

HB

68

1-19-77

BALD EAGLE
PARK

HB 68

Haines residents
very opposed

NO ACTION

per Mike Miller



University of Alaska
Statewide System of Higher Education
Fairbanks, Alaska 99701

March 11, 1977

The Honorable Alvin Osterback
Chairman, House Judiciary Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Alvin: *al*

Attached is the University of Alaska's position on House Bill 68.

If you should desire a representative of the University to appear before your Committee regarding HB 68, please let me know.

Sincerely,

Charles O. Ferguson
President

COF/djh
Attachment

Position Paper on HB 68
March 11, 1977

HOUSE BILL 68
"An Act Creating the Bald Eagle Council Grounds State Park"

The University of Alaska would like to draw your attention to a conflict of State interest in the land involved with the proposed bill.

On January 24, 1956 as recorded in the Clear List #7, and on May 14, 1957 contained in Clear List #8, 846.30 acres of this proposed park were designated Trust Lands to be held for income production to support higher education in the then Territory, now State of Alaska. We believe that the courts have been clear that any use of trust land must be accompanied by appropriate payment into the Permanent Fund for such use. At the time the same area was declared critical habitat, we drew the same information to the attention of the committee. Further check will reveal a similar situation is in existence in the same area with Mental Health lands. Both of these land situations predate statehood.

The University of Alaska hereby requests that this bill be held in committee until such time that the defects in handling of the Trust Status of the lands can be properly spoken to. Further, the closing of this area to miners/entry is noted and we would draw the committee's attention to the long-term State lease for iron ore held by U.S. Steel within one mile and three-quarters of the proposed boundary of the area. The University requests consideration on this matter to resolve anticipated administrative or legal problems prior to action, hoping to avoid creating, through premature action, a situation requiring extensive after-the-fact negotiation, litigation, added legislative action, etc. We recommend that further consideration of the details of the bill be made.