

HB

890

# COMMITTEE REPORT

4/22/76

HOUSE

Mr. Speaker:

Date 4/22/76

The Committee on JUDICIARY has had HB 890

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 890 AND THAT

CS FOR HB 890 DO PASS

"and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ Chairman

Mr. Chairman, Members of the Committee, My name is Willie Goodwin. I presently work for ~~RURAL CAP in Anchorage~~ and am also developing a cooperative management agreement between NANA Regional Corporation, the Alaska Department of Fish and Game, and various agencies within the U.S. Department of Interior. The Agreement would affect all the lands within the NANA boundaries, which is approximately 23.5 million acres.

For background information, it has always been the intent of the people of NANA, that if agreement could be reached by all the parties concerned the lands should be managed cooperatively. They realize that if each land owner went and "did their own thing" without consultation of the adjoining landowners, impacts that would have detrimental effects could happen to people that use the lands, resources on the lands, and habitat that is important to the resources and people. Without proper management of the habitat, the resources that the people depend on could begin to deplete. At the same token the people know that the lands that have been selected under Public Law 92-203 are insufficient for their survival.

Although the statutes authorizes the commissioner to enter into agreements; this act would ~~make it~~ clearly authorize him to do so with a village or municipality or a private person. It would be much easier for a private person to enter into an agreement with the state knowing that the commissioner has clear authority.

I believe also that this bill would strengthen the Governor's <sup>ESMAN</sup> ~~COMMON~~ concept and also fall in the concepts the Federal State Land Use Planning Commission has studied in the Mt. McKinley Cooperative Planning and Management Area.

*endorsement by FSLUPC*

*Willie Goodwin*

*279-2441*

*Baranof*

# TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.  
PHONE: 588-6440  
# JUNEAU, ALASKA 99801

02054 ANCHORAGE AK 34 04-14 135P AST

PMS NELS ANDERSON CHAIRMAN HOUSE RESOURCE COMMITTEE 4653781

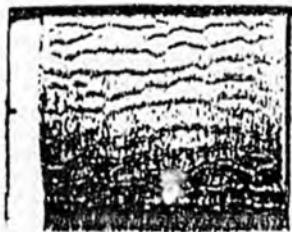
POUCH V **2590**

JUNEAU AK 99811

CALISTA CORPORATION AFTER REVIEWING HB890 IS SUPPORTIVE OF  
ITS INTENT GIVING STATE OF ALASKA EXPLICIT AUTHORITY TO  
GO INTO COOPERATIVE RESOURCE MANAGEMENT OR DEVELOPMENT OF  
AGGREEMENTS OF BOTH RENEWABLE AND NON-RENEWABLE RESOURCES  
IS COMMENDABLE

RAYMOND C CHRISTSEN CHAIRMAN OF BOARD CALISTA CORP

1978 APR 14 PM 4 11



# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

JAY S. HAMMOND, GOVERNOR

DIVISION OF PARKS

323 E. 4TH AVENUE - ANCHORAGE 99501

April 15, 1976

Honorable Nels Anderson, Chairman  
Resources Committee  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99801


Dear Nels:

Guy Van Doren has asked me to comment on HB 890, "An Act relating to cooperative resource management or development agreements; and providing for an effective date." Although the bill has not undergone thorough legal review by the Department, I can comment on its usefulness in park management.

I concur with the basic intent of the bill and with its specific guidelines with one exception. The exception is in Sec. 2 (b) on Page 1. I believe that an annual summary to the legislature would be an unnecessary addition of workload with no substantial benefits.

I believe that the Directors of the Divisions of Lands and Parks presently have the power to enter into agreements of this type. Perhaps a resolution of the legislature emphasizing the issue would be more appropriate. Thank you for the opportunity to comment on this bill.

Sincerely,



Russell W. Cahill  
Director

CC: Commissioner Martin  
Mike Smith

**ESCA·TECH** CORP.  
EARTH SCIENCE CONSULTING AND TECHNOLOGY

April 14, 1976

The Honorable Nels Anderson, Chairman  
House Resource Committee  
House of Representatives  
Pouch V  
Juneau, Alaska 99811

RE: H. B. 890

Dear Honorable Anderson:

Reference is made to H. B. 890, a proposed legislation relating to cooperative resource management or development agreements; and providing for an effective date.

