

HB 77 Opposition Documents Index Group #9
Passed Out to Committee Members on 3/14/14

1. Ken Marsh – March 13th
2. Doug Hill – March 13th
3. Kara Hastings – March 13th
4. John Briner – March 13th
5. Bob McCard – March 13th
6. Nelli Williams – March 13th
7. Guy Lopez – March 13th
8. John Polonowski – Marh 13th
9. Robert Gerlach – March 13th
10. Clyde Vicary – March 13th
11. Michael Thompson – March 13th
12. Nadia Bacon – March 13th
13. Channing Sheldon – March 13th
14. Kevin Walker – March 13th
15. Chris Young – March 14th
16. Lars Opland – March 14th
17. Julie Thompson – March 14th
18. Bert Ray – March 14th
19. Mike Fairman – March 14th
20. Arika Zellhuber – March 14th
21. Dan Lesh – March 14th
22. Bill Sherwonit – March 14th
23. Rochelle Harrison – March 14th
24. Tia Shoemaker – March 14th
25. Olga von ziegesar-matkin – March 14th
26. Rob Lund – March 14th
27. Sharon Brooks – March 14th
28. Virginia Shook – March 14th
29. Lance Trasky – March 14th
30. Jackie Carson – March 14th
31. Pete Praetorius – March 14th
32. Don Cornelius – March 14th
33. Nancy Behnken – March 14th
34. R Goodrich – March 14th
35. Kathy Smith – March 14th
36. Paula Muschinske – March 14th
37. Megan Murphy – March 14th
38. Ann Yadon – March 14th
39. Michael Wilson – March 14th
40. Laura Brooks – March 14th
41. Monica Mullet – March 14th
42. Randy Hagenstein – March 14th

From: Kenneth Marsh

Date: March 13, 2014 at 6:44:34 PM AKDT

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

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. There is still much about this bill that should not be allowed to be put into law. The whole concept continues to put too much power in the hands of those that may not always reflect the will of the voters. Please do not aid in passing this bill.

Ken Marsh

Box 13011

Trapper Creek, Alaska 99683

From: Doug Hill

Date: March 13, 2014 at 6:32:48 PM AKDT

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

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.

“As a committee, we believe public testimony is an important part of the process,” said Giessel. “That’s why it is critical to me, and the others, to give Alaskans an opportunity to have their voices heard.”

What!!! What a charade!!! Why are Giessel and other supporting this corporate takeover style bill? A bill that limits the power of public interest and hands Alaska's watersheds over to industry!

Have supporters of HB 77 remember that healthy salmon stocks were an impetus for Statehood at a time when corporate interest were mining salmon???

Do supporters know anything about Alaska history?

Wake up and think long term.

Doug Hill
437 S Gulkana Street
Palmer, AK 99645

From: Kara Hastings

Date: March 13, 2014 at 8:59:45 PM AKDT

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

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

Madam Chair and Committee members,

I just wanted to state that I oppose HB77. I could list off all the reasons why I oppose this bill but they have been stated by many, many, many Alaskans before me.

HB77 gives the commissioner of DNR unprecedented power in a state where the resources belong to the people. I should be able to protect water on my property, and hold the reservation. Terms need to be defined and the legislation needs to be cleared up.

You have heard all of this. The fact that so many Alaskans have spoken out against this bill should make you rethink your vote. We take off work to attend these hearings. I don't make as much as you do and taking off two days in one week to attend a hearing to defend my constitutional rights will seriously impact my paycheck. You represent me, my neighbors, family, and friends. I vote, think twice before you vote, choose to vote for the people, not your wallet.

Thank you for your time, I am sorry that I have to send this on such unfriendly terms. I want to have faith in my government, but sometimes it is hard. Please give me a reason to have hope again, vote for the people you represent.

Sincerely,

Kara Hastings
8437 Duben Ave
Apt. 102
Anchorage, AK 99504

From: John Briner

Date: March 13, 2014 at 9:04:20 PM AKDT

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

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.

Also I strongly oppose any changes to the bill which are not presented to the public with sufficient time to review and comment.

