

**ALASKA STATE LEGISLATURE**  
**SENATE RESOURCES STANDING COMMITTEE**

March 23, 2022

3:35 p.m.

**MEMBERS PRESENT**

Senator Joshua Revak, Chair  
Senator Peter Micciche, Vice Chair  
Senator Gary Stevens  
Senator Natasha von Imhof  
Senator Jesse Kiehl  
Senator Scott Kawasaki

**MEMBERS ABSENT**

Senator Click Bishop

**OTHER LEGISLATORS PRESENT**

Representative Mike Cronk

**COMMITTEE CALENDAR**

SENATE BILL NO. 230

"An Act establishing a \$25 fee to construct or use a trapping cabin on state land; and exempting trapping cabin permittees from additional land use fees."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 230

SHORT TITLE: TRAPPING CABINS: FEE FOR CONSTRUCTION

SPONSOR(S): RESOURCES

03/11/22	(S)	READ THE FIRST TIME - REFERRALS
03/11/22	(S)	RES
03/23/22	(S)	RES AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

INTIMAYO HARBISON, Staff  
Senator Josh Revak  
Alaska State Legislature

Anchorage, Alaska

**POSITION STATEMENT:** Presented SB 130 on behalf of the committee.

CHRISTY COLLES, Chief of Operations  
Division of Mining, Land, and Water  
Department of Natural Resources  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on SB 230.

RANDALL ZARNKE, President  
Alaska Trappers Association  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified by invitation on SB 230.

LYNN KEOGH JR., Representing Self  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of SB 230.

CANDY CARAWAY, Representing Self  
Beluga, Alaska

**POSITION STATEMENT:** Testified in support of SB 230 on behalf of her husband and herself.

PETE BUIST, Representing Self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of SB 230.

AL BARRETTE, Representing Self  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of SB 230.

## **ACTION NARRATIVE**

[3:35:19 PM](#)

**CHAIR JOSHUA REVAK** called the Senate Resources Standing Committee meeting to order at 3:35 p.m. Present at the call to order were Senators Kiehl, Kawasaki, Micciche, Stevens, and Chair Revak. Senator von Imhof arrived shortly thereafter.

He recognized that Representative Mike Cronk was in the audience.

### **SB 230-TRAPPING CABINS: FEE FOR CONSTRUCTION**

[3:36:05 PM](#)

CHAIR REVAK announced the consideration of SENATE BILL NO. 230 "An Act establishing a \$25 fee to construct or use a trapping cabin on state land; and exempting trapping cabin permittees from additional land use fees."

[3:36:45 PM](#)

INTIMAYO HARBISON, Staff, Senator Josh Revak, Alaska State Legislature, Anchorage, Alaska, presented SB 130 on behalf of the committee. He paraphrased the following sponsor statement:

[Original punctuation provided.]

Senate Bill 230 would resolve a number of issues that have arisen since Trapping Cabin Construction Permits and their fees were first established in the 1970's. Statute currently authorizes DNR to collect a \$10 annual fee for Trapping Cabin Construction Permits. However, because this Statute has not been revised since inception, the Department does not have the authority to issue Trapping Cabin Construction Permits for already constructed trapping cabins. As a result, many cabins originally constructed for trapping must be reauthorized as a Land Use Permit. Land Use Permits come with higher associated costs and places undue burden on the trappers in the State.

SB 230 would raise the permit fee from \$10 to \$25, clarify that the Department could not issue further associated fees on top of the \$25 permit fee, and further clarify that trapping cabins must be issued under the Trapping Cabin Construction Permit program.

MR. HARBISON presented the following sectional analysis for SB 230:

**Section 1**

Establishes a fee schedule subject to AS 38.95.075(b), 38.95.080(f). These Statutes relate to Trapping Cabin Construction Permits and their associated fees.

**Section 2**

Amends the current Trapping Cabin Construction Permit fee from \$10 to \$25.

**Section 3**

Creates a new subsection that disallows the Department from charging additional fees to permits issued under this section.

**Section 4**

Conditions for issuing permits are amended to clarify the number of cabins a person "may construct" per permit, rather than a number of cabins "per person" per permit. Clarifies the fee per permit is \$25.

**Section 5**

Adds a new subsection to clarify the department may not charge additional fees for Trapping Cabin Construction Permits.

**Section 6**

Clarifies that the Department is the Department of Natural Resources.

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SENATOR KAWASAKI asked why the cost of the permit was \$25 instead of an inflation-based increase.

