SB

396

SFIN

FILE

SB 396

was referred to the Senate Finance Committee

No hearing was held on this bill

A hearing was scheduled but the Bill was not heard

ALASKA STATE LEGISLATURE

SENATE COMMITTEE ON COMMUNITY & REGIONAL AFFAIRS

Senator Bert K. Stedman, Chair

Official Business

Senator Tom Wagoner, Vice-Chair
Senator Kim Elton
Senator Georgianna Lincoln
Senator Gary Stevens

State Capitol, Room 30
Juneau, AK 99801-1182
Phone: (907) 465-4989
Fax: (907) 465-3922

MEMORANDUM

DATE: May 6, 2004

TO: Senator Lyda Green, Co-Chair
Senator Gary Wilken, Co-Chair
Senate Finance Committee

FROM: Senator Bert K. Stedman

SUBJECT: Finance Hearing SB 396

The Senate Community & Regional Affairs Committee introduced SB 396 at the request of Representative Carl Morgan who introduced a similar bill in the House (HB 562) last week.

Our committee held two hearings on SB 396 this week and passed out a committee substitute CS SB396 (CRA) this morning. Several issues were raised during testimony that the members felt would be best addressed in Senate Finance:

1) Does the language as currently drafted, make it clear that the State of Alaska will have no legal, moral or other obligation to cover revenue bonds issued by the Interior Rivers Port Authority should they default on those bonds?

2) The current Fiscal Note is indeterminate. How will operating costs incurred during the start-up of this Authority, impact the State's general fund.

3) Is the authority granted in Sec 30.21.220 (page 11, line 21) – which authorizes bonds up to $25 million without the prior approval of the legislature – appropriate?

I would hope that these issues could be examined in greater detail in your committee. Thank you for your attention to this request.

ALASKA STATE LEGISLATURE

SENATE COMMITTEE ON COMMUNITY & REGIONAL AFFAIRS

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SB 369
Interior Rivers Port Authority

The Interior Rivers region of Alaska is one of the more economically depressed areas of our state, yet it is a region that also has tremendous potential. What has been missing is the regional transportation and energy infrastructure that would lead to self-sufficiency. Currently the region cannot carry the financial burden of establishing a municipal government. A regional port authority can provide the regional focus and development authority that local government normally provides, until the region is prosperous enough to justify formation of a sustainable local government structure.

The region contains mineral deposits that could provide local employment opportunities, similar to the Red Dog Mine, if sufficient transportation and energy infrastructure can be provided through tax-exempt bonding. The area could also benefit from the leverage of regional bulk fuel purchase agreements, electrical interties, and in the long term, providing gas to the region through a spur line or barge system to deliver North Slope gas from an Alaskan gas pipeline.

The region also contains opportunities for developing river tourism experiences that could stimulate local employment and revenues. Development of tourism facilities and experiences along with coordinated marketing programs are necessary for this opportunity to be realized.

Regional landfill solutions can also provide cost efficient solutions to solid waste management and help resolve health issues associated with uncovered landfills.

The Interior Rivers Port Authority is structured to provide representation from the major land owning and economic development organizations in the region. The authority has the power to accept private, municipal, state and federal funds, to issue tax-exempt revenue bonds, to enter into land leases and acquisitions, and to contract for the provision of management services for authority facilities and operations.

The Interior Rivers Port Authority empowers the local people to determine their own development strategy and gives them the tools to implement it. Funding organizations will be more likely to provide funding because they will be able to see a coordinated program that has a strong likelihood of success with a minimum of duplication of services. They will view their contributions in the authority as investments in the self-sufficiency of the region.

Private sector business will also want to invest in the region because the authority will provide a source of stability and access to tax exempt bonding for necessary infrastructure.