John Briner

Skagway

John Briner

1253 Broadway

Skagway, AK 99840

From: Bob McCard

Date: March 13, 2014 at 9:49:37 PM AKDT

To: <senator.cathy.giessel@akleg.gov>

Cc: <Senator.Fred.Dyson@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>,

<Senator.Click.Bishop@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>,

<Senator.Anna.Fairclough@akleg.gov>, <Senator.Hollis.French@akleg.gov>

Subject: Please include this in public record and distribute to Natural Resource Committee Members"

Dear Senator Giessel:

Please include this in public record and distribute to Natural Resource Committee Members"

In order to allow all Alaskans the opportunity to voice their opinions and be heard without having to go to court and limiting the power of the Commissioner of Natural resources, I would like the Senate Resources Committee to implement the following changes in the draft of HB 77 dated 3/7/14:

Reinsert "AGGRIEVED" and delete "Substantially and adversely affected" in the following:

Page 7 lines 9&10;

Page 11 Line 15;

Page 12 lines 7 and 27;

Page 19 Lines 11 and 20;

Page 22 Line 5

Page 8 Lines 6 & 10 delete "to the Court"

Page 12 Lines 11, 12, & 13 Leave in "THE DECISION OF THE COMMISSIONER UNDER THIS SUBSECTION MAY BE APPEALED TO THE SUPERIOR COURT"

Page 12 Line 29 delete 20 and leave 30 days

Page 20 Lines 22 & 23 Reinsert "WATER" and delete "A significant amount of water as determined by the department by regulation"

Page 21 Lines 8 & 9 delete "when the commissioner determines that the proposal or application is ready for a decision"

Page 21 Line 21 Reinsert "CERTIFIED"

From: Nelli Williams

Date: March 13, 2014 at 9:54:59 PM AKDT

To: "Senator.Cathy.Giessel@akleg.gov" <senator.cathy.giessel@akleg.gov>

Cc: "Sen.Hollis.French@akleg.gov" <sen.hollis.french@akleg.gov>, "Sen.Fred.Dyson@akleg.gov" <sen.fred.dyson@akleg.gov>, "Sen.Peter.Micciche@akleg.gov" <sen.peter.micciche@akleg.gov>, "Sen.Click.Bishop@akleg.gov" <sen.click.bishop@akleg.gov>, "Sen.Lesil.McGuire@akleg.gov" <sen.lesil.mcguire@akleg.gov>, "Sen.Anna.Fairclough@akleg.gov" <sen.anna.fairclough@akleg.gov>

Subject: Please File in Public Record and Send to Please File in Public Record and send to Sen Resource Committee

Dear Senator Giessel,

I am opposed to HB 77 and urge you to not pass the bill out of committee. The changes presented by the DNR during Monday's meeting did little to make substantial changes to the bill. While streamlining our systems is an admirable goal, doing so at the expense of Alaskans is unacceptable.

#1. The bill is fundamentally flawed and has seen widespread opposition across the state. Alaskans deserved to be listened to.

#2. Throughout the bill ambiguous language is used that does little to define the scope and scale of the law. Regardless of the intentions behind the bill, if this type of broad language is used the law allows for a handful of people to make substantial natural resource decision with little accountability to Alaskans. For example: After consulting with ADF&G (NOTE: not mandated to listen to what ADF&G says) DNR can make whatever decision it wants as long as the activity will not "likely" cause "significant and irreparable" harm. How can you prove that something is irreparable before the activity happens? Everyone seeking a permit application will claim that it will repair what damage they do; but the reality of natural systems is that there is no guarantee that this will happen. That is part of reason the I-48 has lost their salmon runs -- lets try to do it better in Alaska.

#3. Changes to the bill still do not address concerns of:

- Putting too much power in the hands of the DNR Commissioner and high-level DNR staff.
- Allowing DNR to issue general permits for large areas that require no public notice on future projects.
- Makes it more difficult for Alaskans to challenge DNR decisions. Please, read Article VIII of our constitution. Our fish and natural resources belong to ALL Alaskans -- we should have the opportunity to be involved in decisions on how they are used.
- The current bill guts existing laws designed to give Alaskans the power to reserve water in a river for fish, or wildlife or recreation.

