

HB

130

(FILE 2)

HFIN

FILE

Brandon Maitlen

From: Brennans [brennans@gci.net]
Sent: Sunday, March 06, 2005 8:51 PM
To: Rep. Jay Ramras; Rep. Ralph Samuels
Subject: Fw: HB 130; Baranof Warm Springs

Co-chairmen Ramras and Samuels,

On behalf of the Baranof Property Owners Association, thank you for hearing and listening to testimony of those opposed to inclusion of the Warm Springs Bay lagoon and lakefront parcel in the HB 130 conveyance; and thank you for your action in removing it from the bill. In the long run, the unpopularity and associated negative publicity from this conveyance would have outweighed whatever financial benefit the University would have received from this marginally developable property. Your responsiveness to public testimony was in this regard in the best interest of the University itself; was consistent with DNR's prior area plan; and is very much appreciated by the residents of Warm Springs Bay.

Jim Brennan
President, BPOA

3/7/2005

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FAX

ATTN. Representative Jay Ramras

Fax Number 19074652070

Phone Number

FROM Deb Spencer

Fax Number 907-735-2505

Phone Number 907-735-2495

SUBJECT HB 130

Number of Pages 5

Date 3/5/2005

MESSAGE

Dear Members of the House Resources Committee:

We are disappointed with the committee's decision to move the bill out of committee on Friday rather than as announced to be Monday. Pelican residents still wish to submit a petition letter regarding HB 130. We are concerned that the lands in our inlet will not be managed with the same level of balanced consideration and public input that is provided in DNR's Northern Southeast Area Plan.

Please take our concerns into consideration should HB 130 reach the House floor as it appears destined to do. Thank you.

February 14, 2005

Dear Legislators:

We the undersigned, residents of Pelican and Lisianski Inlet, request that you reject HB 130 and SB 96, The University Lands Bill. We urge you to protect the lands slated for transfer in Lisianski Inlet for the following reasons:

- They are highly used for subsistence and recreation purposes. Privatization of these lands designated as "Public Recreation and Tourism -Undeveloped" in DNR's own Northern Southeast Area Plan (NSEAP) would open them for any type of commercial development.
- They are adjacent to Wilderness and Roadless areas and large-scale development would be an inconsistent use. Further, this use would be inconsistent with local planning documents.
- There are no safeguards in the bill that mandate the University manage these lands in a manner that is consistent with community planning and resident's needs. "[Land] shall be managed in a manner that, to the extent practicable, permits reasonable activities of the public that do not interfere with the use or management of the land by the university," is insufficient to protect the public's best interest.
- There is already a process in place whereby the transfer of land to the University may be accomplished that allows for greater public process. Moreover, SB 7 requires the University to establish a management plan and seek public comment before land disposals. This bill seeks to circumvent the public process.
- The University is compelled to manage these parcels for profit only. DNR's management mandate is more encompassing to include recreation, compatibility with adjacent lands, local planning, traditional uses including subsistence, habitat, and development among other needs.
- The Mite Cove parcel is an important anchorage for commercial fishermen and the uplands are a documented deer and bear corridor. The NSEAP recognizes this critical habitat and use and protects this land from private ownership.
- Businesses holding DNR tidelands leases adjacent to these parcels would be displaced by private ownership.
- These parcels were designated as primarily "Public Recreation and Tourism - Undeveloped" in DNR's NSEAP; this calls for land to be remain undeveloped and cannot be sold to individuals. Other uses included water uses and some settlement, but only on the beach fringe. This is a far cry from DNR's own characterization of the bill as "focused primarily on lands that had been designated settlement, general use, or general public recreation in DNR land-use plans." Of note, "general public recreation" does not exist in the NSEAP as a land use designation.

Please carefully consider the negative impacts on the residents of Pelican and Lisianski Inlet of this legislation. We can only extrapolate the deleterious effects statewide of the University Lands Bill.

