB 77 do not justify this bill as a means to "streamline" the permitting process as Governor Parnell and several DNR officials continue to maintain. I ask you to not pass this version of HB 77, as currently written.

I want to thank Sen. Micciche for continuing to stay focused on this bill--and really listen to Alaskans--as he has for the last several months. I also want to specifically thank Sen. McGuire for her comments about the amended bill at Monday's hearing. I echo Sen. McGuire's comments that, as Alaskans, we're constantly trying to balance the importance of responsibly developing our natural resources and working as "fierce environmentalists." Like Sen. McGuire, I have "grave concerns" about the amended HB 77.

Below is a brief listing of my major concerns with this amended bill (I must mention that the fact the public has been given less than 48 hours to comment on the amendments to an extremely complex and contentious bill is very frustrating--and only adds legitimacy, in my mind, to the name hundreds have already given the bill, the "Silencing Alaskans Bill"):

--the authority given to the commissioner to issue general permits for activities on state land while allowing him/her to override DNR's laws and statutes appears to be an overreach of power and authority.

--as a commercial fishermen who could potentially stand to lose quite a bit due to irresponsible development of fish habitat, it's unacceptable to me that the definition of "likely significant and irreparable harm" is left to the discretion of the DNR commissioner.

--as Sen. McGuire said on Monday, the process of listening to the public can be "messy" and time-consuming. But this is what it means to live in a democracy! HB 77 reverses the fair and reasonable public comment process that has been in place in Alaska since statehood. And, honestly, it's through DNR's permit commenting process that the public can actually express their opinions about proposed development to OUR land; there's no place under Title XVI for the public to comment on permits required to impact fish habitat. Now that the Coastal Management Plan was taken away, I'm outraged that our last possible means to comment on development activities on state land may be significantly impacted.

--DNR states that it's significantly improved the section of the bill that pertains to water reservations. Yes, DNR proposes to now allow individuals, tribes or corporations to once again apply for water reservations. However, this year's version of HB 77 guts the entire system of reservations by taking out the only provision that has any hope of protecting in-stream flow--the priority order of applications. This doesn't seem like a "streamlining" measure at all; it simply guts the law that already favors out-of-stream use over in-stream protections. Again, I'm outraged and amazed that the administration would propose something so offensive to Alaska residents.

Again, I urge you to not pass this version of HB 77 as written. This is not a permit streamlining bill. Instead, even with significant amendments, this bill severely limits the ability for Alaskans to participate in the decisions about how OUR land is to be managed.

Thank you,
Heather Hardcastle
Juneau, AK 99801

From: Jessica Winnestaffer

Date: March 13, 2014 at 12:29:42 AM AKDT

To: <senator.cathy.giessel@akleg.gov>, <senator.click.bishop@akleg.gov>, <matsu.lio@akleg.gov>

Cc: Jessica Winnestaffer <jessica@chickaloon.org>

Subject: Please include this in public record and distribute to Senate Natural Resource committee members

I was at the Mat-Su LIO and did not get my 2 minutes to speak during the public hearing on Wednesday, March 12, 2014.

HB 77 Version H comments by Jessica Winnestaffer, resident of Sutton, Alaska.

[Note: Please include this in public record and distribute to Senate Natural Resource committee members.]

HB 77 Version H is a disappointment and, if passed, will be a disgrace. After Alaskans demanded public forums in December and January to voice the numerous and serious concerns with the bill, DNR and legislators have failed to make adequate amendments. HB77 Version H steals the voice of Alaskan citizens, crowns the DNR Commissioner as monarch, and subjugates Alaska's streams and lands to the whim of the DNR Commissioner. HB77 and all of its versions should be thrown out.

Section 1 of HB77 would develop General Permits with language that is so broad and vague that any activity could have a general permit so long as the activity does not "likely" cause "significant AND irreparable harm" as determined by the DNR Commissioner and his staff. The wording of section 1 is inappropriately ambiguous, for instance what is the definition of 'likely', 'significant' and 'irreparable'. If general permitting is needed for certain categories of activities, DNR should get legislative authority for a narrow, specific list of activities. HB 77 Version H section 1 should be eliminated entirely as it removes the healthy checks-and-balances of government, which is provided by public process.