Page 22 Lines 8, 9, 10, & 11 Delete “In this subsection, to be adversely affected, a person must be directly affected by a decision made by the department either by physical or financial detriment to the person’s interests resulting from the decision.”

Page 24 Lines 5 & 6 Delete “The commissioner may issue one or more new temporary water use authorizations for the same project.”

Thank you for taking the time to read my email.

Sincerely,

Robert McCard
23350 Kasilof River Road
Kasilof, AK, 99610

This bill is 20+ pages long and hasn't gone thorough legal analysis (except maybe by the Parnell Administration -- who wrote the bill). **I urge you not to pass this bill out of committee.** There are too many flaws and questions unanswered that would have lasting impacts on Alaskans and our use and enjoyment of our state's great natural resources.

Respectfully,
Nelli Williams
Anchorage, AK 99502

From: Guy Lopez

Date: March 13, 2014 at 9:08:57 PM AKDT

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

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.

No bill crafted behind closed doors should ever see the light of day. Such legislating reflects bad and corrupt government.

Guy Lopez

2030 Shore Dr.

Anchorage, AK 99515

From: John Polonowski
Date: March 13, 2014 at 10:08:26 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: HB77

I continue to oppose HB77, even with the changes presented on Monday. I am very frustrated with the potential loss of public input into control of Alaskans water rights. I am an Alaskan. I enjoy trout and salmon fishing. I want the right to maintain a healthy ecosystem for the fish for all of Alaskans. Not a corporation that will pollute and destroy this resource. I do not trust the DNR. The head of the DNR is appointed by the Governor. Our current governor is trying to give away our resources. You and the administration are culpable to loss of my right to clean water for fish I enjoy catching. HB77 needs to be scrapped.

Sincerely,

John Polonowski
3000 Jones Ave
Anchorage, AK 99517

From: Robert Gerlach

Date: March 13, 2014 at 9:00:34 PM AKDT

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

Subject: Alaskans oppose HB 77: 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,

Robert Gerlach
13666 E 2nd St.
Talkeetna, AK 99676

From: clyde vicary

Date: March 13, 2014 at 9:07:06 PM AKDT

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

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

clyde vicary
3027 alder circle
anchorage, AK 99508

From: Michael Thompson

Date: March 13, 2014 at 9:56:34 PM AKDT

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

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Michael Thompson
P O Box 296
883 Colorado Road
Yakutat, AK 99689

From: Nadia Bacon

Date: March 13, 2014 at 10:16:24 PM AKDT

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

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Nadia Bacon
425 Harold Bentley Ave
Fairbanks, AK 99701

From: Channing Sheldon

Date: March 13, 2014 at 10:57:40 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.

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Sincerely,

Channing Sheldon
Atigun Way 212
Valdez, AK 99686

From: Kevin Walker

Date: March 13, 2014 at 10:32:06 PM AKDT

To: <Sen.Cathy.Giessel@akleg.gov>, <Sen.Fred.Dyson@akleg.gov>, <Sen.Peter.Micciche@akleg.gov>, <Sen.Click.Bishop@akleg.gov>, <Sen.Lesil.McGuire@akleg.gov>, <Sen.Anna.Fairclough@akleg.gov>, <Sen.Hollis.French@akleg.gov>, rep.paul.seaton <Rep.Paul.Seaton@legis.state.ak.us>, <governor@alaska.gov>, <governor@gov.state.ak.us>

Subject: HB 77

Senator Giessel and all,

The Silencing Alaskans Act, HB 77, seems to be living up to it's name. At the Homer LIO, 17 of 20 who intended to testify were not allowed to testify. When 85% of the people who attend a public hearing are not heard, something is wrong. This is not a democracy.

I attended a Town Hall meeting with Senator Micciche last week. He could not answer many questions about HB 77 because the amendments were not released until Monday. 48 hours is not enough time to review a law that restricts the public to provide input to their legislators. Obviously, 1.5 hours was not enough time allowed for the public hearing. But, more than 150 people statewide found time to go to the hearing.