Thank you for your consideration.
Sincerely,

The Residents of Pelican and Lisianski Inlet

Pelican and Lisianski Inlet Residents Opposed to HB 130/SB 96, University Lands Bill

The undersigned residents offer their concurrence with the letter dated February 14, 2005 regarding transfer of state land the University:

Name	Date	Signature	Mailing Address	Phone	Registered Voter? (Y/N)
Deb Jones	2-13-05	<i>[Signature]</i>	PO Box 619 Pelican	735-2495	Y
Keith Steller	2-13-05	<i>[Signature]</i>	Box 304 Pelican	735-2495	Y
Laticia Stewart	2-14-05	<i>[Signature]</i>	Box 402 Pelican	735-2498	Y
Mary Allard	2/14/05	<i>[Signature]</i>	Box 27 Pelican	735-2631	Y
Harold Allard SR	2-14/05	<i>[Signature]</i>	Box 22 Pelican	735-2631	Y
Gord Jensen	2-14/05	<i>[Signature]</i>	P.O. Box 26 Pelican	-	Y
William C. Stewart	2-14-05	<i>[Signature]</i>	PO Box 703 Pelican	735-2340	
Royce J. Mattison	2-14-05	<i>[Signature]</i>	Box 94 Pelican 99832	735-2303	Y
Eudelia F. Paddock	2-14-05	<i>[Signature]</i>	Box 29 Pelican AK 99832	735-2286	Y
DAVID DUFFEY	2-14-05	<i>[Signature]</i>	Box 23 Pelican AK 99832	735-2286	Y
Mary Strahm	2-14-05	<i>[Signature]</i>	Box 723 Pelican AK 99832	735-2286	Y
William Strahm	2-14-05	<i>[Signature]</i>	Box 723 Pelican AK 99832	735-2286	Y
William H. Paddock	2-14-05	<i>[Signature]</i>	Box 29 Pelican AK 99832	735-2286	Y
Harold R. Allard JR	2-14-05	<i>[Signature]</i>	Box 46 Pelican AK 99832	-	Y
Michael Allard	2-14-05	<i>[Signature]</i>	Box 723 Pelican AK 99832	-	Y
Ken Wolff	2-15-05	<i>[Signature]</i>	Box 94 Pelican AK 99832	735-2303	Y
Beatrice Kimpel	2-15-05	<i>[Signature]</i>	P.O. Box 703 Pelican AK 99832	735-2303	YES
Betty Bean	2-15-05	<i>[Signature]</i>	P.O. Box 743 Pelican AK 99832	735-2269	Yes
Sandra Ramsdell	2-15-05	<i>[Signature]</i>	PO 735 Pelican AK 99832	735-2481	yes
J.E. Schonen	2-15-05	<i>[Signature]</i>	PO Box 739 Pelican AK	735-2248	YES
Paula Burch	2-15-05	<i>[Signature]</i>	PO Box 54 Pelican AK	735-2515	100
SALLY JO BRIDGE	2-15-05	<i>[Signature]</i>	PO BOX 762 PELICAN AK	735-2204	YES
Martha A. Hewlett	2/15/05	<i>[Signature]</i>	PO Box 69 Pelican AK 99832	735-2269	Yes
Allen Stewart	2/16/05	<i>[Signature]</i>	PO Box 606 Pelican AK	735-2213	no
Linda M. Allen	2/16/05	<i>[Signature]</i>	PO Box 775 Pelican AK	735-2267	Yes
Vicki Shuckey	2/17/05	<i>[Signature]</i>	P.O. Box 76 Pelican AK	735-2286	yes
Mick Shockey	2/17/05	<i>[Signature]</i>	P.O. Box 76 Pelican AK	735-2286	yes

Joseph M. Beedle
Vice President for Finance
Phone: (907) 450-8022
Fax: (907) 450-8023
joe.beedle@alaska.edu



208 Butrovich Building
910 Yukon Drive
PO Box 755120
Fairbanks, AK 99775-5120

UNIVERSITY
of ALASKA
Many Traditions One Alaska

Mr. Jerome Selby, Mayor
Kodiak Island Borough
710 Mill Bay Road
Kodiak, Alaska 99615

February 28, 2005

**Re: Proposed University Land Grant
Kodiak Launch Complex**

Dear Mayor Selby:

Thank you for inviting the University of Alaska to meet with the Kodiak Island Borough Assembly on March 3, 2005. Mari Montgomery, Director of Land Management, and I are looking forward to an opportunity to listen to the Assembly's concerns regarding the transfer of the Kodiak Launch Complex (KLC) property, approximately 2,880 acres, to the University of Alaska under proposed House Bill 130 / Senate Bill 96, the state land grant legislation now pending in the State Legislature. In turn, we hope to explain why owning the KLC property is compatible with the University's core mission, reach a mutual understanding of the existing constraints on management of the KLC, and demonstrate the University's commitment to being a good neighbor.

