

**ALASKA STATE LEGISLATURE  
SENATE RESOURCES STANDING COMMITTEE**

January 25, 2019

3:30 p.m.

**MEMBERS PRESENT**

Senator Chris Birch, Chair  
Senator John Coghill, Vice Chair  
Senator Cathy Giessel  
Senator Lora Reinbold  
Senator Click Bishop  
Senator Scott Kawasaki  
Senator Jesse Kiehl

**MEMBERS ABSENT**

All members present

**OTHER LEGISLATORS PRESENT**

Representative Andy Josephson

**COMMITTEE CALENDAR**

**CONFIRMATION HEARING(S)**

Commissioner, Department of Environmental Conservation  
Jason Brune - Anchorage

- CONFIRMATION ADVANCED

**PREVIOUS COMMITTEE ACTION**

No previous action to record

**WITNESS REGISTER**

JASON BRUNE, Commissioner Designee  
Alaska Department of Environmental Conservation  
Anchorage, Alaska

**POSITION STATEMENT:** Testified as appointee to the position of commissioner of the Alaska Department of Environmental Conservation.

PETER NAOROZ, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of Commissioner  
Designee Brune's appointment.

JIM CLARK, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of Commissioner  
Designee Brune's appointment.

ABIGAIL LEATHERMAN, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

VIKKI JO, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

CATIE BURSCH, representing self  
Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

SHERYL BAECHLER, representing self  
Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

PETER RODDY, representing self  
Sitka, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

ERIC JORDAN, representing self  
Sitka, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

HEATHER BAUSCHER, representing self  
Sitka, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner  
Designee Brune's appointment.

ANDREW THOMS, Executive Director  
Sitka Conservation Society

Sitka, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

IDA NELSON, representing self

Igiugig, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

JORDAN STOVER, representing self

Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

MARK NIVER, representing self

Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

GRANT FAIRBANKS, representing self

Bethel, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

GEORGE PIERCE, representing self

Kasilof, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

TOM HARRIS, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of Commissioner Designee Brune's appointment.

MICHELE MARTIN, representing self

Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

STEVE SCHOONMAKER, representing self

Kasilof, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

MAUREEN KNUTSEN, representing self

Naknek, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

CATHRYN COAGS, representing self  
Ketchikan, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

CHRISTINA EDWIN, advocate  
Defend the Sacred Alaska  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

PENELOPE HAAS, representing self  
Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

MIKE FRICCERO, representing self  
Kodiak, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

SUE CHRISTIANSEN, representing self  
Kenai, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

MOLLY MILLER, representing self  
Kodiak, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

SARAH EVANS, representing self  
Dillingham, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

VIVIAN MENDENHALL, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

SHANNON MCBRIDE-MION, owner  
Kachemak Bay Wilderness Lodge  
Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

TOM ROLLMAN, representing self  
Eagle River, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

SUE MAUGER, representing self  
Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

GEORGIANNA HEAVERLEY, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

BONNIE LILLEY, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

JESSICA GIRARD, advocate  
Fairbanks Climate Action Coalition  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

NICOLE AREVALO, representing self  
Homer, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

DOUG MORGAN, representing self  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

MICHELE VASQUEZ, representing self  
Soldotna, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

MELANIE BROWN, representing self  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to Commissioner Designee Brune's appointment.

**ACTION NARRATIVE**

[3:30:09 PM](#)

**CHAIR CHRIS BIRCH** called the Senate Resources Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Coghill, Reinbold, Kiehl, Giessel, Kawasaki, Bishop, and Chair Birch.

CHAIR BIRCH recognized Representative Josephson.

**CONFIRMATION HEARING(S)**  
**Commissioner, Department of Environmental Conservation**

[3:31:17 PM](#)

CHAIR BIRCH announced that the purpose of the meeting is to discuss the governor's appointment of Jason Brune as the commissioner of the Department of Environmental Conservation (DEC).

[3:32:10 PM](#)

JASON BRUNE, Commissioner Designee, Alaska Department of Environmental Conservation, Juneau, Alaska, presented his curriculum vitae to committee members as follows:

Mr. Chair, Members of the Committee. For the record, my name is Jason Brune. It is an honor to be here before you today as Governor Dunleavy's Commissioner-designee for the Department of Environmental Conservation.

