

**Named Recipient Grant - Voice of the Arctic Inupiat**

**FY2022 Request:**

**\$1,000,000**

**Reference No:**

**AMD 63461**

**AP/AL:** Appropriation

**Project Type:** Construction

**Category:** General Government

**Location:** Northwest Arctic Borough

**House District:** Arctic (HD 40)

**Impact House District:** Arctic (HD 40)

**Contact:** Micaela Fowler

**Estimated Project Dates:** 07/01/2021 - 06/30/2025

**Contact Phone:** (907)465-2506

**Brief Summary and Statement of Need:**

VOICE is a 501(c)(4) non-profit corporation whose twenty-four members include the representatives of federally-recognized tribes, municipal governments, Alaska Native corporations, the regional health-nonprofit, and the tribal college from the North Slope of Alaska. Together, VOICE works on behalf of the Arctic region to promote and advocate issues for the benefit of regional communities.

<b>Funding:</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>Total</b>
1004 Gen Fund	\$1,000,000						\$1,000,000
Total:	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000

☐ State Match Required    ☐ One-Time Project    ☐ Phased - new    ☐ Phased - underway    ☐ Ongoing  
0% = Minimum State Match % Required    ☒ Amendment    ☐ Mental Health Bill

**Operating & Maintenance Costs:**

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	0	0
One-Time Startup:	0	
Totals:	0	0

**Prior Funding History / Additional Information:**

**Project Description/Justification:**

Provide local advocacy and engagement for the Iñupiat of the Arctic Slope to state, federal and international forums addressing Arctic issues.

Promote an understanding of the North Slope economy within the region and encourage culturally responsible development for economic sustainability.

Develop local content and responses with respect to activities within the region that allow for protection of land, waters and subsistence resources and act to protect the interests of the Arctic Slope Inupiat.

Serve as a conduit for information transfer with outside organizations, including both governmental and non-governmental entities.

VOICE goals are intended to allow it to address and participate in legislation, regulations, and government programs to protect Iñupiat culture; increase communication and information sharing

amongst Iñupiat organizations across the North Slope; ensure the development of North Slope natural resources in a safe and responsible manner; and to promote Iñupiat stewardship of the North Slope, with the ultimate of sustaining and evolving the economies, both subsistence and financial, economies of the North Slope region.

Providing such funding would allow rural entities to provide meaningful and culturally relevant engagement on issues that most affect them. It is important for rural communities to receive information and data in context to their community in a timely manner to be better informed and to expedite decision making in rural areas.

**Chevak School Fire Remediation****FY2022 Request: \$2,500,000****Reference No: AMD 63467**

**AP/AL:** Appropriation  
**Category:** Development  
**Location:** Chevak

**Project Type:** Economic Assistance**House District:** Bering Straits/Yukon Delta (HD 39)**Impact House District:** Bering Straits/Yukon Delta (HD 39)**Contact:** Micaela Fowler**Estimated Project Dates:** 03/07/2021 - 06/30/2025 **Contact Phone:** (907)465-2506**Brief Summary and Statement of Need:**

On Sunday, March 7, 2021, the old, unused school building in the community of Chevak caught fire, and the structure was destroyed. During the subsequent investigation it was identified that two community members were unaccounted for, and believed to be under the structure during the fire. During the initial site investigation by Department of Public Safety (DPS), the site conditions including the roof structure on top of the debris made the search field unsafe for DPS investigators to continue the search for the two individuals without logistical support. This request would provide funding support to Chevak for the proper disposal of fire debris containing asbestos at the site, not to exceed \$2.5M.