My suggestion is to table the bill - forever. It is not in the public interest of Alaskans. Giving away our resources to multinational oil and mining companies, often at the loss of our environment and fisheries, is criminal.

Kevin Walker
Homer, Alaska

From: chris young

Sent: Friday, March 14, 2014 9:28 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: 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,

chris young
55500 Hill ave.
Homer, AK 99603

From: Lars Opland
Sent: Friday, March 14, 2014 9:07 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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 is a blatant surrender of the authority of the people of Alaska, to outside corporate interests, by the very politicians who were supposedly elected to represent the people's best interests. It is a disgrace to the state legislature & an affront to the rest of us. File it in the waste paper basket where it belongs.

Sincerely, Lars Opland

Lars Opland
Aeronautical Ave.
Wasilla, AK 99687

From: Julie Thompson
Sent: Friday, March 14, 2014 9:27 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.

Julie Thompson
12020 Old Seward Hwy
Anchorage, AK 99515

From: Ray, Bert

Sent: Friday, March 14, 2014 9:30 AM

To: Sen. Peter Micciche; Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Subject: Re: House Bill 77, version H, dated 3/7/2014

Dear Senators,

Thank you for your attempts to work the Department of Natural Resources rewrite of House Bill 77 into a more acceptable bill. Senator Micciche recently said that he thought the recent version of the bill was a good compromise. With respect, I do not agree. There are several provisions that are particularly bad. I am writing to address two of those provisions.

Section 42(j) of the bill provides:

...before the commissioner may issue a certificate of reservation, the applicant must have submitted not less than five years of nonproprietary public domain hydrologic data or data collected by or for the applicant to support the application.

The apparent purpose of this provision is to erect a high hurdle designed to bar most applicants from applying for a reservation of water. Unless there is adequate hydrological data available in the public domain, this provision requires each applicant to hire a professional hydrologist to obtain that data. The cost to hire professional hydrologists to obtain such data from remote waterways in the state will be burdensome to ordinary Alaskans. Those same costs will be insignificant to industries who wish to take water for large-scale mines or other projects. If those industries have obtained this data, why shouldn't the commissioner use that data when deciding how to allocate water among competing users? What purpose is served by requiring each applicant to pay for and obtain the same data, other than to make it more difficult for ordinary Alaskans to have a seat at the table when water resources are allocated?

Equally troubling is the fact that this provision might be applied retroactively to applications that have already been submitted. Alaskans who have already incurred time and expenses to submit applications might see their applications denied because the rules have changed. In fact, I cannot help but think that DNR has inserted this provision into the bill to affect the outcome of current applications. If that is the case, then a vote for HB77 is really a vote to skew decision making against fish habitat protection, despite the wide-spread support for better protection among many of your constituents.

Additional concerns with Section 42(j) include:

- Although this section arbitrarily requires the collection of five years of hydrological data, it does not specify the nature or quality of the data that is required.

- The provision arbitrarily assumes that DNR requires 5 years of hydrological data. There may be circumstances in which less data is required, and DNR's hand should not be tied by mandating the collection of 5 years of such data.

Section 42(h) is also quite troubling. It gives the commissioner unfettered discretion to decide when and in what order to process in stream flow applications. Thus Section 42(h) would allow DNR to process applications the administration supports, while ignoring applicants from competing users of the waterway. Applicants whose claims are being ignored by DNR would have no legal recourse to force DNR to consider their claims when allocating water resources.

While this scenario might sound unrealistic, it is not. Recent articles in the Anchorage Daily News have revealed that DNR has never processed an in stream flow reservation application from a private citizen, although dozens have been filed. Applications that were filed in the 1990s remain unprocessed because DNR considers such applications to be a low priority.

At best, this record reflects a lack of respect for the rights of private applicants. At worst, it reflects outright hostility towards them. Given this record, DNR should not be granted the broad discretion that it seeks under Section 42(h) of the bill. Citizens who file an application should have the right to have their application heard in a timely manner, and should have the right to seek judicial relief if DNR fails to do so.