INTERIOR RIVERS PORT AUTHORITY

COMMUNITY POPULATIONS

Yukon River Communities	Population	Kuskokwim River Communities	Population
Marshall	368	Upper Kalskag	231
Russian Mission	310	Aniak	551
Holy Cross	209	Cuathbaluk	102
Anvik	108	Crooked Creek	146
Grayling	166	Georgetown	3
Shageluk	146	Red Devel	41
Kaltag	229	Sleetmute	72
Nulato	342	Stony River	49
Koyukuk	111	Takotna	63
Galena	763	McGrath	415
Ruby	169	TOTAL	1673
Tanana	290		
Maley Hot Springs	73		
Rampart	21		
Nenana	519		
TOTAL	3824		
TOTAL AREA POPULATION	**5497**		

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

FORT YUKON
YUKON CROSSING PORT
DALTON HIGHWAY
TANANA
GALENA
RUBY
FAIRBANKS
TANANA RIVER
ST MICHAEL
POORMAN
KUSKOKWIM RIVER
ALASKA RAILROAD
PARKS HIGHWAY
McGRATH
STERLING LANDING
IDITAROD
FLAT
WILLOW CREEK
CROOKED CREEK
DOHLIN
RUSSIAN MISSI
KALSK
BETHEL
NOTE: SHADED AREA IN PORT AUTHORITY
ANCHORAGE
SEWARD
INTERIOR RIVERS PORT AUTHORITY
SCALE (MILES)
0
50
100
150
200

Yukon Fuel Company

Locations:

- Aniak
- Bethel
- Ft. Yukon
- Galena
- Iliamna
- Kenai
- McGrath
- Nenana
- St. Mary's
- St. Michael
- Yutana Services

Representative Carl Morgan
State Capitol Building rm 408
Juneau, AK 99801-1182

May 5, 2004

Re: Proposed Interior Rivers Port Authority

Representative Morgan,

Yukon Fuel Company provides water transportation services to all areas in the proposed Interior Rivers Port Authority. As a carrier we are faced with uncharted waters, absolutely no aids to navigation, undeveloped landing sites, lack of shore-based infrastructure, and often multiple fuel offload locations. Any concerted effort to improve ports on the Yukon and Kuskokwim rivers has our enthusiastic support.

It is a common theme in rural communities that basic services are expensive. Transportation infrastructure development can help. Any improvement that creates better efficiencies for transporters results in lower costs. Development of facilities also provides a safer place for fuel and freight transfers.

There are many other potential benefits of developed ports and landings to be considered. Such as scheduled transport services, extension of the Alaska Marine Highway, and a way to better serve small subsistence and commercial marine traffic. And of course any large scale resource development projects must be supported with adequate facilities.

Yukon Fuel Company looks forward to assisting in the development of Interior River Ports.

Sincerely,

Mark Smith
President

Arctic Pacific Enterprises, LLC
2702 Gambell Street, Suite ')1
P.O. Box 242912
Anchorage, Alaska 99524-2912
Telephone: (907) 646-8809
Facsimile: (907) 277-6443

May 3, 2004

The Honorable Carl Morgan
Alaska State Representative
State Capitol Room 408
Juneau, Alaska 99801-4527

Subject: Support for House Bill Number 562
for an Interior Rivers Port Authority

Dear Representative Morgan:

I wish to express my enthusiastic support of the proposed Interior Rivers Port Authority. I also urge passage of House Bill Number 562 which would establish such a port authority for the Yukon River, Kuskokwim River and several of their tributaries.

I offer my endorsement of this bill based on my many years of experience as a participant in economic and infrastructure development throughout Alaska and especially rural Alaska. My experience includes:

Arctic Pacific Enterprises, LLC: I founded Arctic Pacific in 2000 to develop infrastructure projects in rural Alaska. This includes roads and harbors, health facilities, community centers and other community buildings, bulk fuel storage systems, rural energy facilities, alternative energy systems, water and waste water systems, roads and harbors, among others.

State of Alaska: As the Executive Director for the Division of Energy, State of Alaska, I was responsible for constructing bulk fuel tanks farms, powerhouses and electrical distribution systems, and alternative energy projects, as well as rural energy emergency response and technical assistance. We also worked on utility regionalization, cooperative fuel-buying arrangements, fuel spill prevention and an overall Energy Plan for rural Alaska. During my tenure, I administered a budget totaling $497 million, including three loan programs and the Power Cost Equalization (PCE) program.