MR. HARBISON deferred the question to the department.

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CHRISTY COLLES, Chief of Operations, Division of Mining, Land, and Water, Department of Natural Resources, Anchorage, Alaska, said she was unable to explain the derivation of the \$25 fee; it did not come from the department.

CHAIR REVAK interjected that his office had a number of conversations with user groups and this was an effort to find the sweet spot that was satisfactory to the department and the trappers, some of whom might not be as affluent as others. He added that the trapping community generally wanted to make sure they contributed to the processes necessary to make the program work.

SENATOR KAWASAKI asked what it costs the department to administer these permits and how that compares to the cost of the permit itself.

CHAIR REVAK asked Ms. Colles to answer Senator Kawasaki's question and what the total upfront cost of the lease would be if the fee were raised to \$25.

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MS. COLLES provided the following response:

So the total cost that somebody would have to pay upfront, you were correct in stating that the current \$10 that's set in statute under 38.05.075 is paid up front and so that would be a fee of \$100. So that's for the \$10 set in statute, but we do have other fees currently. But I think that might be maybe a different question that I could answer. But then when it comes to Senator Kawasaki's question in regards to the cost to administer the program - we do have some fees that we set up in regulation so we have the fee set in statute under 38.05 - oh sorry 38.95.080, which sets it at \$10 and we look at that as \$10 annually for the actual use of the land. But then we have actually added in an application fee under our regulations.

We have two application fees so under the 38.95.075, which is for preexisting cabins, we have an application fee of \$160. So that would be for administering or adjudicating an application that comes in to us every ten years somebody can apply for this, so it'd be \$160. And for a new construction cabin, that would be \$400 for an application fee. That's where you'd get the cost I guess that the department has for administering the program. Most of the initial administration comes up front when we're doing the adjudication of the application. We still do work on those annually, maybe look at what people have for pictures they'll send to us or other information to show they're still using the cabin for trapping. But those fees are our annual fees and those do vary based off of which statute they are currently authorized under.

So if they have the existing cabin statute, that one is set at \$240 annually. That one they would not have to pay up front. That one we could set that up as an annual payment that they could pay every year. But under the construction cabin statute, since the fee is in statute and it's \$10 and it would probably be more difficult of somebody being reminded every year to pay \$10, we do have them pay that upfront.

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SENATOR VON IMHOF joined the meeting.

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SENATOR KAWASAKI asked what the \$10 fee is used for if the \$160 fee in regulation is for adjudicating an application for a trapping cabin construction permit.

MS. COLLES answered that the \$10 annual fee is the cost to have the structure on state land.

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SENATOR KIEHL offered his understanding that there are two kinds of permits for trapping cabins. One is for cabins that existed in the 80s and earlier and the other is for building a new trapping cabin. He asked how many of each of these two types of permits exist.

MS. COLLES answered that there are 71 permits on the books for trapping cabins. The statute for existing cabins has the prescriptive requirement that the applicant had to have used the cabin for trapping on a regular basis prior to August 1, 1984, so not many permits are issued under that statute anymore. Because that date is set in statute, the department is issuing most permits under AS 38.95.080 and there is nothing in that statute that specifically speaks to existing cabins. That statute is about building a trapping cabin. It's been a problem for the department to issue authorizations to people for existing trapping cabins that either don't have an owner or the owner doesn't trap anymore and wants to give their cabin to somebody else to use.

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SENATOR KIEHL asked if she said the cost of the use permit for cabins that were built prior to August 1, 1984 was \$240 per year or \$240 every ten years.

MS. COLLES answered that the \$240 is an annual fee. Because the statute doesn't have an associated fee, it is set in regulation and treated similar to other authorizations.

SENATOR KIEHL observed that the fiscal note says that on average the department issues just one authorization per year under AS 38.95.075 so the annual income for that is \$240 per year. For the trapping cabin construction permits under AS 38.95.080, the statute says it's a 10 year permit with succeeding 10-year renewal options. He asked how many times a permit under that statute could be renewed.

MS. COLLES answered that there is no limitation on the number of renewals the department could issue; it is dependent on the applicant's use of the site.

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SENATOR KIEHL noted that the bill does not allow any additional land use fee under either AS 38.95.075 or AS 38.95.080, but both Ms. Colles and the trapper's association letter described an application fee. He asked if the application fee was a land use fee and whether or not the bill would prohibit that fee.