I'd like to provide you with a little background outlining my qualifications for this role. I received my undergraduate degree in biology from Carleton College. While I was at Carleton, I completed an internship with the US Fish and Wildlife Service in Anchorage working on oiled sea otters from the Exxon Valdez oil spill. That experience helped shape who I am today. While our economy depends on resource extraction, we must ensure it is done responsibly, and ethically, and I for one will do all in my power to ensure something like the Valdez oil spill never happens again in Alaska.

After graduating from Carleton, I moved up to Anchorage for the Master's in Science in Environmental Science program at Alaska Pacific University. I completed my course work and comprehensive exam in the program but never ultimately completed my thesis, so I'm what they call an ABT, "All but Thesis." During graduate school, I worked for the U.S. Fish and Wildlife Service, was transferred to the National Biological Survey which soon thereafter became the Biological Resources Division of the U.S. Geological Survey. Eventually, I started working at the University of Alaska Anchorage, helping develop undergraduate and graduate curriculum as well as serving as an adjunct professor.

In 2000, I started working as the project coordinator for the Resource Development Council (RDC). RDC's mission is growing Alaska through responsible resource development, a motto I've incorporated into my personal environmental ethic, which is, "Think globally, develop locally." As Alaskans, we need to hold companies to the highest of environmental standards. DEC's mission to protect human health and the environment in one I take very seriously.

At RDC, I worked on diverse projects throughout the state, including in the oil and gas, mining, fishing, timber, and tourism sectors. I developed strong relationships with ANCSA corporations, labor unions, local communities, and the support sector. In my early days at RDC, I also served as executive director of the Alaska Mineral and Energy Resource Education Fund known formerly as (AMEREF), but today as Alaska Resource Education (ARE).

3:35:01 PM

COMMISSIONER DESIGNEE BRUNE continued as follows:

ARE is a partnership with the State of Alaska that teaches K-12 students and teachers about our state's natural resources incorporating science and math standards and presenting career opportunities. At the end of my tenure, I was honored with the distinction of executive director emeritus.

In 2006, I became the Executive Director of RDC. One of the things I am most proud of in my time there was

working with the Alaska Conservation Alliance on the formation of the Tileston Award, a distinction given to projects that are good for both the economy and the environment. As you will often hear me say, economic development and protection of the environment are not mutually exclusive. We recognized fishing, mining, and timber projects that were doing it right in Alaska. While at RDC, I continued my involvement with the Exxon Valdez Oil Spill Trustee Council Public Advisory committee for nearly a decade helping oversee cleanup and ongoing scientific studies. I started and sponsored the Stewardship and Sustainability award in conjunction with my position on the Board of the Alaska Sealife Center, recognizing entities that are doing things right in our oceans.

I led RDC until 2011, when I left to become the Government and Public Affairs manager for Anglo American, a partner in the Pebble project. I worked for Anglo for approximately three years while the company invested over \$700 million in Alaska. Ultimately, Anglo American pulled out of the project and took my job with them. That position taught me a lot about the mining industry and gave me a deep and profound understanding about what it takes to permit a mine in Alaska. It also taught me a lot about the need to have a predictable permitting regime that doesn't scare off investment. Currently, Alaska ranks behind the Congo on predictability of our permitting regime by the Fraser Institute. That is not a place where we want to be. We can have the highest environmental standards in the world, "and should," but the ground rules must not be constantly changing. We must work collaboratively with those seeking to make investments in Alaska to provide timely, science-based, and legally defensible permits that ensure their operations will co-exist with the environment we all love as Alaskans.

[3:37:51 PM](#)

COMMISSIONER DESIGNEE BRUNE continued as follows:

Following my tenure at Anglo, I went to work for CIRI as their senior director of land and resources. While working to provide value and opportunities for CIRI's shareholders, I fostered strong relationships with CIRI's village corporations, tribes, and shareholders.

Among the many projects I worked on, I'm proudest of the development of CIRI's universal-gravel agreement with its villages which set the highest of standards for gravel mining on CIRI subsurface/village corporation surface with an emphasis on post-development use. I also worked to develop a carbon-offset program as well as oversaw the plugging, abandoning, and surface reclamation of oil and gas wells developed by a now bankrupt company.

I have extensive relationships throughout Alaska. I have served on the boards of the Tyonek Tribal Conservation District, Alaska Sealife Center, State Chamber, and as past president of both the Alaska Miners Association and Consumer Energy Alliance Alaska. I served on the Cook Inlet Beluga Whale Recovery Team and I was an honorary commander for the Civil Engineering Squadron on Elmendorf.