Our office has reviewed H. B. 890 and as a result has one concern. That is, we feel that, in order to insure that public interest is protected, we suggest that the word "that" be substituted for the present word "whether" on line 21 of Sec. 38.05-025.

Other than this one expressed concern we are supportive of the intent of H. B. 890. If this bill is passed, it will give explicit authority, rather than implied authority, to the State of Alaska to go into cooperative resource management or development agreements with the federal government and/or private corporations. This is a very wise move and your committee should be commended for its ability to look at both short and long range utilization of Alaska resources, both renewable and non renewable.

Sincerely,



Nelson Angapak

/pw

Ref/76-164

Federal-State  
Land Use Planning Commission  
For Alaska

733 W. FOURTH AVENUE, SUITE 400  
ANCHORAGE, ALASKA 99501

April 15, 1976

Honorable Nels A. Anderson, Jr.  
Chairman  
House Resource Committee  
State of Alaska  
Pouch V  
Juneau, Alaska 99811

Dear Chairman Anderson:

We understand that the House Resource Committee will be holding a hearing tomorrow on HB 890, "An Act relating to cooperative resource management development agreements; and providing for an effective date."

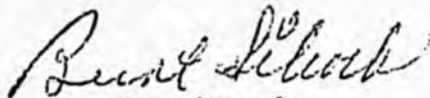
Without regard to the technical aspects of this bill or the question which has been raised about the existing authority of certain State officials to consummate cooperative agreements, we are writing to communicate our belief that appropriate State officials should be vested with the authority to enter into cooperative management agreements with adjoining landowners and other parties. The land ownership pattern in Alaska is growing ever more complex as a consequence of the implementation of the Alaska Statehood Act and the Alaska Native Claims Settlement Act. Lands owned by the Federal government, the State, Native corporations, and other parties lie adjacent to each other in tracts the boundaries of which do not necessarily take cognizance of the biotic and other resources found on such lands. This intermixture of land ownership and the somewhat arbitrary location of certain boundaries often jeopardize prudent land management and use.

Given this situation, we believe that adjacent landowners including the custodians of the State public domain and the resources found there, must have the authority to enter into cooperative resource management agreements. Such authority would facilitate the coordinated and consistent management of fish and game which know no man-made boundaries. In addition, the authority to enter into cooperative management agreements would help facilitate the efficient management and use of renewable and nonrenewable resources located on adjoining lands. Through such agreements, fragmented decisionmaking, with all of the deleterious consequences

resulting therefrom, could be avoided. As a result, each of the parties to an agreement would be benefited, and the resource would be managed more rationally.

Thank you for this opportunity to comment on HB 890. If we can be of any subsequent assistance in your evaluation of this legislation, please let us know.

Sincerely,



Burton W. Silcock  
Federal Co-Chairman

Sincerely,



Walter B. Parker  
State Co-Chairman

cc: Senator Kay Poland

Original Sponsor: Resources Committee

Offered: 4/22/76  
Referred: Judiciary

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 890

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to cooperative resource management or  
7 development agreements; and providing for an effective  
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. INTENT. The legislature recognizes the changing resource  
11 ownership patterns and increasing complexity of natural resource management  
12 and development in the state and the reality that use and enjoyment of land  
13 and resources by one possessor or owner may significantly affect rights of  
14 other adjacent or remote possessors or owners. It is the intent of this Act  
15 to clearly authorize the state to enter into cooperative resource management  
16 or development agreements when in the state and public interest, and under  
17 specific guidelines designed to protect the public and state interest.

18 \* Sec. 2. AS 38.05 is amended by adding a new section to read:

19 Sec. 38.05 025. COOPERATIVE RESOURCE MANAGEMENT OR DEVELOPMENT  
20 AGREEMENTS. (a) Consistent with his authority under law, the com-  
21 missioner, after determining that the agreement is in the best interests  
22 of the public and the state, may enter into cooperative resource manage-  
23 ment or development agreements with the federal government, a state  
24 agency, a village or municipality, or a person as defined in AS 01.10.-  
25 060(7). Specific guidelines to protect the state and public interest  
26 shall be established, if necessary, by the commissioner before entering  
27 into an agreement under this section.

28 (b) A summary of agreements entered into under this section shall  
29 be submitted to the legislature within 30 days of the beginning of each



Willie Goodwin HB890

Working on Co-op Management agreement  
with Fed

Dept of F+G. 38.05.025

Expanding authority of Commissioner ? Sect. 3

(c) shall to "May"