The University of Alaska has been in the aerospace research business since at least 1930, when Veryl Fuller, the only member of the physics department at the Alaska Agricultural College and School of Mines, began to measure the height of the aurora using two specially designed, synchronized cameras. His work was completed by Ervin Bramhall, who published their results in 1937. Nine years later, Congress authorized an appropriation to establish the Geophysical Institute, in part because aurora activity interfered with high frequency military radio reception. Since that time, research interests at the Geophysical Institute have broadened to include space physics; atmospheric sciences; snow, ice, and permafrost; sedimentation and tectonics; seismology; volcanology; and remote sensing. Given Kodiak's location and geologic history, many of these areas of scientific inquiry by the Geophysical Institute appear to have already had direct benefit to the residents of your borough.

The University has operated the Poker Flat Research Range since 1968, it is the only university owned and operated high-latitude, auroral-zone rocket launching facility in the United States. The University's Geophysical Institute has launched over 1,600 meteorological missiles and 299 major, high-altitude sounding rocket experiments by scientists and technicians from a variety of federal agencies and international universities. The Poker Flat Research Range is located

approximately thirty miles northeast of Fairbanks and compares closely to the KLC as to location, size, and distance to communities. The University has land use authorizations relating to its operations with the Bureau of Land Management; the Alaska Division of Mining, Land and Water (DMLW), the U.S. Fish and Wildlife Service; Doyon, Ltd.; and the Traditional Village Councils of Venetie and Arctic Village on a case by case basis to retrieve payloads and debris from their properties.

The area in which the University operates is in close proximity to a very populated area of Alaska and is bisected by the Steese Highway. This is a State of Alaska Department of Transportation (DOT&PF) maintained 162 mile long transportation corridor that serves numerous small communities, mining operations and popular recreation areas. The University's launch facility has co-existed peaceably in this area for more than thirty-five years with neighbors such as residential homeowners, downhill ski slope operators, tourism operators, miners, trappers, hunters, recreational trail users. Other compatible multiple uses in the area include the Fort Knox Gold Mine, Department of Army Seismic Sensing Station, Historical Chatanika Gold Camp, Chatanika Lodge, Upper Chatanika River State Recreation Area, McKay Creek Trailhead and Trail and White Mountains National Recreation Area.

During major launch operations the University is authorized by DOT&PF to close the Steese Highway for periods of no longer than 20 minutes. In addition to brief closures of the highway, during certain launches, the University offers to relocate and pay a per diem to several homeowners in close proximity to the launch facility. Notices of major launch activities are provided to the newspaper, local business owners and residents and posted at popular recreation trailheads. Simply put, the University has extensive experience in balancing the management of a launch facility with popular public use areas.

The Alaska Aerospace Development Corporation (AADC) occupies the KLC under an existing Interagency Land Management Assignment (ILMA) granted by the DMLW in 1994 and revised in 2003. Only the area identified for potential conveyance to the University is the area under the current ILMA. The conveyance would also be subject to Section 5 of the proposed legislation which states:

Sec. 14.40.365...(e) Land conveyed under this section to the Board of Regents in trust for the University of Alaska is subject to any valid possessory interest or other valid existing right, including any lease, license, contract, prospecting site, claim, sale, permit, right-of-way, or easement held by another person on the effective date of this section.

Other existing interests on the Kodiak Launch Complex include powerline easements, a grazing lease, the Loran Station lease, an Omnibus Act road, and material sites. The University regards the ILMA as the functional equivalent of a lease. The conveyance would be subject to all of these interests and easements, ensuring access to public and navigable waters.

The existing ILMA to the AADC includes the following terms and conditions, among others:

- The term is for 30 years, expiring May 17, 2024, and may be cancelled earlier for non-use.
- The ILMA may be renewed under the same terms and conditions as long as the land continues to be used for an orbital launch facility or other aerospace related activity.
- The ILMA assigns to AADC jurisdiction and management of the surface and so much of the subsurface estate as needed under the development plan.
- The Landlord may review "at regular intervals to analyze current and proposed uses as these uses relate to alternative uses for all or part of the land and to determine the uses which best provide for the public interest." (AS 38.04.060(b))
- Public access to state lands, tidelands and waterways shall not be blocked or restricted in any way on state land.
- AADC may restrict public access through the ILMA parcel to protect public safety and the assignee's improvements. (The DMLW currently interprets this to mean "during launches and hazardous operations.")

On January 27, 2004, the AADC requested additional management authority over Ugak Island and the mountaintops around the ILMA during launches and hazardous operations because of national security concerns. The request encompassed an additional 14,048 acres. On November 12, 2004, the Southcentral Regional Manager issued a Draft Decision that 1) proposed adding Ugak Island to the existing ILMA and 2) proposed an alternate procedure for managing public access. Under the Draft Decision, the Southcentral Regional Office of the DMLW will respond in writing to a written request from the AADC to restrict public access to the area outside of the existing ILMA on a case by case basis. While the comment period on the draft decision closed on January 14, 2005, a final decision has not yet been issued by the Regional Manager.