Since I started at DEC, I made it a priority to meet with and hear from folks of different perspectives; in fact, my first meeting here in Juneau was with SEACC, the Southeast Alaska Conservation Council. I have met with industry, tribal and ANCSA entities, environmental organizations, and many others. I will continue to do so. I have also had the opportunity to meet many of the amazing staff who are the backbone of DEC.

[3:39:53 PM](#)

COMMISSIONER DESIGNEE BRUNE continued as follows:

On a personal front, I have been married to my wife Robyn for 20 years. She was born in Fairbanks, raised in Peters Creek, but whose family is from Southeast. Robyn's family is Tlingit, and the Tlingit culture places an emphasis on taking care of the earth while still being able to use the resources it provides. I was given the name "Naasha," by Josephine Paul of Kake and I strive to live by this value, not just for today, but also for the future world in which my son and daughter will live.

Congress and the Alaska Legislature establish the laws which DEC is responsible for implementing. To create a positive and predictable business climate, we must do no more, and no less, than what we have the authority

to do. I believe the experiences that I have outlined uniquely prepare me for this position. Those who know me will speak to my integrity and commitment to the environment. I am proud to work to promote Governor Dunleavy's agenda of showing Alaska is open for business.

3:41:11 PM

SENATOR KIEHL addressed polyfluoroalkyl (PFAS) water contamination with Commissioner Designee Brune and asked what direction the department is taking for protection of health in drinking water. He noted that PFAS is a chemical used to fight fires.

COMMISSIONER DESIGNEE BRUNE replied that PFAS is an emerging significant issue that is going to impact Alaska for generations to come. He said that DEC has been testing the water in many communities. He noted that the [Federal Aviation Administration] (FAA) requires [Aqueous Film-Forming Foam] (AFFF), or PFAS, to be at all airports because PFAS is effective in fighting fires; however, when PFAS was used the FAA was not aware of the potential impact on human health. He said the places where PFAS was used to fight fires has had significant impacts because PFAS does not break down. He noted that many of the areas that used PFAS are located where local community drinking supplies are located.

He said DEC has made PFAS testing a priority. He said that working with the Department of Transportation and Public Facilities (DOTPF), drinking water testing has occurred in communities such as Gustavus, Fairbanks, Dillingham, King Salmon; there has been PFAS found in the drinking water supplies in all those communities.

He set forth that DEC has a responsibility to ensure the water that people are drinking is safe. He advised that DEC has worked with DOTPF to ensure that bottled water is provided. He noted that DEC is looking at Fairbanks to ensure infrastructure is put in place so that water can be piped to homes rather than relying wells. The regulation package that was mentioned was issued during the prior administration. There was a public comment period and DEC is reviewing the comments. He reiterated that DEC has the responsibility to ensure that PFAS does not become the next Flint-Michigan issue in Alaska.

3:44:32 PM

SENATOR REINBOLD stated that she had reviewed the DEC budget in previous years and noted that she was surprised by the department's inefficiencies and duplicative effort with state and federal agencies. She contended that suggestions were made but the department was resistant to change and innovation. She asked if he will look at streamlining and modernizing the department while still protecting the environment. She reminded Commissioner Designee Brune that the state's financial resources are resources too.

COMMISSIONER DESIGNEE BRUNE emphasized that DEC will continue to look the state's budgets to ensure Alaska's money is being spent wisely. He said he has asked his staff to take an in-depth look at what is done and what specific statutory authority governs the department. He noted in his opening statement that he said the following:

We are to do no more and no less than what we are told to do by the Legislature and by Congress through programs that we have been granted primacy on and the Legislature has voted to give primacy to the State of Alaska.

He emphasized that DEC will look at everything to determine whether the department can afford programs and whether programs are statutorily required as part of the department's primacy from the federal government. He said he is committed to find every efficiency that he can during his tenure at DEC.

SENATOR KAWASAKI asked Commissioner Designee Brune to explain what "environmental conservation" means to him and whether he believed environmental conservation and support for natural resources are mutually exclusive.