MS. COLLES answered that the department interprets land use fees as the annual fee charged for the use of the land. The bill would prevent the department from employing square footage or visitor day use fees that it has for other programs, but it would be able to charge an application fee since that is a one-time fee for the adjudication of that application.

CHAIR REVAK added that the idea was to allay user group concerns by preventing the department from potentially imposing unreasonable fees.

SENATOR KIEHL responded that if there is a \$400 fee to apply for a permit that currently costs \$100 for ten years (and \$250 for ten years if the bill were to pass), then the fee itself might be out of line.

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SENATOR MICCICHE asked if the cost for the other personal use cabin types on state land was still \$300 per year or if those had gone up over time. He specifically mentioned the program that no longer exists for personal use cabins on state land.

MS. COLLES answered that those fees have increased but she didn't have the exact numbers with her. She recalled that the fee started at \$100 and was raised to \$400 or \$500, and perhaps an associated square footage.

SENATOR MICCICHE said he mentioned it to provide a comparison, because the fees associated with the trapper cabin program are much lower.

CHAIR REVAK asked the record to reflect that Senator von Imhof had joined the committee some time ago.

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SENATOR KAWASAKI asked where he could find all the different programs that provide an opportunity for Alaskans to use state lands, the associated fees and lease terms, and the caveats for each of the programs.

CHAIR REVAK asked Ms. Calles to send the information to his office and he would see that it was distributed to the members.

MS. COLLES agreed to compile the information that DNR had for cabin programs on state land.

CHAIR REVAK turned to invited testimony on SB 230.

3:55:53 PM

RANDALL ZARNKE, President, Alaska Trappers Association (ATA), Fairbanks, Alaska, stated that ATA represents trappers statewide and he was speaking in support of SB 230. He highlighted that trapping is an Alaskan lifestyle and that the cabins the bill talks about are not luxurious. Some are little more than a rough shelter, but in remote rural areas they can be crucial to the success and sometimes survival of the trapper.

MR. ZARNKE said ATA has been involved with the cabin permit system since its inception in the 1970s and at that time the DNR policies and staff were reasonable. That changed about five years ago. The first he heard about it was when a rural ATA member said his application for the renewal of a cabin permit had been rejected. The explanation was that DNR was no longer authorized to renew permits. He said it was a surprise that after 40 years of issuing and renewing permits, DNR determined that the statute did not allow it to issue renewals. It was a further surprise that what should have been a simple fix was not.

MR. ZARNKE relayed that DNR instituted the application fee a few years ago, but ATA members didn't receive any information about the reason for the changes. What they did learn was that the procedures were weren't the same in all regions. DNR staff gave trappers in Southcentral different messages than the trappers in the Interior. He said ATA has been searching for a fix for several years and the current draft of SB 230 is not entirely satisfactory. ATA would like to have permits be transferable within a family or to a trapping partner, and for the cabin size limit to be adjustable to accommodate a family that wanted to live together on the trapline. The advice ATA received was that those additions might jeopardize passage, so the bill was scaled back to the current draft.

MR. ZARNKE said that ATA supports SB 230 because it will bring meaningful reforms and get the trapping cabin permit program back in line with the original legislative intent. He expressed appreciation for the committee taking the lead role in resolving the problem.

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CHAIR REVAK asked him to speak to how likely it is that trappers have multiple cabins for safety because of severely cold weather and long traplines.

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MR. ZARNKE answered that every trapline is a little different, but the longer traplines may have a home cabin and smaller line cabins along the trail. Line cabins are often little more than a 10' x 10' windowless box with a small woodstove, but they provide a place to spend the night along a long trail.

CHAIR REVAK asked how many line cabins a trapper typically might have.

MR. ZARNKE replied it depends on the length of the trail the trapper travels, but a trail that is longer than 50 miles would probably have one line cabin and a 100 mile trail would likely have two or three line cabins.

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CHAIR REVAK opened public testimony on SB 230.

[4:02:42 PM](#)

LYNN KEOGH JR., Representing Self, Wasilla, Alaska, stated that he was a fulltime trapper during the winter and he was speaking in support of SB 230. The bill gives DNR clear direction to the legislature's intent that trapping cabin permits are issued under their own statutes, and it establishes consistent permit requirements. He said it has been well documented that other user groups have benefited from these cabins as emergency shelters, potentially saving lives. He relayed his own experience of being mauled by a grizzly bear and making his way to a cabin to wait by a warm stove for a flight instead of waiting out in the elements. He urged the committee to support SB 230.