The definition of a “compromise” is “an agreement or a settlement of a dispute that is reached by each side making concessions.” While the proposed bill may seem like a compromise at first blush, it is not. If the provisions discussed above are included in the final bill, the right to reserve water rights will be nothing but an illusion for all but the wealthiest individuals or companies.

I urge you to vote to keep this bill in committee and to seek informed input by knowledgeable people in this field other than current DNR administrators, who seem to have designed a bill to restrict the applications they must review to establish in stream water rights and to insulate much of their decision making from public scrutiny.

Sincerely,

Bert Ray

Anchorage, Alaska

From: Mike Fairman

Sent: Friday, March 14, 2014 9:01 AM

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. 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,

Mike Fairman
3813 forest glen dr.
Homer, AK 99603

From: Arika Zellhuber

Sent: Friday, March 14, 2014 10:32 AM

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.

I am particularly concerned about our fisheries, and our ability to subsistence fish and sport fish. I am concerned about the fish themselves. Alaskans should be able to speak up for the fish and their habitat.

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.

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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,

Arika Zellhuber
214 Brady St. Apt. A
Sitka, AK 99835

From: Dan Lesh

Sent: Friday, March 14, 2014 10:53 AM

To: Sen. Cathy Giessel; Sen. Peter Micciche; Sen. Click Bishop; Sen. Hollis French; Sen. Lesil McGuire;
Seantor.Anna.Fairclough@akleg.gov

Subject: HB 77 has no place in Alaska Law

Chair Giessel and members of the Senate Resources Committee -

My name is Dan Lesh and I'm a resident of Gustavus, Alaska and lifelong Alaskan.

My family runs a tourism operation that depends on wild, sustainably managed places---one of Alaska's most enduring and reliable and unique resources--to attract visitors from around the world.

There are many reasons why HB 77 has no place in Alaska law. I have heard no good reason that the bill should be enacted. The vast majority of water rights applications that have been submitted have focused on protecting salmon habitat. Surely, salmon habitat is something we can all agree is essential to the future of Alaska.

I trust ADF&G and the Alaska state government to manage our fisheries sustainably. I do not entirely trust the state or ADF&G to protect salmon habitat, and think that continuing to allow Alaskans a role in protecting salmon habitat is the right approach.

Alaskans all want economic development and jobs, without compromising jobs in other industries or the environment. It's pretty clear that Alaskans are opposed to HB 77 and see the approach it represents as misguided and outside of the proper balance.

Please do not pass this bill out of committee.

Thanks for your public service and time on this issue,

Dan Lesh

Gustavus, Alaska

From: Bill Sherwonit

Sent: Friday, March 14, 2014 10:35 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I would like to add my voice to those of many other Alaskans who feel disenfranchised -- and dismissed -- by the contents of House Bill 77. From what I have been able to learn, the revised HB77 still has lots of problems and does not address core issues that have prompted many of us Alaskans to oppose this legislation. Also troubling is the public process -- or rather the lack of it. The public was given little chance to study the changes to the revised bill before public testimony was scheduled. And as widely reported, this week's earlier hearing was a slap in the face to many of the people who took time out of their day and lives to testify in opposition to the bill, and were then rather rudely turned away. While I appreciate the fact that a second public hearing was scheduled, it's likely that many who attended Wednesday's hearing will be unable to do so again on Friday (today). Like others, I urge the Alaska Legislature to fully vet this bill in front of multiple committees and not merely give the appearance that the public is being included in the process by limited, insufficient hearings.

As for the troubles with HB 77: as expressed by many who have already testified against it, this power grab of a bill 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.

Despite the attempts to fix this bad bill, recent proposed amendments to it 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 find it sadly ironic that the same people who continually accuse the federal government of overreach -- notably the Parnell administration and many legislators -- would in fact blatantly overreach themselves, as demonstrated by this bad legislation, which cuts Alaskans out of what should be a public process and takes away their rights to participate in land- and water-use decisions.

Thank you for considering my comments.