[3:47:15 PM](#)

COMMISSIONER DESIGNEE BRUNE answered that environmental conservation and support for natural resources are not mutually exclusive. He reiterated that growing the state's economy as well as protecting the environment are incredibly important. He said the definition of "environmental conservation" is understanding the department's mission for the commitment to protecting human health and the environment. He emphasized that Alaska takes the utmost care for the environment and referenced the Clean Air Act and the Clean Water Act. He said the state makes it a priority to "do it right" for Alaskans who enjoy the environment and to make sure that companies are held accountable. He shared that his personal environmental ethic is,

"Think globally, develop locally." He emphasized that the companies that invest in the state uphold the highest environmental standards. He opined that the state should work with companies that invest in Alaska to allow their investment in natural resource development to occur for the employment of Alaskans and to make a brighter future for the state's citizens.

SENATOR KAWASAKI noted that Commissioner Designee Brune will be working closely with the Alaska Department of Fish and Game (ADFG) and the Department of Natural Resources (DNR). He asked how his mission will be guided when dealing with ADFG and DNR on whether a project should be developed or done, especially when there is a disagreement regarding habitat.

[3:49:41 PM](#)

COMMISSIONER DESIGNEE BRUNE conceded that there will be times when DEC conflicts with other departments. He said when conflicts occur the departments will have to work very closely to find win-win.

SENATOR KAWASAKI pointed out that Commissioner Designee Brune worked for Angelo American, a company that wanted to develop Pebble Mine. He noted that Commissioner Designee Brune personally supported development of the Pebble Mine. He opined that there are questions regarding whether Commissioner Designee Brune will be able to fulfill his duties as DEC commissioner as a regulator without a perceived conflict of interest. He asked if he can provide comfort that as DEC commissioner, he will live up to the mission of DEC.

COMMISSIONER DESIGNEE BRUNE stated that he has no financial interest in the company that is trying to invest and build the Pebble project. He has sold all his stocks for any mining or oil and gas companies that are doing business in Alaska. He emphasized that there is no hidden agenda that he will be compensated by something that crosses his desk. Currently, there is nothing for the Pebble project that is sitting on his desk. He said if-and-when a permit proposal comes across his desk, he will evaluate that project as he will evaluate all projects according to how. He pointed out that having worked in the mining industry he has a detailed knowledge of how mines operate. He emphasized that he understands what can go wrong with mines as well as seeing how things can be done well with mines. He said he will ensure that any project that gets built, be it mining, oil and gas, or fishing, will be held to the highest standards.

[3:53:44 PM](#)

SENATOR KIEHL said he has a question of approach. He pointed out that Commissioner Designee Brune in the past has been a passionate advocate. He recalled that years ago he might have referred to Rivers Without Borders as "rivers without jobs." He noted that he represents a district with over 1,000 households with commercial fishing income as well as more than 800 mining jobs. He asked what Alaskans should expect in terms of his approach in his current role as opposed to his past role.

COMMISSIONER DESIGNEE BRUNE replied that he has developed significant relationships across multiple industries, not just mining. He emphasized that his approach will be to engage in the public process and listen to and understand perspectives. He said he is committed to meeting with folks on every side of an issue. He emphasized that DEC is a science-based organization with a permitting process that is rooted in science.

[3:56:16 PM](#)

SENATOR COGHILL thanked Commissioner Designee Brune for being willing to take the job. He pointed out that Alaska is probably the biggest real estate company with a lot of water, and he will be the manager/go-to person for a lot of that water quality. He stressed that Alaska has some of the best water in the world and the state wants to keep it that way.

He read the following from the Alaska Constitution to illustrate the built-in tensions:

The Legislature will provide for number one, utilization; number two, development; and three, conservation of all natural resources, including our waters and our land for the maximum use for beneficial uses.

He pointed out that both the commissioner and the Legislature are part of that tension and it's clear that the tension has already risen.

SENATOR COGHILL called attention to the ongoing struggle with air quality in the Interior and asked him to comment on the issue.

[3:58:29 PM](#)

COMMISSIONER DESIGNEE BRUNE responded that he is honored to be considered for the commissioner's position and appreciates Senator Coghill bringing up the state constitution and the

inherent conflict. That is the role that DEC plays to make sure the state's resources are being conserved as well as working with the companies that are trying to invest and create jobs.