Sealaska Corporation: I developed economic and employment programs to enhance benefits for residents in Southeast Alaska, including instituting a regional job bank, establishing stronger relationships between educational and training organizations and the private sector, and worked with non-profit corporations, state agencies and private companies to implement a Statewide Native hire program.

Haida Corporation and City of Hydaburg: During my work for the City of Hydaburg and the Haida Corporation, I developed policies and plans and identified lands for reconveyance under 14C(3) of the Alaska Native Claims Settlement Act and initiated a land exchange with the United States Government. I was instrumental in reorganizing Haida Seafoods, developing a timber operation and establishing Haida Oil Products as a wholly-owned subsidiary of Haida Corporation.

The experience of Arctic Pacific covers virtually all forms of infrastructure required in rural Alaska and is especially strong in construction management and civil and structural engineering. The senior staff employees of Arctic Pacific each have at least 14 years experience in project management in Alaska and the Lower 48 States.

Our expertise begins in the development phase, including the public process, feasibility studies and business planning. This is carried through to project completion including procurement, logistics, construction management and financial reporting. The project development and support experience of our staff includes managing more than $52 million in construction funding with a portfolio of up to 120 active projects on an annual basis at the Division of Energy.

Most of these projects involved a public process. In many instances we made special trips to the community or communities involved to conduct public meetings. Where necessary, we assisted communities in drafting resolutions of support for a project. We went took extra steps to search out all organizations and interest groups that might be affected by the project were included and not overlooked.

As a result, we are well-versed in adhering to a rigorous public process for all projects. This not only includes public notice, public involvement and public comment. It also includes adhering to all permitting requirements and the attendant need for public input. We pride ourselves in taking a pro-active approach to the public process. This is based on our belief that adherence to strong public process guidelines will ultimately result in a better project.

Current and Recent Projects: The following are representative examples of projects underway or under development by Arctic Pacific Enterprises, LLC:

- University of Alaska Anchorage: Arctic Pacific has a current term contract for engineering and architectural services for university projects.
- Marshall: Design and construct a new Community Center including a road to the new subdivision where the center will be located (construction begins spring of 2004).
- Hensel Phelps Construction Co.: Arctic Pacific is a prime contractor to HPC on a U.S. Department of Defense Pentagon renovation project.
- Bureau of Indian Affairs Indian Reservation Roads (IRR) Program: Completed road inventories for Port Graham, Chignik Bay, Chignik Lake, Ivanof Bay and King Salmon tribal governments.

- Chignik Lake: Federal Emergency Management Agency (FEMA) contract for repair of road damaged by high water. Work includes road reconstruction at the barge landing area and the fuel storage pad.
- Consulting work on a proposed road to link the communities of Chignik Lake, Chignik Lagoon and Chignik Bay.
- Road and shallow gas development with Alaska Peninsula Corporation and Becharof Corporation.
- Angoon: Thayer Creek Hydroelectric Project development including penstock and powerline access roads.
- Yakutat: Develop wind power generation project with access roads.
- Clarks Point: Bristol Bay Economic Development Corporation (BBEDC) washeteria application; application process for new health clinic.
- Old Harbor: Complete preliminary design for construction of a new small boat harbor.
- 8A Status For Village Corporations. Bay View Inc. (Ivanof Bay); Pedro Bay Corporation and Chignik Lake: We also are assisting Bay View in developing a protégé relationship with a mentor company.

A strong and determined effort is underway by the State of Alaska and its citizens to produce natural gas from our North Slope oil fields for export to the Lower 48 States and abroad. Making natural gas available to Alaska markets is part of the justification for the State's support of the gas pipeline project.

The gas pipeline project offers a unique opportunity to research and develop plans to provide natural gas along the Yukon and Kuskokwim rivers and their tributaries to promote economic development and enhance the standard of living. This can be a key element to future self-sufficiency of the region encompassed by the proposed Interior Rivers Port Authority and should be a part of the overall port authority mission.

Please call me if you would like to discuss this further. I would be pleased to assist you in making the Interior Rivers Port Authority a reality.