HB 77 Version H has not fixed most of the major problems of the earlier bill with regard to water reservations. It is ludicrous that DNR is proposing it no longer needs to prioritize water reservation applications or adjudicate them at any point. The minimum necessary data required for a water reservation application costs over \$130,000 (if collected by USGS) and takes more than 5 years—if the efforts have been taken to submit a complete application than it is only appropriate to adjudicate the applications. Additionally, it is ridiculous to limit the sources of stream flow data allowed in a water reservation application, as proposed by HB 77. If data is high quality than it should be allowable, regardless of its origin or who paid for it.

It is completely unacceptable for DNR to internally decide which competing water use has the priority. 'First in time, first in right', which is the current system of water allocation, is clear and not ambiguous. It is critical to the survival of our fisheries resources that there be a clear tool that the public can use to ensure that some water is reserved for fish.

HB 77 Version H attempts to make Temporary Water Use Permits (TWUPs) unlimited in length and number. Why then is it called a "temporary" permit, if a water use can be renewed indefinitely at 5-year increments? Additionally, why should there be no requirement of baseline water flow data to apply for a TWUP that will withdraw water from a stream, river, or lake? It is a flawed process that allows a detrimental water-withdraw activity to occur with less background data requirements than the requirements for a water reservation that will ensure aquatic habitats persist. The proposed legislation for TWUPs is inappropriate.

HB 77 Version H is designed to remove the rights and voices of Alaskans and reduce protections for streams and fish habitats. It is unconscionable that HB 77 Version H would be presented as a compromise, as it is an extreme power grab by an agency, a commissioner, and a governor. HB 77 should not be considered any longer.

Sincerely,

Jessica Winnestaffer

-----Original Message-----

From: William FitzGerald

Sent: Wednesday, March 12, 2014 3:31 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. If HB77 passes, every single legislature that votes in favor will loose their next bid for re-election; guaranteed! You cannot strip the opportunity of Alaskans for their rights to participate in government decisions or to protect their own rights to the most important and vital need for preservation, clean and potable water.

William FitzGerald

Talkeetna, AK 99676

-----Original Message-----

From: Kathleen Harms

Sent: Wednesday, March 12, 2014 3:30 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

HB77 is a direct assault on the rights and responsibilities of all Alaskans to be the scrupulous stewards of our water, air, and land. These rights and responsibilities are accorded to us by our U.S. and Alaska Constitutions, not to speak of being inherent to our dominant position among creatures by the Laws of Nature and Nature's God. Insofar as government hides and curtails the real responsibilities of our humanity and of our citizenship, insomuch as government discourages and prevents the authentic engagement of our people with decisions concerning that upon which our lives actually depend--our water, our food-- government is no longer our representative, our instrument of cooperation, or our helper, as democratic government is meant to be. When government takes away from the people and takes to itself crucial rights and duties which concern the health of our environment and our fish, that is, our own survival, in the interest of we know not what or who, without our full understanding, agreement, and consent, then government is illegitimate; government is our enemy.

Do not pass HB77. HB77 curtails and eliminates the participation of our people in determining the future of our most precious resources. HB 77 takes away our power and thus makes our Alaskan government an enemy to our responsibility as human beings. HB77 makes our own government our enemy.

Kathleen Harms

PO Box 521362

Big Lake, AK 99652

From: Peter Cueva

Sent: Wednesday, March 12, 2014 6:51 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Peter Cueva
12830 Glen Alps Rd.
Anchorage, AK 99516

-----Original Message-----

From: Wellwood Center

Sent: Wednesday, March 12, 2014 3:28 PM

To: Sen. Cathy Giessel

Subject: Oppose HB 77

Senator Cathy Giessel, Chair of the Senate Resources Committee:

Just a few minutes ago I learned that HB 77 is coming up for a public hearing before the Senate Resources Committee this afternoon at 3:30. I hope my comment is in time to be considered at this review.

I strongly oppose this bill, which would restrict the ability of citizens and local organizations to protect their own local waterways. I live in rural Alaska (Copper River Basin) where there is no local government to look out for these precious resources. I live along a stream which I value greatly. I have engaged in data collection and resource analysis regarding this stream for the past several years, so have a background from which to speak knowledgeably about this issue.

The waters of our state belong to the citizens of our state, not to industry or to the state legislators, who so often have demonstrated their lack of concern for local environmental protections. As a point of beginning when considering issues of water rights, it has always seemed to me that "rights" that result in any degradation of water resources should be more difficult to obtain than "rights" to at least maintain the status quo. Instream water rights, the rights to maintain minimal levels in waterways, are, in this perspective, far more important than rights to extract water for uses that generally benefit only a few.

