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Alaska State Legislature  
Senate

Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

FOR YOUR IMMEDIATE ATTENTION

DATE: 5-8-90

TO SENATE COMMITTEE: Finance

FROM: Office of the Senate Secretary

The Senate President has added/changed the referral(s) on the following bill(s):

HB 332 —

to Resources

Please give the bill file(s) and the signed letter (this note) to the page delivering this message.

Thank you for your prompt attention.

SIGNATURE OF PERSON RECEIVING THIS NOTE

JR/s

# Calista Corporation

APR 17 1990

301 W. 5th Avenue, Suite 200, Anchorage, Alaska 99501-2225 • (907) 279-5516 • FACSIMILE (907) 272-5060

April 13, 1990

Senator Rick Uehling  
Room 516, Capitol  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Uehling:

This letter is a follow-up to my April 11 letter regarding the Goodnews Bay Critical Habitat designation (SB 318). I thought a recap of Calista Corporation's position with respect to SB 318 may be helpful to you.

SB 318 prohibits mining on state-owned tide and submerged lands within the bay. Whether it is intentional or not, it will also restrict almost every other activity in the bay and significantly impact upland activities as well.

The following is a summary of the major areas of Calista's concern regarding SB 318:

1. The bill sets a dangerous precedent for state recognition of Applications for Offshore Prospecting Permits (AOPP's) as a property interest.
2. This bill is using Alaska's Critical Habitat program merely as a tool to stop mining and thus erodes the credibility of the overall Critical Habitat program.
3. We hope to avoid making a bad law worse. The possibility of having ADF&G become lead regulatory agency on upland mineral development activities as a spin-off, or side-effect, of this bill will be a major blow to the best on-shore prospect for platinum group metals discovery in North America.
4. The additional encumbrance on upland exploration and mining activities will have an impact statewide due to its negative implications on potential future distributions pursuant to ANCSA §7(i) and 7(j).
5. This bill will have negative impacts on future local and regional economic opportunities and will thus contribute to the continual dependence this region has on state and federal transfer payments.
6. Barging and shipping access to these communities must be protected.

In order to protect onshore mineral development and community growth opportunities, at a minimum, SB 318 must be amended to include the following:

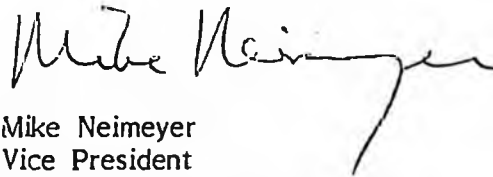
- A. The Commissioner shall permit barge and ship traffic within the Goodnews Bay Critical Habitat Area, and
- B. The Commissioner shall consider onshore mining activities to be compatible with the Goodnews Bay Critical Habitat Area.

April 13, 1990  
Page 2

If these activities are not protected, I would urge you to vote against passage of SB 318. I would be happy to answer any questions you may have or provide you with any additional information you may require about this matter.

Sincerely,

CALISTA CORPORATION

A handwritten signature in cursive script that reads "Mike Neimeyer". The signature is written in dark ink and is positioned above the typed name and title.

Mike Neimeyer  
Vice President  
Land & Natural Resources

MN:sib

H/B 332

Organized Village of Kwethluk  
Kwethluk IRA Council  
P. O. Box 84  
Kwethluk, Alaska 99621-0084  
(907) 757-6714

FEB 16 1990

Resolution 90-02-02 - In Support of Senate Bill 318 and House Bill 332 Relating to Goodnews Bay Critical Habitat Area

WHEREAS, The Kwethluk IRA Council has a major concern about the subsistence of the Yup'ik People of the Yukon/Kuskokwim Delta Area, including the Goodnews Bay Area; and

WHEREAS, The Kwethluk IRA Council has an understanding that certain bills have been introduced to both the Senate and House of Representatives in the Alaska State Legislature for the establishment of the Goodnews Bay Area making it "A Critical Habitat Area"; and

WHEREAS, The Kwethluk IRA Council supports the passage of these two certain bills addressing the immediate concerns of the Goodnews Bay and Platinum villages including but not limited to the Yukon/Kuskokwim Delta Area; and

WHEREAS, The Kwethluk IRA Council feels the establishment to protect and maintain fish and wildlife habitat and populations and aquatic plant resources, especially eelgrass beds, and to ensure the continued productivity of the area's fisheries and fish and wildlife harvests are more important than any attempts by the state and the mining companies to come into pristine environment for purposes of offshore dredging; and

THEREFORE BE IT RESOLVED, That the Alaska State Legislature pass and approve the passage of these two bills so the Goodnews Bay Critical Habitat Area would be established furthering the protection of the Goodnews Bay Area.

BE IT FURTHER RESOLVED THAT, The copies of this resolution be forwarded to the villages of Goodnews Bay and Platinum, Senator John Binkley, Representative Lyman Hoffman, appropriate Senate and House committees, and the Governor of the State of Alaska.

ATTEST: Magdalena E. McDalton Magdalena McDalton, Secretary/Treasurer  
Joseph Guy Joseph Guy, IRA Council President  
Max Angellan Max Angellan, Tribal Administrator  
Moses Nicolai Moses Nicolai, Vice-Chairman

APR 9 1990

## Calista Corporation


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(907) 279-5516, FAX (907) 272-5060

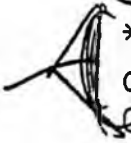

Bettye Fahrenkamp  
Chairman - Senate Resources  
RM. 125 Capitol  
P.O. Box V  
Juneau, Alaska 99811


4/6/90

Chairman Fahrenkamp:

We strongly recommend that the Senate version of the Act Establishing the Goodnews Bay Critical Habitat Area contain language that protects the on shore or upland activities essential to the economic health of the region. We ask that the Senate version contain the following language:

 \* The commissioner shall permit the construction, maintenance, and reasonable use of docking facilities within the Goodnews Bay Critical Habitat Area.

 \* The commissioner shall consider on-shore development resulting from on-shore mining activities to be compatible with the Goodnews Bay Critical Habitat Area. 

 \* The commissioner shall permit barge and ship traffic within the Goodnews Bay Critical Habitat Area.

Thank you for your consideration.

Sincerely,



Bruce Hickok  
Sub-surface Resource Manager