He said with respect to the Interior air quality issue, also known as PM2.5 [particulate matter less than 2.5 micrometers in diameter], he said he has taken a fresh look at it. He shared that he is inherently a "federalist" who believes in local solutions to local problems. He pointed out that the people of Fairbanks have come together to try to address the issue of their air quality largely due to home heating. He described it as an economic issue also because Fairbanks residents want to heat their homes economically and burning wood is an economic means to do that. However, burning wood has caused significant impacts to human health in Fairbanks due to cold-weather-inversion days. On those cold-weather-inversion days the air quality in Fairbanks is the worst in the nation.

Fortunately, local solutions are having a positive impact. Five or six years ago Fairbanks made changes made to wood burning and the PM2.5 levels have been reduced. He urged continuing to implement local stakeholder recommendations to protect the environment and human health.

[4:01:35 PM](#)

SENATOR COGHILL responded that his comments are good news. He said the Legislature will continue to try to get natural gas to Fairbanks, but it will be awhile before gas is both economic and effective. He agreed that the local campaign in Fairbanks has been something that the community has worked hard on, and it has been contentious.

He noted that the PFAS issue impacts both Fairbanks and Eielson Air Force Base. He asked him to talk about the national view on PFAS that will help the state with the science. He opined that PFAS should not be just Alaska's problem, but a problem for the United States.

COMMISSIONER DESIGNEE BRUNE described PFAS as an emerging issue. He noted that the EPA has not finalized its total standards and the agency continues to determine what the impacts will be from PFAS and the best methodology to dispose of the chemicals. He said DEC needs to work with the EPA to make sure the issue is not forgotten.

[4:04:51 PM](#)

SENATOR COGHILL remarked that people should be encouraged to test their well water because PFAS will become a bigger issue. He noted that he was unsuccessful when he looked for information on DEC's website on well-water testing. He asked how someone would find information on testing.

COMMISSIONER DESIGNEE BRUNE committed to making sure the website is easier to navigate. He noted that after the recent earthquake in Anchorage, DEC received a lot of calls about water testing. He said DEC's team had conversations that addressed concerns about increased arsenic, turbidity and other things in drinking water. He related that DEC has funding and staffing issues due the department's 30-percent budget cut over the past 4 years. He said for DEC to address the emerging PFAS issue the department needs to make sure it is on top of what the financial ramifications and impacts will be. He committed that DEC will work closely with DOTPF on recommendations that may come forward as part of the governor's budget.

[4:06:55 PM](#)

SENATOR COGHILL opined that he finds Commissioner Designee Brune's work history in industry helpful versus a person that gets hunkered down in government bureaucracy where the answer is "no" rather than "how we can do it." He thanked him for coming forward because the state needs someone that has not come from a bureaucratic world and is able to see both sides. He pointed out that mining is all about water quality and water management. He asked how he would grade Alaska for water management, resource management, present failure points, concerns for the Legislature, and DEC water and mine management.

[4:08:27 PM](#)

COMMISSIONER DESIGNEE BRUNE replied that he has found that certain industries are often held to higher standards than local communities or other industries. He said he has always believed that if the state is going to have high standards then everyone needs to meet those standards, not just the mining or oil and gas industries. He said there are places where water management is working well, but there are also communities, especially in rural Alaska, where water management is not going well.

SENATOR GIESSEL stated that she appreciates his comments about local control. She noted that he has worked for CIRI [Cook Inlet Region, Incorporated] as well as village and tribal groups. That indicates that he has not looked at just urban Alaska, but rural Alaska too. That is important to her as a "territorial kid" who was born and raised in Alaska.

She said she also appreciates the new eyes that he brings to DEC, noting that his predecessor had held the position for a very long time. She opined that new eyes will bring a fresh look to DEC.

She noted that DEC has recently identified protecting human health as its core mission, followed by environmental health. She said as a healthcare person she appreciates the focus on clean water for humans, fish, and flora and fauna. She asked what he sees as the key challenges and threats to that water quality that he'll need to address.

[4:11:58 PM](#)

COMMISSIONER DESIGNEE BRUNE opined that the threats center on the lack of economic opportunity in the state. In rural Alaska, drinking water and septic systems are often degraded but is no ability to build new infrastructure because local governments can't pay for it. He emphasized the need to build more economic opportunities in rural Alaska. He added that the department is looking at its budget with a sharp pencil. They have reviewed their projects to determine what is statutorily required by federal and state governments. He identified unfunded mandates by the Legislature as another threat. He opined that there is a responsibility to eliminate programs that are no longer funded.