<b>Funding:</b>	<u>FY2022</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>Total</u>
1265 COVID Fed	\$2,500,000						\$2,500,000
<b>Total:</b>	\$2,500,000	\$0	\$0	\$0	\$0	\$0	\$2,500,000

☐ State Match Required   
 ☐ One-Time Project   
 ☐ Phased - new   
 ☐ Phased - underway   
 ☐ Ongoing  
 0% = Minimum State Match % Required   
☒ Amendment   
☐ Mental Health Bill

**Operating & Maintenance Costs:**

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	0	0
One-Time Startup:	0	
<b>Totals:</b>	0	0

**Prior Funding History / Additional Information:**

An inventory of the building prior to the fire identified asbestos containing material throughout the structure. Fire debris containing asbestos may be disposed of properly in the existing community landfill. Proper disposal requires trained and certified personnel equipped with personal protective equipment and an approved disposal and transport plan. The search and possible recovery of the missing individuals requires an additional level of training and protective equipment.

**Project Description/Justification:**

Funding provided will be reducible by the amount of any other grants for the work received by Chevak.

**Endangered Species Act - Legal and Research Needs to Protect State Right to Manage**

**FY2022 Request: \$7,000,000**  
**Reference No: AMD 43347**

**AP/AL:** Appropriation

**Project Type:** Research / Studies / Planning

**Category:** Natural Resources

**Location:** Statewide

**House District:** Statewide (HD 1-40)

**Impact House District:** Statewide (HD 1-40)

**Contact:** Eddie Grasser

**Estimated Project Dates:** 07/01/2021 - 06/30/2026

**Contact Phone:** (907)267-2339

**Brief Summary and Statement of Need:**

This capital project provides funds to fight unnecessary Endangered Species Act (ESA) actions. It will help the state to avoid federal ESA regulatory burdens and maintain the state's right to manage fish and wildlife. This project enables the state's legal and scientific engagement on ESA issues.

This amendment increases the general fund appropriation by \$3M.

<b>Funding:</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>Total</b>
1002 Fed Rcpts	\$3,000,000						\$3,000,000
1003 G/F Match	\$250,000						\$250,000
1004 Gen Fund	\$3,750,000						\$3,750,000
<b>Total:</b>	<b>\$7,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,000,000</b>

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25% = Minimum State Match % Required    ☒ Amendment    ☐ Mental Health Bill

**Operating & Maintenance Costs:**

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	0	0
One-Time Startup:	0	
<b>Totals:</b>	<b>0</b>	<b>0</b>

**Prior Funding History / Additional Information:**

Sec1 Ch3 SLA2019 P4 L6 SB19 \$1,000,000  
Sec1 Ch17 SLA2012 P116 L27 SB160 \$1,550,000  
Sec7 Ch43 SLA2010 P26 L26 SB230 \$600,000  
Sec4 Ch30 SLA2007 P93 L14 SB53 \$473,300

**Project Description/Justification:**

If unchecked, regulatory burdens will expand due to federal endangered species issues. This expansion will restrict states' rights and the ability of industry to operate in Alaska. For example, the federal government is or has considered designating almost all of the waters off Alaska as critical habitat for marine mammals listed under the Endangered Species Act (ESA), which would constrain industrial and other activities despite little to no benefit to the listed marine mammals. For the State to successfully defend against existing and potential new, unnecessary regulations, funds are needed to adequately engage in the federal ESA process, from supporting legal challenges to ensuring scientific information is available to make informed decisions and to support successful legal arguments. Legal engagement, along with supporting scientific data, are effective in limiting

**Endangered Species Act - Legal and Research Needs to  
Protect State Right to Manage**

**FY2022 Request: \$7,000,000**  
**Reference No: AMD 43347**

regulatory impacts from federal ESA listings. Inadequate information typically results in stronger regulatory protection measures, which in many instances may provide little to no conservation benefit to the species.

This project will enable critical research to inform ESA decisions and to support legal engagement when actions on ESA-listed or candidate species are implemented based on faulty application of federal regulations. Research projects will be pursued to:

1. Inform listing decision for species likely to be petitioned for listing under the ESA, for example, northern fur seals.
2. Obtain information to minimize unnecessary burdens on resource development, subsistence, and other activities; and
3. Focus ESA recovery actions on activities that increase population size and result in recovery and delisting.

