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Pedro Bay Village Council
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TRIBES OF BRISTOL BAY

Thursday March 28, 2019

**Speaker of the House Bryce Edgmon
State Capitol Room 208
Juneau AK, 99801**

**Senator Lyman Hoffman
State Capitol Room 508
Juneau, AK 99508**

Good afternoon House Speaker Edgmon and Senator Hoffman;

In a recent full Board of Directors meeting on March 22, 2019, The United Tribes of Bristol Bay (UTBB) board voted unanimously to oppose HB99 and SB91, the acts that would amend the management plan for the Wood-Tikchik State Park to remove the protections for the Nuyakuk River Falls and in the future allow it to be considered compatible for development and operation of a hydroelectric site.

Our Board feels that regional and local consultation with stakeholders is critical before this type of legislation is put forward. Neither UTBB as a consortium nor our individual tribes have received such consultation or engagement requests from the development group pertaining to the introduction of these two bills.

We ask that you withdraw your support for HB99 and SB91 at this time.

Quyana,

Robert Heyano, President

United Tribes of Bristol Bay

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April 19, 2019

The Honorable Bryce Edgmon
Alaska House of Representatives
Speaker of the House
State Capital, Room 208
Juneau, AK 99801

The Honorable Lyman Hoffman
Alaska State Senate
State Capital, Room 508
Juneau, AK 99801

RE:HB 99 and SB 91

Dear Speaker Edgmon and Senator Hoffman,

On behalf of the United Tribes of Bristol Bay, I write to clarify our organization's position and concerns regarding HB 99 and SB 91, currently before the 31st Legislature this session. Together these bills seek to include hydroelectric development at the Nuyakuk River Falls as a compatible use within the Wood-Tikchik State Park Management Plan.

The proposed hydroelectric development is not a new development in our Region. For many years, the Nushagak Electric Cooperative has presented the proposal to Bristol Bay's Tribes and communities. UTBB does not oppose Nushagak Cooperative's continuing effort to conduct feasibility studies for the hydro project being considered. Rather, the present effort to legislatively designate the use of the Falls for hydroelectric development, prior to any feasibility studies being completed, commits the future of the Park to a project that has not proven itself feasible to date.

As for the merits of the project itself, UTBB takes no position. Like many Bristol Bay organizations, UTBB is awaiting the results from studies on the project's economic feasibility and potential impacts to salmon habitat. As a general matter, UTBB is very supportive of alternative energy development in our Region as we recognize the necessity for such development and the benefit it may have for our communities and people.

Our tribal leadership does have concerns with what we feel is unnecessarily broad language that changes the overall designation of appropriate uses of the Nuyakak River Falls within

the Wood-Tikchik State Park, the largest state park in the Nation. As written, HB 99 and SB91 open the Falls permanently to any such development, prior to the necessary due diligence being completed. UTBB's Board advocates a more precautionary and specific approach prior to legislatively amending the Wood-Tikchik State Park Management Plan. At this point, we do not know if Nushagak's project is feasible, a reality HB 99 and SB91 do not take into account.

It is UTBB's position that specific amendments to the bills' language will accomplish a more deliberate approach to re-designating appropriate and acceptable uses of the Nuyakuk Falls. UTBB believes such changes would make HB 99 and SB91 more appropriate to a Region that has, and continues to be, very thorough and deliberate in our consideration of any types of development in salmon habitat. UTBB suggests HB 99 and SB91 include provisions that would: (1) establish a time frame or "sunset" to be revisited if the project is not deemed feasible; (2) outline specific types of hydroelectric projects that would be permissible, such as water diversion, rather than using the open-ended term "hydroelectric," (3) specify what entities would be eligible to pursue such developments, such as local electric utilities; and (4) provide a purpose for the development to provide energy for local communities. UTBB believes such changes would greatly improve the language of HB 99 and SB91 and alleviate regional concerns about potential unintended consequences.

Thank you for considering UTBB's position on HB 99 and SB91. Our staff is ready to work with you, Nushagak Cooperative, and all Committee members to ensure that HB 99 and SB91 serve the best interests of the people in Bristol Bay.

Sincerely,



Alannah Hurley
Executive Director, UTBB

cc:

Members, House Resources Committee
Members, Fisheries Committee
Members, Senate Resources Committee