[4:04:00 PM](#)

CANDY CARAWAY, Representing Self, Beluga, Alaska, stated that her husband Joe is a trapper and they both support SB 230. His

trapper's cabin is referred to as the 911 cabin because it's been his rescue multiple times. Today he typically runs the trapline with his grandchildren and it gives the family an added measure of comfort knowing that they have access to needed warmth and shelter. When they renewed the permit after a decade they were shocked to learn that the cost had increased greatly. The details and the process seemed unnecessary for a renewal. She didn't know about inconsistent policies between regions, but isn't surprised. One thing SB 230 doesn't do is allow for transfer of the permit. Their kids and grandkids have spent a lot of time at the cabin and consider it their own because they helped build it. To think that the cabin can't be passed along to the family when her husband passes is a major flaw in the program. She expressed hope that the committee seriously considers the bill and makes the necessary changes to align with the original intent.

4:06:20 PM

PETE BUIST, Representing Self, Fairbanks, Alaska, stated support for SB 230 that seeks to restore the original intent of the trapper cabin construction statute. He relayed that he helped draft the original legislation and has considerable insight in the way DNR has administered the law. As a retiree with 30 experience working with DNR, he knows how DNR managers and employees feel about the law. He said DNR's corporate culture is part of the problem; many seem to hate the idea that trappers are able to legally build cabins on state land. With notable exceptions, DNR employees do their best to avoid issuing these permits. He said they slow walk adjudications, they invent terms, conditions and fees, and generally discourage trappers from applying. But as others have said, these cabins are needed for safety.

MR. BUIST recounted that DNR was unwilling to work with trappers even in the early 1970s. Trappers looking for a way to build a legal line cabin were told that there was no legal way to issue such an interest in state land. The Alaska Trappers Association got involved and helped draft the legal framework for the statute to allow the legal construction of trapper cabins. DNR's response was to take two years to promulgate regulations and use the lack of regulations as an excuse to avoid issuing permits. Trappers who tried to apply were told there wasn't an application form. Trapper Larry Hensley from McGrath sent a letter threatening to sue DNR and stating that the letter should be considered a formal application for a permit. Months later Mr. Hensley was issued the first trapper cabin construction permit. DNR eventually developed a formal application and

regulations, but even then DNR employees continued to make it difficult. The problems persist to this day. ATA has met with DNR several times at the regional, division, and commissioner levels and administrative changes have been promised, but it hasn't happened.

MR. BUIST stated that if DNR would accept applications and issue permits according to the existing statute there would be no need to ask the legislature for help. That hasn't happened and SB 230 addresses the most pressing concerns.

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AL BARRETTE, Representing Self, Fairbanks, Alaska, stated that he had trapped for more than 30 years in the Interior and he found the discussion today interesting because the committee got caught in the terminology the way the trapping community has. People use the terms land use permits, trapping cabin permit, land use statutes that are separate from trapping cabin statutes, and then there are separate regulations for each statute. He maintained that even if SB 230 were to pass, DNR could still issue an application fee, even though the bill was written to specifically not allow that.

MR. BARRETTE highlighted the importance of trap line cabins with reasonable fees to support the cultural and economic aspects of trapping, particularly in rural areas. These cabins allow the trapper to look for fur in areas that are farther than 10-15 miles from their house or off the road system entirely.

MR. BARRETTE offered his perspective that DNR publicly noticed the increases, but neither the current permit holders nor the Alaska Trappers Association were notified. He pointed out that many Alaskans don't read public notices every day, so many were unaware of the change until they applied for a renewal. DNR argues that it went through the proper process and nobody challenged it, so that's how the new fee increases came about.

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CHAIR REVAK closed public testimony on SB 230.

SENATOR MICCICHE commented on the longstanding frustration the various user groups have had with the department's attitude toward the use of these and other types of cabins on state lands, and that it was something that needed to be worked through together. He said the legislature has been clear on the appropriate uses of cabins on specifically designated state lands and as such he appreciates the bill.

CHAIR REVAK relayed that the idea was to find a reasonable balance between the use of state land and the cost of administration. He agreed with the previous comment that there were a number of issues related to the permitting process for use of cabins on state lands. Some of the issues are specific to individual permits, other solutions discussed in committee could be applied more broadly. He expressed his hope to improve the bills the committee had heard and strike a reasonable balance.

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CHAIR REVAK held the SB 230 in committee.

[4:18:14 PM](#)

There being no further business to come before the committee, Chair Revak adjourned the Senate Resources Standing Committee meeting at 4:18 p.m.