As a matter of note, I own and operate a small Bed and Breakfast. Our clientele use trails that access the creek, and they, also, value both the water and the wildlife (beavers, otters, etc.) that depend on the health of this small waterway for survival.

I oppose, in the strongest terms, HB 77. I hope you will use your own position to help defeat this bill.

Thank you,

--Dave Wellman

Wellwood Center

Bed and Breakfast and Nature Preserve

HC60 Box 227

Copper Center, Alaska 99573

Website: www.WellwoodCenter.com

Email: welm@wellwoodcenter.com

From: Scott Anaya [mailto:Scottanaya@gmail.com]

Sent: Wednesday, March 12, 2014 5:56 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving ME & Alaskans statewide unable to add their voice to this process. It is disrespectful to us Alaskans, who took time out of our day, to be shunned by you our so-called representation in Juneau.

This bill is horrible and still cuts US, the people out of the public process. HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Scott Anaya
7631 Griffith St
Anchorage, AK 99507

-----Original Message-----

From: Larry Casey

Sent: Wednesday, March 12, 2014 3:23 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

I am beyond appalled by the blatant usurpation of power by the Parnell administration.

I am also aware that the DNR commissioner Mr. Sullivan was also a political appointee with little to no interest in preserving Alaska's immense natural wealth. An administration that tried to remove environmental protection from it's mandate makes me especially against ANY form of HB 77,

I speak only for myself and my grandchildren. I am a 20 year military retired conservative veteran over 30 year Alaska resident and registered Republican. However the current Republican party in Alaska policies have me irate.

It speaks volumes that my former Senator Rick Halford spoke against HB 77 in a compass piece.

KILL HB77, PLEASE!

Thank you for your time.

Larry Casey

12428 Winter Park Cir

Eagle River, AK 99577

From: Bryan Kirkpatrick
Sent: Wednesday, March 12, 2014 5:53 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Bryan Kirkpatrick
12940 Hillside Dr
Anchorage, AK 99516

From: Robert Hodge

Sent: Wednesday, March 12, 2014 5:50 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Robert Hodge
7605 upper Huffman rd
Anchorage, AK 99516

From: Nina Cornett

Sent: Wednesday, March 12, 2014 5:49 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Nina Cornett

37886 Snug Harbor Rd

Cooper Landing, AK 99572

From: Penny Puhak
Sent: Wednesday, March 12, 2014 6:55 PM
To: Sen. Cathy Giessel
Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. This bill is wrong on every level. I oppose it completely, as an Alaskan and a fisherwoman.

Penny Puhak
12231 Gara Drive
Kodiak, AK 99615

-----Original Message-----

From: Audrey Starbird

Sent: Wednesday, March 12, 2014 5:59 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Audrey Starbird

4801 Canterbury way

Anchorage, AK 99593

From: BOB STANDISH [mailto:BOBSCABINAK@GMAIL.COM]

Sent: Wednesday, March 12, 2014 7:36 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I opposed HB77. There is absolutely nothing wrong with the present permitting process in Alaska. If anything, the current process is much too liberal. The public has a right to comment and be heard regarding the permitting of projects that affect our natural resources in Alaska.

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

BOB STANDISH
PO BOX 1106
KENAI, AK 99611

-----Original Message-----

From: Peter Cueva

Sent: Wednesday, March 12, 2014 6:51 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Peter Cueva

12830 Glen Alps Rd.

Anchorage, AK 99516

From: Scott Thomas

Sent: Wednesday, March 12, 2014 6:19 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Scott Thomas

PO Box 757

Girdwood, AK 99587

-----Original Message-----

From: Bryan Kirkpatrick

Sent: Wednesday, March 12, 2014 5:53 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Bryan Kirkpatrick

12940 Hillside Dr

Anchorage, AK 99516

-----Original Message-----

From: David Taylor

Sent: Wednesday, March 12, 2014 7:08 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. If anything, the Alaska Legislature should be enhancing and expanding public participation in natural resource management decisions, not further restricting it.