SENATOR GIESSEL agreed that drinking water and wastewater management are challenges in rural Alaska. She remarked that there are innovations in wastewater treatment and asked that DEC look at opportunities for solutions.

[4:15:11 PM](#)

COMMISSIONER DESIGNEE BRUNE replied that DEC has programs that help provide wastewater and drinking water to rural Alaska. He added that the federal government has provided money as well. He agreed that water and wastewater management in rural Alaska must be modernized for human health.

SENATOR BISHOP remarked that landfills are an integral part of human health and the environment. He said the state needs to make sure landfills in rural Alaska are properly put in because of the ground water runoff that could get into drinking well water. He said that as a former commissioner, he understands primacy related to running a department. He stated that he would rather have Alaskans running the department and have control of primacy than a federal employee. He noted that the state would have been impacted by the recent federal shutdown if the federal

government was in charge. He asked him for assurance that the department would adhere to the letter of the law so that the state's primacy is not jeopardized.

4:17:50 PM

COMMISSIONER DESIGNEE BRUNE asserted that he will adhere to assuring that the state maintains primacy. He agreed that companies and communities that require permits much prefer to work with Alaskans than someone from Seattle or Washington, D.C.

He addressed Senator Bishop's question regarding landfills and noted that he was amazed by the things that have been allowed to go into landfills and the potential spill impacts which DEC oversees. He asserted that DEC needs to make sure that what is being put into landfills, what is being permitted and the potential impact on drinking water is done appropriately. He said companies overseeing landfills will be held accountable for cleanup if things were deposited in landfills that impact drinking water.

SENATOR BISHOP noted that his office had done research on carbon credits and he welcomed Commissioner Designee Brune to meet with him to address the potential for state forests to leverage carbon credits for revenue.

He thanked Commissioner Designee Brune for addressing PFAS and PM2.5. He noted that he had a discussion with a constituent regarding PM2.5 and commended Commissioner Designee Brune for spending two hours on the phone with his constituent to address his concerns.

4:20:22 PM

COMMISSIONER DESIGNEE BRUNE replied that communicating with constituents and people with ideas goes to his ethic. He noted that Senator Bishop's constituent has some fantastic ideas as well as being passionate about assuring that human health is protected.

He agreed with Senator Bishop about leveraging carbon credits to bring money into the state. He said there is an opportunity to leverage state forests that are not economic to develop with the California Air Resource Board. He noted that he was involved in bringing carbon credits for Alaska regional corporations such as Sealaska, Ahtna, and CIRI. He committed to meet to discuss carbon credits.

SENATOR KAWASAKI addressed Commissioner Designee Brune's reply to Senator Giessel's questions regarding human health prioritization, the budget process, and not having enough money to do the job. He asked him to clarify his statement on unfunded mandates and his paraphrased interpretation that, "If you are not doing it well, it should be off the books."

COMMISSIONER DESIGNEE BRUNE conceded that he has been two months into his job, and he was told that there were programs DEC has the statutory requirement to do but does not have the funds. He clarified that his statement was that either DEC should be funded to do the statutory jobs, or the program should be eliminated.

[4:22:23 PM](#)

SENATOR KAWASAKI conceded that there are things that the state does not do as well as it should; for example, food and sanitation inspections. He noted that Fairbanks used to do inspections, but the state now does the inspections within the borough. He pointed out that DEC is not about to inspect every restaurant on a timely basis. He said the Legislature has not funded food and sanitation inspections well enough where they are not performing up to task. He asked Commissioner Designee Brune if his thought was that food and sanitation inspections should not be funded and should be removed from the books.

COMMISSIONER DESIGNEE BRUNE clarified that food and sanitation inspections should be funded. He reiterated his federalist approach, "Local solutions for local problems." He advised that DEC trains the Municipality of Anchorage to do its own inspections and suggested that the Fairbanks North Star Borough may be interested in doing the same with training assistance from DEC. He maintained that DEC is doing its best with the budget that the department has to maintain restaurant inspections.

SENATOR KAWASAKI asked him to address the idea of, "The causer should be the cost payer." He pointed out that his testimony touched on plugging abandoned wells. He noted that AOGCC [Alaska Oil and Gas Conservation Commission] recently addressed with the Legislature the concept in which "company A" sells off their assets to a smaller company that doesn't have the ability or wherewithal and goes under. He asked who one collects from in the circumstances he just described.