Sincerely,

Bill Sherwonit

2441 Tulik Drive

Anchorage, AK 99517

From:
Sent: Friday, March 14, 2014 10:39 AM
To: Sen. Cathy Giessel
Cc: Sen. Gary Stevens
Subject: HB 77

I am glad the public is allowed to voice their concerns even if the majority are all saying the same thing. That is because that is how the majority feels about HB 77. Alaska's natural resources belong to all Alaskans and as such we all have a stake in how they are managed and deserve a say in how they are managed. I strongly urge you to vote against HB 77 and to please include this letter in public record and to distribute it to all natural resources committee members

Rochelle Harrison
Thank You
Sent from my iPad

From: Tia Shoemaker
Sent: Friday, March 14, 2014 10:46 AM
To: Sen. Cathy Giessel
Subject: HB77

Alaska's natural resources belong to all Alaskans and as such we all have a stake in how they are managed and deserve a say in how they are managed.

I strongly urge you to to vote against HB 77 and to please include this letter in public record and to distribute it to all natural resources committee members.

Thank You
Tia Shoemaker

From: olga von ziegesar-matkin

Sent: Friday, March 14, 2014 11:08 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: 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,

olga von ziegesar-matkin
53254 marimac drive
po box 15191
homer ak, AK 99603

From: Rob Lund
Sent: Friday, March 14, 2014 11:23 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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.

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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,

Rob Lund
4178 Hohe St.
4178 Hohe St.
Homer, AK 99603

From: Sharon Brooks
Sent: Friday, March 14, 2014 11:32 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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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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,

Sharon Brooks
4178 Hohe St
Homer, AK 99603

From: Virginia Shook
Sent: Friday, March 14, 2014 11:37 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.

Virginia Shook
1109 Third Ave
Kenai, AK 99611

From: Lance Trasky

Sent: Friday, March 14, 2014 11:30 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. General permits give ADNR bureaucrats total discretion to issue permits that harm the public's interest with no public notice and no opportunity to appeal. The right to appeal bad ADNR decisions is severely restricted effectively excluding hunters, commercial and fishermen and subsistence users that depend on resources produced on state lands and waters. The water reservation section guts existing law and effectively prevents Alaskans from keeping water in streams to support commercial, sport, and subsistence fisheries. ADNR's claim that ADF&G fish habitat permits would still be there to protect fish is cynical because everyone knows that ADF&G permits do not allow for public notice or appeals by anyone but the applicant. ADF&G leaders are now all Mike Nizich cronies and are likely to favor development over fish habitat protection. The treatment of Alaskans testifying against HB 77 yesterday was shameful and shows bias on the part of the chairman of the committee.

Lance Trasky

3941 Truro Dr

Anchorage, AK 99507

From: Jackie Cason
Sent: Friday, March 14, 2014 11:30 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Dear Senator,

Wednesday's hearing demonstrates 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.

I wish to preface the comments below by testifying that public participation is essential and desirable if we are to have a democracy that deliberates over the interests of all Alaskans.

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,

Jackie Cason
4107 Balchen Dr.
Anchorage, AK 99517

From: Pete W Praetorius

Sent: Friday, March 14, 2014 11:17 AM

To: Sen. Cathy Giessel

Cc: Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Subject: Please include this in the public record and distribute to Natural Resource Committee Members

Dear Senator Giessel and other members of the Senate Natural Resource Committee:

I am writing in regards to HB 77. I understand that the Senate Natural Resource Committee will be taking public comment on this bill today, but because I will not be able to attend this meeting, I am submitting my comments here. Please include my comments in the public record and distribute to Natural Resource Committee Members.

I was optimistic that at your Natural Resource Committee meeting last Monday (3/10/14) that the more objectionable aspects of HB 77 would be replaced with proposals that respect the rights of Alaskans; sadly, HB 77 still reduces the ability of Alaskans to participate in the appeal process, which will hinder the ability of citizens to effectively voice their concerns regarding natural resource project decisions. Please do not put in place a law that will limit the ability of Alaskans to participate in the public process.

As written, HB 77 is nothing short of a Putin-style end run around the public process.