When our Founding Fathers drafted the Alaska Constitution, they constructed an awesome document in general, but specifically an amazing tool for protecting our natural resources in Article VIII. Proper management of our resources under the spirit of that Article has placed Alaska in a unique position compared to our sister states: we have abundant fresh water, we enjoy unprecedented fish runs, our scenic beauty is the envy of the world, and we have abundant wild food sources that help to maintain a traditional way of life that has exis

But HB77 defies and disparages the intent, meaning and purpose of Article VIII. The General Permits section pre-authorizes too many types of activities without public input. And even when the public does find out about poor permitting decisions, there is little recourse as the new appeal process greatly limits the number of people who can seek judicial relief. Article VIII makes it very clear that all natural resources in Alaska are owned in the common; thus, any Alaska resident should be able to seek judicial relief for poor decisions regarding management of those commons. But under the new standard, only someone with direct financial interests could challenge a DNR decision. Not even subsistence users would be able to challenge a decision by this measure.

Additionally, in a time when other states are facing severe drought, shortage of fisheries, and dwindling habitat for fish and wildlife, now is not the time to put barriers in place to protecting the flow of our valuable waterways. The idea that Alaska residents would be precluded from submitting instream water flow reservations for subsistence, recreational or other activities is patently absurd. And then to give such rights to multinational corporations over the interests of Alaskans - in patent violation of the Alaska Constitution - is exceptionally egregious.

You were elected to office to support and defend the Alaska Constitution, and to enhance enjoyment of our valuable common resources. Fulfill your oath and do what the people of Alaska expect you to do. Protect their Constitution and their interests, not the interests of multinational corporations. Vote 'no' on HB77.

David Taylor

2521 E. Mountain Village Dr. Suite B #423 Wasilla, AK 99654

-----Original Message-----

From: Zoe Seppi

Sent: Wednesday, March 12, 2014 7:15 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Zoe Seppi
5165 E 172nd Ave
Anchorage, AK 99516

-----Original Message-----

From: Bruce Seppi

Sent: Wednesday, March 12, 2014 7:16 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Bruce Seppi
5165 E 172nd Ave
Anchorage, AK 99516

From: eric sandberg

Date: March 12, 2014 at 8:44:32 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

eric sandberg

sterling

sterling, AK 99672

-----Original Message-----

From: Alizka Czimmerman

Sent: Wednesday, March 12, 2014 7:19 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

I was at the hearing today at the Anchorage office and was very disappointed about how Alaskans were treated when they were opposing the bill, the 2 minutes was obviously not enough.

Alaskans live in this state because they value the pristine environment, the CLEAN WATER and access to wild game and fish and most of them realize that water is a very valuable resource. One can't eat coal, drink oil, if it comes down to it, so water is a highly prized treasure.

Access to clean water should be a basic human right and most Alaskans don't want to let be stripped of. Please abort Bill 77 for sake of future generations!

When one is talking about mining and drilling, talks about the present, CLEAN WATER is key for the FUTURE.

Thank you!

Sincerely, Alizka Czimmerman

Alizka Czimmerman

927 E 10th ave

Anchorage, AK 99501

From: Patricia Cue

Date: March 12, 2014 at 8:19:34 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Patricia Cue
35360 Robinwood Dr
Soldotna, AK 99669

From: Ken Zafren

Date: March 12, 2014 at 8:24:08 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

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While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Ken Zafren
10181 Curvi St
Anchorage, AK 99507

From: dave svendsen

Sent: Wednesday, March 12, 2014 8:09 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

dave svendsen

11400 cobra st

anchorage, AK 99507

From: Susan Rogers

Date: March 12, 2014 at 9:58:36 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Reply-To:

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees. Thank you for opening another session of testimony on Friday.

Sincerely,

Susan Rogers
8641 Sultana Drive
Anchorage, AK 99516

From: Adam Grove

Sent: Wednesday, March 12, 2014 8:06 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Adam Grove

4701 E 145th Ave

Anchorage, AK 99516

From: Sandra Loomis
Sent: Thursday, March 13, 2014 7:19 AM
To: Sen. Cathy Giessel
Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Sandra Loomis
PO Box 130
Talkeetna, AK 99676

From: Mike Crawford

Sent: Thursday, March 13, 2014 9:57 AM

To: Sen. Cathy Giessel

Cc: Sen. Peter Micciche

Subject: House Bill 77: Please include this in public record and distribute to Natural Resource committee members.

Please include this in public record and distribute to Natural Resource committee members.