Sincerely,

Percy Frisby
Chief Executive Officer

Calista Corporation
301 Calista Court, Suite A • Anchorage, Alaska 99518-3028 • (907) 279-5516 • Facsimile (907) 272-5060 • Website: www.calistacorp.com

Senator Stedman
Rec on: _____
Read | Copy
SENATOR Office of the President
MILES
IAN
DICK
Note:

May 3, 2004

The Honorable Bert Stedman
Alaska State Legislature
State Capital, Room 30
Juneau, Alaska 99801-1182

Re: Proposed Interior Rivers Port Authority

Dear Senator Stedman:

Calista Corporation favors the development of an Interior Rivers Port Authority within the unorganized borough to facilitate economic development. Specifying such a port authority is the first of its kind in Alaska and we applaud the efforts of the Alaska Legislature to address the economic needs of the Yukon and Kuskowim regions. There is a need to facilitate economic development of our resources, and the Donlin Creek project provides an important impetus to begin the process of sustainable long term development for both river systems. The Donlin Creek project has the potential of transforming the third world conditions of our regions. The project will never happen however, without federal and state support. As you know, Calista Corporation has completed the Donlin Creek Mine Power Supply Feasibility Study which, after more than two years of analysis of all available options, demonstrates that the lowest cost alternative that provides power to Donlin Creek and the villages in the region is for a power plant at Bethel and a transmission line to Donlin Creek. If the proposed bill is approved, the Interior Rivers Port Authority can help finance the infrastructure to make Donlin Creek a reality.

The energy and transportation needs for the Donlin Creek project is massive and will need to include a large part of the Kuskokwim and the Yukon Rivers. The large service area identified in this bill could certainly address both the transportation and energy infrastructure necessary to support the Donlin Creek project and other potential mineralized areas over the long term. We look forward to the formation of the Interior Rivers Port Authority.

Sincerely,

CALISTA CORPORATION

Matthew Nicolai
President/CEO

Subject: **HB 562**
Date: Mon, 3 May 2004 16:05:22 -0700
From: "Michael Scott" <Michael.Scott@NANASERVICES.COM>
To: <Representative_Reggie_Joule@legis.state.ak.us>,
<Representative_Richard_Foster@legis.state.ak.us>,
<Representative_Carl_Moses@legis.state.ak.us>
CC: <Representative_Carl_Morgan@legis.state.ak.us>

Please support passage of HB 562 the Interior Rivers Port Authority bill. If successful, this model could serve as a template for other authorities throughout rural Alaska. As the former regional director for the state Department of Transportation and a municipal manager, HB 562 is a big step forward in bringing financing and decisions to the local level.

Thank you.

Mike Scott

ALASKA RAILROAD CORPORATION

Corporate Address: P.O. Box 107500, Anchorage, Alaska 99510
327 W. Ship Creek Avenue, Anchorage, Alaska 99501

May 1, 2004

Representative Carl Morgan
State Capitol
M/S 3100
Juneau, Alaska
99801-1182

Re: Interior Rivers Port Authority

Honorable Representative Morgan:

The Alaska Railroad Corporation is pleased to support the endeavor of forming an Interior Rivers Port Authority.

This initiative would greatly enhance the interior's opportunity for economic growth by paving the way for infrastructure development. Specifically, it would contribute to the state's overall transportation system and provide an important link, through the City of Nenana, with the Alaska Railroad.

Best regards,

Wendy Lindskoog

Wendy Lindskoog
Director, External Affairs
Alaska Railroad Corporation

Doyon, Limited

1 Doyon Place, Suite 300
Fairbanks, Alaska 99701-2941
(907) 459-2000
info@doyon.com

Sent via fax: (907) 465-2197

April 30, 2004

Representative Carl Morgan
Alaska Legislature
State Capitol, Room 408
Juneau, AK 99801-1182

RE: Possible legislation on Interior Rivers Port Authority

Dear Rep. Morgan:

Thank you once again for the opportunity to review draft legislation that would create an Interior Rivers Port Authority. Additional thanks for the prompt response to my inquiry regarding the relationship this new port authority likely would have with the Alaska Industrial Development and Export Authority. An IRPA could be very beneficial, if not critical, to development projects within the operating area of the authority, and for that reason I support your efforts.

I look forward to further discussion with you and your staff.