Legal engagement would include activities such as drafting delisting petitions and joining selected lawsuits, such as the recent challenge to the critical designation of unoccupied habitat. The department needs to have the flexibility to address issues as they arise.

**Activities Exemplifying Legal Engagement**

This project would allow the Alaska Department of Law to cooperate with the Alaska Department of Fish & Game, Division of Wildlife Conservation, to provide legal support to actively challenge unwarranted ESA listing decisions and other ESA actions, thereby avoiding unnecessary regulations that may impede economic and other activities. Legal engagement activities include the following:

- successful delisting of the Eastern Distinct Population Segment (DPS) of Steller sea lions;
- the pending delisting petition for the Arctic subspecies of ringed seals;
- previous and potential future involvement in litigation challenging the issuance of incidental take permits for Cook Inlet beluga whales;
- work that helped USFWS conclude that yellow cedar was not warranted for listing; and
- potential future challenges to unsupported ESA listing or other actions.

**RS2477 Access Development - Advancing State's Rights in Navigability and Revised Statute 2477** **FY2022 Request: \$5,000,000**  
**Reference No: AMD 63437**

**AP/AL:** Appropriation **Project Type:** Research / Studies / Planning  
**Category:** Development  
**Location:** Utqiagvik **House District:** Arctic (HD 40)  
**Impact House District:** Arctic (HD 40) **Contact:** Cheri Lowenstein  
**Estimated Project Dates:** 07/01/2021 - 06/30/2026 **Contact Phone:** (907)465-2422

#### Brief Summary and Statement of Need:

This project would allow the Department of Natural Resources to pursue additional research, in-depth field work and, as necessary, litigation to secure upland access to natural resources and for the public. This effort critically assists in fulfilling the state constitutional mandate to make resources "available for maximum use consistent with the public interest." RS 2477 investigation and confirmation is managed by the Public Access Assertion and Defense (PAAD) Unit within the DNR Division of Mining, Land and Water. RS 2477s are a distinct category of responsibility from the navigability work that the Unit pursues.

<b>Funding:</b>	<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>	<b>Total</b>
1004 Gen Fund	\$5,000,000						\$5,000,000
<b>Total:</b>	<b>\$5,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,000,000</b>

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#### Operating & Maintenance Costs:

	<u>Amount</u>	<u>Staff</u>
Project Development:	0	0
Ongoing Operating:	0	0
One-Time Startup:	0	
<b>Totals:</b>	<b>0</b>	<b>0</b>

#### Prior Funding History / Additional Information:

An operating amount of \$695K UGF was also put forward in an April 1 amendment and is necessary for the daily/routine work that needs to take place for both Navigability and RS 2477s.

#### Project Description/Justification:

Historically, federal law provided that public use crossing federal land established permanent rights-of-way that the public could continue to use in these areas. While the federal law allowing for the creation of these rights-of-way was repealed decades ago, the rights in place at the time remain in place for the public to use permanently. Many RS 2477 routes underlie highways and popular trails throughout the State that have long histories of use. There may also be historical use creating RS 2477 rights in more remote areas of the State. RS 2477s must be identified by research into their historical use, verified with labor intensive on-the-ground investigation, and, as necessary, asserted in litigation when the land owner (often the federal government) denies that their property is encumbered by such a route.

These routes are often important access corridors for State lands, and natural resource deposits across the state. Because of RS 2477 research and litigation is particularly time-consuming and expensive, a major route can take well over \$1 million to confirm over several years of work. These cases have significant evidentiary requirements. This project would allow the state to identify, research, investigate and pursue litigation over access routes to high profile recreation areas, natural resource deposits, and other public resources. As the federal government is often the opposing party who disputes the existence of the route and denies public access, they vigorously pursue the defense and litigation in these cases despite the potential strength of the State's position. These funds would be used for outside experts to assist in investigation efforts and development of expert materials to be used in litigation, attorney's fees, and additional costs.