I understand the frustration of some companies and some who work in the permitting section of DNR when it comes to permitting projects; however, we cannot sacrifice the rights of Alaskans to participate in the public process because some feel they are being inconvenienced.

Moreover, most projects don't receive mass amounts of public scrutiny and comment. Such public review and comment is reserved for those projects that have a substantial impact. Projects that will result in a large impact deserve to be closely vetted through the public process.

Thank you for your consideration,

Pete Praetorius

Dr. Pete Praetorius

Associate Professor of Communication

Matanuska-Susitna College

Box 2889 Palmer, AK 99645

From: Don Cornelius
Sent: Friday, March 14, 2014 11:51 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing demonstrated the level of public concern about House Bill 77 and yet hundreds of Alaskans who spent time and money to testify were denied the opportunity to voice their opposition to this bill. It seems to be an fore runner of what will happen to us if the bill passes -- no or reduced opportunity to be involved in issues that affect our livelihood and quality of life.

If there is really a problem with DNR's backlog of permit applications, the solution is not to simply divert the public process and give DNR unilateral discretion to, say anything goes.

The solution is to fund DNR at a level that enables the agency to fulfill it's mission -- to allow development of Alaska's resources in a manner that protects the interests of all Alaskans.

Karen and I oppose the bill and ask the legislature to go back to the drawing board while at the same time increase funding to DNR to a level that enables the agency to fulfill it's mission.

Once resources are gone -- there's no bringing them back and another part of the Alaskan dream is gone.

Please include this letter in the public record.

Sincerely,

Don and Karen Cornelius

Don Cornelius
P.O. Box 1727
1002 Wrangell Ave.
Petersburg, AK 99833

From: Nancy Behnken
Sent: Friday, March 14, 2014 11:55 AM
To: Sen. Cathy Giessel
Subject: HB 77

Dear Senator Giessel,

I am writing to state my firm opposition to HB 77, both in its original form as well as the amended version that was presented to us this past Monday. In unison with the majority of Alaskans, a fraction of whom were given the opportunity to testify on Wed, I am appalled by this assault on the democratic process and urge you to kill this bill.

I will refrain from wasting your time and mine by repeating what so many citizens have already said in public testimony and written in letters to you, but I do want to go on record as being an Alaskan resident dependent on commercial fishing as my primary source of income who is adamantly opposed to this bill. The natural resources in this state are public property and it is our right and responsibility to be involved in any decisions made regarding the use, development or extraction of them. As a commercial salmon fisherman and subsistence user I am naturally very concerned about the effects that this bill could have on our salmon streams. But of course the potential irreparable harm to a vast array of other wild places and the fish, wildlife and humans dependent on these healthy ecosystems, should this bill pass, is also of tremendous concern to me.

Thank you for your time and attention to this supremely important matter.

Sincerely,

Nancy Behnken

117 Jeff Davis St

Sitka, AK 99835

From: R Goodrich
Sent: Friday, March 14, 2014 12:46 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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,

R Goodrich
9607 Musket Ball Cir
Anchorage, AK 99507

From: kathy smith

Sent: Friday, March 14, 2014 12:10 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I wish to express my opposition to House Bill 77 and I believe the Alaska Legislature should fully vet this bill in front of multiple committees.

HB 77 means new expanded DNR powers that erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Even the new revisions undermine tribes and individual Alaskans' ability to keep water in streams and to participate in natural resource decisions on state land in other ways.

This is a bad bill, and some of the changes have made it even worse. The recent proposed amendments do not address concerns raised by the public at statewide public forums and in petitions and letters.

Thank you for your consideration.

Sincerely,

kathy smith
po box 3099
homer, AK 99603

From: Paula Muschinske

Sent: Friday, March 14, 2014 12:31 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I am unable to attend your hearing scheduled for Friday afternoon, March 14, 2014. This is my written testimony and I request it be a part of the public record as a registered voter and citizen of the State of Alaska.

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.