Dear Senators Giessel and Micciche,

I am writing you today as an individual, though I am a software developer for a government entity.

In the course of my work, I develop and maintain programs specifically for processing permits. I understand intimately the need for streamlining the permitting process. But I must stress that the streamlining should strictly be limited to the business practices of the entity, and in no way should it ever lessen scrutiny visited upon any single application. Moreover, giving overarching determination power to any single entity, in this case the DNR Commissioner, is a dangerous precedent considering the potential impact the decision could make.

Additionally, terms like, "significant or irreparable harm" are essentially meaningless. Yesterday I waited at the Kenai LIO with dozens of others, waiting to testify publicly against HB 77 in the scarce time afforded, and could guarantee that each individual in the room would have a different view of what "significant or irreparable harm" means.

House Bill 77 seems at the outset well-intentioned, but is sorely lacking in strict definitions to be anything but harmful for Alaska's future.

I implore you keep HB 77 in committee, and work with the Alaskan people to rigorously define the language set forth in the bill. I appreciate that you have let some Alaskans have their say, and I applaud Mr. Micciche's efforts to elucidate his constituents. But you can't ignore the view of the people, which is overwhelmingly against the bill.

Thank you,

Mike Crawford

Kenai

From: Thomas Mader
Sent: Thursday, March 13, 2014 7:25 AM
To: Sen. Cathy Giessel
Subject: Gov Parnell's Land Management Bill

Dear Sen Giessel:

I would like to state my very strong opposition to Governor Parnell's "land management" bill. The current environmental laws should be tightened not loosened. Gov Parnell's support for the Pebble Mine development is a great example of his extremely poor judgement as regards environmental matters. We should all be very grateful to the EPA for their scientifically based report outlining the obvious negative impact of this proposed project. Please do everything you can to have common sense, scientifically based, environmental regulations for our state!

Tom Mader, MD

From: Alaska Sportsman's Bear Trail Lodge [mailto:gofish@bristolbay.com]

Sent: Wednesday, March 12, 2014 6:18 PM

To: Sen. Cathy Giessel

Subject: House Bill 77

Honorable Senator Giessel;

I am unable to participate in person with testimony concerning this bill, but would kindly ask for you to submit the following comments to the public record and share them with other Resource Committee members.

I appreciate the opportunity to testify on HB 77, I am Nanci A Morris Lyon, I am the managing partner of Alaska Sportsman's Bear Trail Lodge on the banks of the Naknek River at its confluence with King Salmon Creek. I am a 30 year resident of King Salmon and also own a home located on King Salmon Creek.

I have major concerns about HB 77 and the limitations it would place on my ability to respond to natural resource issues that affect the lands where I fish, hunt and subsist. These are also the places I depend on to run my business and share with my guests. It is my opinion that the actions of this bill and its effort to ease the burden of time, surrounding the permitting process, take too valuable a tool in my ability to comment and add insight to possible negative or positive effects of an applicant out of my hands and reach.

The amendments that have been added do not do enough to fix this concern and without clearly stating some parameters for how and when this process will be allowed, I feel you are jeopardizing my business and way of life by leaving the door open for abuse by "big business" interests not having to state their intentions at the time a permit is issued. I am totally against the need to notify me of development projects in my area. I am busy trying to run a business under extreme conditions to begin with, I do not need or want the burden of worry that this lack of knowledge would cause me.

The idea of having to be "significantly adversely affected" in order to weigh in on or challenge decisions is totally unacceptable. Why should I have to prove that I am directly physically or financially harmed by the government's decision? While I understand limiting out-of-staters to getting sue happy over Alaska

projects, this legal bar is very high and places an unfair burden on Alaskan businesses like mine as well as those of us who live in bush communities.

I'd like to thank Senator McGuire for being a leader for Alaskan business owners and questioning this bill. I would encourage the rest of the committee to adopt her intelligence on this broad bill and oppose it.