Very truly yours,

for Orie Williams
President and CEO

Alaska State Legislature

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Tok, Alaska 99780
Phone: 907-883-2669
Fax: 907-883-2670

Representative Carl M. Morgan, Jr.
District 6

April 28, 2004

Mr. Orie Williams, President and CEO
Doyon, Limited
1 Doyon Place, Suite 300
Fairbanks, AK 99701-2941

Dear ~~Orie~~, Orie

Thanks for your letter regarding the relationship of the Interior Rivers Port Authority (IRPA) and Alaska Industrial Development and Export Authority (AIDEA). We foresee IRPA having a cooperative relationship with AIDEA. The IRPA will provide the focus for involvement of the river communities in regional transportation, energy and water and waste disposal issues. Although, this legislation provides IRPA its own bonding authority we assume major bonding would go through AIDEA. AIDEA is established in the bond market with high bond ratings resulting in lower interest rates. Ron Miller, Executive Director of AIDEA does not see any conflict between the two organizations. He expressed optimism in the synergy that could result between IRPA and AIDEA..

The IRPA's value is in examining the economies of scale for large projects, such as the Donlin Creek Mine, and the benefit to the local people within the region. The IRPA will be the focus for electrical interties, group purchase of fuel, and transportation services which lower the cost of bringing in food and other necessary consumer goods.

The IRPA is a real opportunity to bring the interior rivers region together for the good of the people with an emphasis on economic development and self-sufficiency. The most important thing at this point is to provide employment and training opportunities to local people and to help facilitate the resource development projects that will "lift up" our whole region.

As a state agency, IRPA will be able to facilitate rights of way and permits necessary for these projects and to inform local people of the benefits of resource development projects.

I hope Doyon will support these efforts. I look forward to working together with you on this important legislation.

Sincerely,

Carl M. Morgan, Jr.
Alaska State Representative

Cc: Ron Miller, Executive Director of AIDEA

G Y L
Gana-A'Yoo, Ltd.
3000 A Street, Suite 417, Anchorage, Alaska 99503 • phone: (907) 563-9699 • fax: (907) 563-9899 • www.ganaayoo.com

April 29, 2004

Representative Carl M. Morgan, Jr
State Capitol Building, Suite 408
Juneau, AK 99801-1182

Re: Interior Rivers Port Authority

Dear Representative Morgan,

Gana-A'Yoo, Limited supports an Interior Rivers Port Authority (IRPA). This authority will provide the focus for involvement of the river communities in regional transportation, energy and water and waste disposal issues. It provides a real opportunity to bring the interior rivers region together for the good of the people with an emphasis on economic development and self-sufficiency.

The most important thing at this point is to provide employment and training opportunities to local people and to help facilitate the resource development projects that will "lift up" our whole region.

The IRPA will provide an opportunity for our region to have a voice in directing our own future.

We look forward to working with you on this important piece of legislation.

Sincerely,

Michael Stickman

Michael Stickman
President
Gana-A'Yoo, Limited

City of Nenana
PO Box 70, Nenana, Alaska 99760
907-832-5501, 907-832-5503-fax
http://www.nenana.org

28-Apr-04

Rep. Carl Morgan
State Capitol
M/S 3100
Juneau, Alaska
99801-1182

Re: Interior Rivers Port Authority

Honorable Representative Morgan,

It gives me great pleasure to voice the City of Nenana's support for an Interior Rivers Port Authority.

As Nenana is the primary port for the communities in this area, we have first hand experience with the difficulties in transportation and the needs that exist.

There is a tremendous need to provide a vehicle for these issues to be addressed and the Port Authority concept is an excellent way to accomplish this.

The Interior region of Alaska has been studied many times in the past identifying untapped mineral resources and natural gas resources. Unfortunately there was no appropriate mechanism to organize the affected communities.

It is clear that the region currently does not have the economic infrastructure to operate as an organized governmental area however the Port Authority will allow the communities to be organized as a whole to pursue the establishment and enhancement of the transportation infrastructure.

Formation of the Port Authority will also allow the entity to bond, enter into leases, and apply for state and federal funding and management of facilities and operations. In addition to the added cooperation between entities along the river, the Port Authority would have the ability to coordinate bulk purchases for products and services thereby lowering the overall costs to communities.