The tactics used in the presentation of this bill to the public are suspicious. The Voice of the citizens of Alaska was close to being unheard because of an attempt by a few to quietly insert a meeting that few were aware of, and given very little time with which to prepare for or respond. The Voice of the citizens of Alaska will not be silenced so easily. This smacks of tactics used in other states. The state I am familiar with is Wisconsin:

*Bills shoved through the legislature in the dead of night *Public hearings stacked in the front end with supporters while hundreds in opposition were given a short time. A few are heard and the hearing is ended.

* The bill is passed quickly, quietly signed by the governor in the dead of night.

* Check these instances where these tactics were used, which are a part of Wisconsin's public record:

Crushing of the public unions

A mining bill written by the company president to put a coal mine in Northern Wisconsin

Gutting the Wisconsin DNR with the mine's own people

Vaginal ultrasound bill literally signed in the dead of night with other abortion restrictions

Tort reform

Anti-environment laws

Anti-gay laws

Voter ID laws

Voter suppression laws

Gerrymandered districts so it is impossible to vote people out of office

Cutting public education funding in favor of private schools

Sand fracing companies given full run of the state with few safeguards for WATER, air, ground and noise pollution

Taking away local zoning laws from counties and townships so only the state can regulate

This was all in one state in the past few years! Does any of this sound familiar? Does this sound like an agenda? We the people will never fully agree on legislation. But we WILL continue to demand our right to be heard on these matters in a timely fashion and without subterfuge being employed to keep our voices silent. Do NOT take the voice of the people away or their blood-bought right to due process. Blood was spilled for the rights 'of the people, by the people, and for the people.' It was not spilled for 'of the corporations, by the corporations, and for the corporations', OR 'of the few, by the few and for the few'.

SO if this can happen in Wisconsin, this can happen in Alaska. And in my opinion, it's happening right before our eyes. The tactics you are initiating smacks of the above, and I for one, as an Alaskan, refuse to have my rights and my voice taken from me by a few with underhanded tactics. It is for us, as Alaskans, and as the guardians of our state, our rights, and our resources, to raise our voices when necessary for ourselves, our children, and coming generations.

I OPPOSE this bill!

Sincerely,

Paula Muschinske
18306 Tedrow Circle
Eagle River, AK 99577

From: Megan Murphy
Sent: Friday, March 14, 2014 12:59 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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,

Megan Murphy
517 Grubstake Ave
Homer, AK 99603

From: Ann Yadon

Sent: Friday, March 14, 2014 11:58 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I am appalled that hundreds of Alaskans were prevented from testifying regarding HB 77. Clearly the opposition to this bill is extreme.

Others have spoken to the problems with the bill, but to summarize it removes rights from citizens and places more governmental control over the lives of all Alaskans. A legislature that professes allegiance to citizen rights and less governmental control must realize the level of hypocrisy presented by this bill.

At a minimum, I ask you to allow Alaskans to provide input, and also ensure review by several legislative committees. As written, this bill should not even exist.

Sincerely,

Ann Yadon
14152 Gliska
Box 1022
Talkeetna, AK 99676

From: Michael Wilson
Sent: Friday, March 14, 2014 12:17 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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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Sincerely,

Michael Wilson
5050 Sams a Cir
Wasilla, AK 99654

From: Laura Brooks
Sent: Friday, March 14, 2014 12:30 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: 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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Sincerely,

Laura Brooks
483 A Ocean Drive Lp
Homer, AK 99603

From: Monica Mullet
Sent: Friday, March 14, 2014 12:34 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Monica Mullet
48025 W. Poppy Lane
Soldotna, AK 99669

From: Randy Hagenstein

Sent: Friday, March 14, 2014 11:33 AM

To: Sen. Cathy Giessel

Cc: Sen. Fred Dyson; Sen. Click Bishop; Sen. Anna Fairclough; Sen. Hollis French; Sen. Lesil McGuire;
Sen. Peter Micciche

Subject: Comments on HB77 from The Nature Conservancy

Dear Senator Giessel and members of the Senate Resources Committee:

Please find enclosed comments on the version of HB 77 currently under consideration in the Senate Resources Committee. Thank you for the opportunity to provide input.

Sincerely,

Randall Hagenstein

Randall H. Hagenstein – Alaska State Director – The Nature Conservancy