Respectfully,

Nanci Morris Lyon

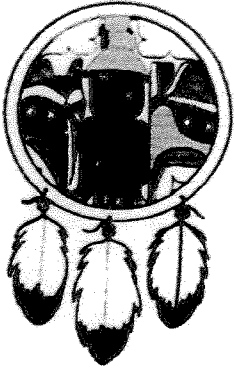
Managing Partner

Alaska Sportsman's Bear Trail Lodge

P.O. Box 221

King Salmon, AK 99613

Lodge: 907-246-2327



Klawock Cooperative Association, Tribe

310 Bayview Blvd.

P.O. Box 430

Klawock, Alaska 99925

Phone: 907-755-2265

Fax: 907-755-8800

RESOLUTION NO. 14-10

**RESOLUTION OPPOSING HOUSE BILL 77 AMENDING STATE
PERMITTING STATUTES AND ELIMINATING WATER RESERVATIONS**

WHEREAS: The Klawock Cooperative Association, (hereafter "Tribe"), is a duly constituted Indian Tribe organized pursuant to the authority of Section 16 of the Act of Congress of June 18, 1934 (48 Stat. 984), amended May 1, 1936 (49 Stat. 1250), and

WHEREAS: The Klawock Cooperative Association Tribal Council is a duly elected governing body of the Tribe, authorized to act by and on behalf of its members, and

WHEREAS, The Cooperative Association, Tribe, is a federally-recognized tribal government that represents tribal citizens in the community of Klawock, Alaska

WHEREAS, Klawock Cooperative Association is the governing body of Klawock as recognized by the Tribal citizens and has a responsibility to provide a government to protect the good health and welfare of its Tribal citizens, and address any needs in its community; and

WHEREAS, Klawock Cooperative Association has a responsibility to steward the land, water, and other natural resources to maintain a cultural subsistence way of life for future generations; and

WHEREAS, the Klawock Cooperative Association is qualified to exercise powers of self-government by reason of its original Tribal sovereignty as passed down from its ancestors since time immemorial; and nothing in this resolution shall be in conflict therewith; and

WHEREAS, the Klawock Cooperative Association is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Klawock Cooperative Association has a responsibility to steward the land, water, and other natural resources to maintain a cultural subsistence way of life for future generations; and,

WHEREAS, Alaska Native peoples depend on abundant salmon runs in healthy rivers for food security in subsistence lifestyles and also for Tribal identity; and

WHEREAS, the Parnell administration is promoting legislation, House Bill 77 (H.B. 77), that amends Alaska's state permitting laws and rules changing how the state's commonly held resources will be managed; and,

WHEREAS, sixteen Tribes have invested millions of dollars to substantiate applications for in-stream flow rights, and are appropriators of the rights for those water reservations; and,

WHEREAS, H.B. 77 would eliminate the rights of Alaska Native peoples to apply for in-stream flow rights and rescind all existing in-stream flow water rights applications submitted by Tribes; and,

WHEREAS, H.B. 77 ignores Tribal sovereignty rights by eliminating the process for Alaska's Federally-recognized Tribal Governments to acquire water reservations to protect productive salmon streams, while local governments (boroughs and municipalities) will continue to be able to apply for water reservations under the new law; and,

WHEREAS, H.B. 77 gives DNR the authority to issue an endless series of temporary water use permits for a single project, without opportunity for public review or vetting; and,

WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

Whereas, H.B. 77 makes it more difficult for Alaska Native peoples to access the judicial process and prevents Alaska Native peoples from having their day in court; and,

THEREFORE, BE IT FURTHER RESOLVED, the Klawock Cooperative Association opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native peoples' ability to participate in collaborative resource management, creates legal loopholes to remove guaranteed points of public oversight, and establishes significant barriers to access the judicial process.

CERTIFICATION

This resolution was duly adopted at a regularly held meeting this 11th day of March, 2014, by a quorum vote of:

8 Yes 0 No 0 Abstain

A. Webster Demmert, III.

A. Webster Demmert, III., President

James S. Williams for

Dennis Demmert, Secretary

From: Mike and Cathy McCarthy
Sent: Thursday, March 13, 2014 2:52 PM
To: Sen. Cathy Giessel; Lindsay Williams
Subject: HB 77

Dear Senator Giessel:

Please vote no on the revised version of HB 77.

Last night I watched "Gavel to Gavel" during the hearing on the new version of HB 77. I also attended the Homer "Town Hall" meeting held by Senator Micciche. I requested the original HB 77 be scraped because it was fundamentally flawed. The new version is still a flawed bill. The Department of Natural Resources Commissioner cannot "streamline a process" that would disallow Alaskans to participate in matters that can have severe adverse consequences many generations into the future. "No public notice" is never good public policy.

Please vote no on HB 77.