Development of energy infrastructure, expanded tourism opportunity, economic development, and the establishment of a regional landfill to address village health concerns can all be a possibility through the Port Authority.

In short, this is the perfect solution to many problems that plague the Interior river communities and would greatly enhance the economic future of the area as well as provide the means to help them coordinate with each other to pursue economic development projects that enable these areas to be more self-sufficient.

Sincerely,
Jason P. Mayrand

Mayor/Port Director
City of Nenana
Nenana Port Authority

Doyon, Limited

1 Doyon Place, Suite 300
Fairbanks, Alaska 99701-2941
(907) 459-2000
info@doyon.com

Sent via fax: (907) 465-2197

April 28, 2004

Representative Carl Morgan
Alaska Legislature
State Capitol, Room 408
Juneau, AK 99801-1182

RE: Possible legislation on Interior Rivers Port Authority

Dear Rep. Morgan

Thank you for the opportunity to review draft legislation that would create an Interior Rivers Port Authority. The purpose for the authority would be to assist in development of mineral deposits and economic opportunities through tax exempt bonding that could be used to help provide needed transportation and energy infrastructure. This goal is a worthy one that I support. I do have one reservation, however. I would like to have a better understanding of what roles and responsibilities this new entity would have in relation to the Alaska Industrial Development and Export Authority. Frankly, I had assumed that most if not all of the functions the new entity were similar to the AIDEA charter. I look forward to further discussion with you and your staff.

Very truly yours,

Orie Williams
President and CEO

The Kuskokwim Corporation

Representative Carl Morgan

RE: Interior Rivers Port Authority

April 26, 2004

To Whom It May Concern:

The Kuskokwim Corporation (TKC) is in support of the Interior Rivers Port Authority researching strategies that would benefit the local people in implementation of local resources. Mainly Yupik Eskimo and Athabascan Indian descendants populate the Kuskokwim River region of Alaska. TKC is the merger of 10 ANCSA village corporations and has over 2,500 shareholders who either live in, or are descendants from, one of the numerous small villages along the Kuskokwim River. TKC owns over 950,000 acres of surface estate lands surrounding the 10 villages including Crooked Creek and surrounding Donlin Creek.

The Interior Rivers Port Authority an option that would provide a structure which could help represent the major land owners and economic development organizations in the region. It not only shows representation by the majority of parties involved, but also shows a commitment to work together to achieve common goals.

The region has little to no economic base, substantially high unemployment and chronically suffers from poverty and marginal education. The cost of electricity, where it is available, is very high and there are minimal to no municipal infrastructures. A number of village residents are without sewer and water, yet it is a region that has great economic development potential. The regional transportation and energy infrastructure would help lead the region to self-sufficiency. The concept of the regional port authority could be the beginning of providing this regional focus.

It is in the best interest of the state to move forward and research establishing a port authority for the Interior Rivers region so long that it protects the regions interest in development for our area.

Sincerely,

Maver E. Carey
TKC President/CEO

Anchorage Office:
4300 B St., Suite 207
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Fax: (907) 675-4276

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 5/2/04

FURTHER: Rules

Date of 5-Day Notice: 24 hr
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 5/6/04

Community and Regional Affairs Committee considered SENATE BILL NO. 396

SB 396 INTERIOR RIVERS PORT AUTHORITY

"An Act relating to the establishment of the Interior Rivers Port Authority; and providing for an effective date."

and recommends:

[X] be replaced with _____ CS SB 396 (CRA)

[ ] adopt previous _____ CS _____ (_____)

[ ] attached amendment(s)

[ ] adopt Letter of Intent by _____ Committee

[ ] further referral to _____ Committee

Senate Bill:
[X] Same Title
[ ] New Title

House Bill:
[ ] Same Title
[ ] Technical Title Change
[ ] New Title w/ SCR #_____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DCED	5/6/04		✓		1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

[ ] APPROPRIATION - no fiscal note

	SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Wagoner	[signature]			✓	
G. Stevens	[signature]			✓	
Stedman	CHAIR: [signature]			✓	