[4:25:01 PM](#)

COMMISSIONER DESIGNEE BRUNE disclosed that he was involved with that exact issue when he was at CIRI and an oil and gas company went bankrupt. He explained that he was responsible for overseeing the plugging, abandoning and surface reclamation of 10 wells. He noted that the previously mentioned oil and gas company had placed \$200,000 bonds with AOGCC and DNR, an amount that could not mobilize a team. He pointed out that in the mining industry, Red Dog Mine has a \$500 million bond on their projects. He said the industry has told him on an ongoing basis that, "You have different entities within the state that are bonding, and they are not talking to each other." He conceded that DEC, DNR and AOGCC have bonding authority but, "The left hand is not talking to the right hand." He said to achieve Governor Dunleavy's goal of showing that the state is open for business, regulatory agencies need to work together to create a bonding mechanism that is clear, open, transparent and predictable for the companies that are investing in Alaska; however, as a regulatory agency the state must ensure that an area is cleaned up if a company goes bankrupt where the state or private landowners is not stuck with the cost, a situation that occurred in CIRI's case.

SENATOR KAWASAKI pointed out that 17 of the last 18 years were the hottest on record and Alaska has seen the changes going on. He asked if he believed that human activity including agriculture, industrial, burning of fossil fuels is a primary cause of climate change.

[4:27:32 PM](#)

COMMISSIONER DESIGNEE BRUNE replied as follows:

I think that what I believe first and foremost is I have a responsibility to follow the law and Governor Dunleavy has entrusted me with the position. So, I believe that question is one that would be better asked to Governor Dunleavy; that said, regardless if it is anthropogenic causes or natural causes, the fact is Alaska is being impacted. Alaska is seeing increased coastal erosion. We are seeing the northward migration of the spruce bark beetle. We are seeing increased fire risk. We are seeing communities that are being completely displaced. There are absolute impacts that we are experiencing firsthand and we need to do something about it. We owe it to future generations to ensure that we do something about it. I think that the best solution is to not put our head-

in-the-sand but to do what we can to ensure mitigating the impacts from these changes.

SENATOR KAWASAKI responded that he appreciates the response, but he did not answer the question. He emphasized that his question requires a yes or no response. He said he appreciates the second part of his response because the response addressed DEC's role in climate adaptation or climate mitigation.

COMMISSIONER DESIGNEE BRUNE replied as follows:

I think that there definitely are impacts from natural causes as well as from human impacts. The population of our planet is continuing to go up so absolutely there will be impacts from them. Again, this is Jason Brune's personal philosophy is not what's, that question obviously is the administration and I commit to obviously working with Governor Dunleavy on this issue to ensure that we are mitigating the impacts from climate change.

CHAIR BIRCH thanked Commissioner Designee Brune for his well-considered testimony.

[4:31:08 PM](#)

At ease.

[4:32:17 PM](#)

CHAIR BIRCH called the committee back to order.

[4:32:35 PM](#)

CHAIR BIRCH [opened public testimony].

[4:32:56 PM](#)

PETER NAOROZ, representing self, Juneau, Alaska, testified in support of Commissioner Designee Brune's appointment. He opined that Commissioner Designee Brune will bring a balanced approach to business development and the environment.

[4:36:27 PM](#)

JIM CLARK, representing self, Juneau, Alaska, testified in support of Commissioner Designee Brune's appointment. He said he interacted with Commissioner Designee Brune when he worked as land manager at CIRI and he was very tough in protecting the environment in CIRI's land base.

[4:37:55 PM](#)

ABIGAIL LEATHERMAN, representing self, Juneau, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune cannot impartially consider the science and will of Alaskans due to his prior involvement with Anglo American and the Pebble Mine project.

[4:39:30 PM](#)

VIKKI JO, representing self, Juneau, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:41:57 PM](#)

CATIE BURSCH, representing self, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune will not follow DEC's website mission statement, "Conserving, improving and protecting Alaska's natural resources and environment, to enhance the health, safety, economic and social wellbeing of Alaskans" because Commissioner Designee Brune promotes moneymaking in the private sector.

[4:43:26 PM](#)

SHERYL BAECHLER, representing self, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:44:33 PM](#)

PETER RODDY, representing self, Sitka, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to "regulatory capture."

[4:45:51 PM](#)

ERIC JORDAN, representing self, Sitka, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune is unqualified to be commissioner.

[4:46:20 PM](#)

HEATHER BAUSCHER, representing self, Sitka, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune was selected due to politics and places utilization and development before conservation.

[4:48:06 PM](#)

ANDREW THOMS, Executive Director, Sitka Conservation Society, Sitka, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:49:26 PM](#)

IDA NELSON, representing self, Igiugig, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:50:56 PM](#)

JORDAN STOVER, representing self, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:51:49 PM](#)

MARK NIVER, representing self, Wasilla, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:54:39 PM](#)

GRANT FAIRBANKS, representing self, Bethel, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:56:38 PM](#)

GEORGE PIERCE, representing self, Kasilof, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[4:59:23 PM](#)

TOM HARRIS, representing self, Anchorage, Alaska, testified in support of Commissioner Designee Brune's appointment. He said Commissioner Designee Brune's entire field of experience should be taken into consideration which includes the conservation of natural resources.

[5:01:58 PM](#)

MICHELE MARTIN, representing self, Anchorage, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She

contended that Commissioner Designee Brune's focus is on development rather than conservation.

[5:03:49 PM](#)

STEVE SCHOONMAKER, representing self, Kasilof, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:04:48 PM](#)

MAUREEN KNUTSEN, representing self, Naknek, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:06:03 PM](#)

CATHRYN COAGS, representing self, Ketchikan, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:07:43 PM](#)

CHRISTINA EDWIN, advocate, Defend the Sacred Alaska, Anchorage, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She contended that Commissioner Designee Brune has not recognized indigenous sovereignty in their relationship to the land and is biased for permitting due to his work history.

[5:10:28 PM](#)

PENELOPE HAAS, representing self, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:12:06 PM](#)

MIKE FRICCERO, representing self, Kodiak, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:14:42 PM](#)

SUE CHRISTIANSEN, representing self, Kenai, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:17:24 PM](#)

MOLLY MILLER, representing self, Kodiak, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:19:04 PM](#)

SARAH EVANS, representing self, Dillingham, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:21:26 PM](#)

VIVIAN MENDENHALL, representing self, Anchorage, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered because he does not have a scientific background and had prior involvement with the Pebble Mine project.

[5:24:25 PM](#)

SHANNON MCBRIDE-MION, owner, Kachemak Bay Wilderness Lodge, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:26:10 PM](#)

TOM ROLLMAN, representing self, Eagle River, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:28:24 PM](#)

SUE MAUGER, representing self, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She remarked that Commissioner Designee Brune should not be appointed because he is not a believer in climate change and is not able to process scientific information.

[5:31:12 PM](#)

GEORGIANNA HEAVERLEY, representing self, Anchorage, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:32:48 PM](#)

BONNIE LILLEY, representing self, Anchorage, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:34:38 PM](#)

JESSICA GIRARD, advocate, Fairbanks Climate Action Coalition, Fairbanks, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:35:45 PM](#)

NICOLE AREVALO, representing self, Homer, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:37:14 PM](#)

DOUG MORGAN, representing self, Anchorage, Alaska, testified in opposition to Commissioner Designee Brune's appointment. He said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project.

[5:37:29 PM](#)

MICHELE VASQUEZ, representing self, Soldotna, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said Commissioner Designee Brune should not be considered due to his prior involvement with the Pebble Mine project as well as not acknowledging that man causes climate change.

[5:39:01 PM](#)

MELANIE BROWN, representing self, Juneau, Alaska, testified in opposition to Commissioner Designee Brune's appointment. She said the State of Alaska should not act in partnership with multi-national corporations and contended that Commissioner Designee Brune said he would.

[5:40:48 PM](#)

CHAIR BIRCH closed public testimony.

[5:41:04 PM](#)

CHAIR BIRCH stated that in accordance with AS 39.05.080, the Senate Resources Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Commissioner, [Department of Environmental Conservation]  
Jason Brune - Anchorage

He reminded members that signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.

[5:41:36 PM](#)

At ease.

[5:43:18 PM](#)

CHAIR BIRCH called the committee back to order. He clarified that Commissioner Designee Brune's appointment was for the Department of Environmental Conservation.

[5:43:59 PM](#)

There being no further business to come before the committee, Chair Birch adjourned the Senate Resources Standing Committee meeting at 5:43 p.m.