Given the terms of the existing ILMA, the University is constrained from interfering with the AADC's jurisdiction over the KLC. However, it appears that there are several opportunities for synergy between AADC programs and the existing research programs at the Geophysical Institute. These include learning from each other's experiences; testing methods, designs, and procedures; building on the Geophysical Institute's familiarity with commercial applications to expand capacity at the KLC; designing research projects that take advantage of both locations; and using the Kodiak facility for an observation site or a field station for other programs in the earth sciences, global climate change, and space and upper atmospheric sciences. The University fully understands that any of these initiatives will require the concurrence and cooperation of the AADC. In addition, should the AADC cease orbital launch activities for any reason, the University would be well positioned to use the existing facilities for its own research purposes.

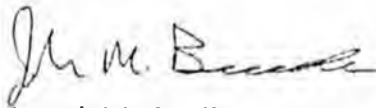
The University is aware of the contention over the existing and proposed activities at the KLC and the concern that University ownership of the KLC would further complicate these issues. We expect to learn more about local concerns at the meeting with the assembly. To demonstrate the University's commitment to being a good neighbor to the residents of the Kodiak Island Borough, should the pending legislation be enacted into law, we propose to provide a deed restriction granting the Kodiak Island Borough a 90-day right of first refusal for the Kodiak

Mr. Jerome Selby
Kodiak Launch Complex
Page 4

Launch Complex. This restriction would be recorded and would ensure the Borough's control over future uses of the property.

I am sending this letter in advance of the March 3rd Assembly Meeting with the hope that it will be included in the assembly packets distributed before the meeting. Please do not hesitate to contact me at the number shown above, or Mari Montgomery at 907-786-7766, should you have any questions. We look forward to a full and productive discussion of these issues next week in the hope of finding grounds for mutual understanding and support.

Sincerely,



Joseph M. Beedle
Vice President for Finance

cc: House Resource Committee
KIB Assembly Members

Attachments:

KLC, Deed Restriction
ILMA ALD# 226285 Information Points
HB 130 Public Notice Amendment
Kodiak Rocket Range Map

**KODIAK ROCKET RANGE
KODIAK ISLAND BOROUGH DEED RESTRICTIONS**

ADD LANGUAGE TO THE "UNIVERSITY OF ALASKA LAND GRANT LIST."

[Insert for quitclaim deed from State of Alaska to the University of Alaska]

SUBJECT TO: ILMA ADL No. 226285 (Alaska Aerospace Development Corporation). Grantee shall not make any material amendments to the ILMA without the written consent of the Kodiak Island Borough, which consent shall not be unreasonably withheld.

Kodiak Island Borough Right of First Refusal. Before any of the above Property may be sold for the first time by the Grantee, the Kodiak Island Borough ("KIB") shall have a right of first refusal to purchase the Property on the terms and conditions set forth below (the "Right of First Refusal").

(a) **Notice of Proposed Transfer.** Grantee shall deliver to KIB a written notice (the "Notice") stating: (i) Grantee's bona fide intention to sell all or a portion of the Property; (ii) the name of the proposed purchaser(s) ("Proposed Purchaser"); (iii) the bona fide purchase price or other consideration for which Grantee proposes to sell all or a portion of the Property (the "Offer Price"); and (iv) the material terms and conditions of the proposed offer (the "Offer Terms"). The Notice shall be deemed Grantee's offer to sell the Property (or the portion of the Property affected by the proposed sale) to KIB at the Offer Price and on the same Offer Terms stated in the Notice.

(b) **Exercise of Right of First Refusal.** At any time within 90 days after receipt of the Notice, KIB may, by giving written notice to Grantee, elect to purchase the Property at the Offer Price and on the same Offer Terms stated in the Notice.

(c) **Termination of Right of First Refusal.** The Right of First Refusal shall terminate as to the Property (or the portion of the Property affected by the proposed sale) 90 days after receipt by KIB of the Notice.

(d) **Assignment of Right of First Refusal.** The Right of First Refusal shall not be assigned.

ILMA: Interagency Land Management Assignment

- Defined as "an agreement between DNR and another state agency that transfers some land management responsibility to the other agency."
- University would accept title subject to the ILMA. UA considers it similar to a lease.

Provisions of 2003 ILMA

- 3,717 acres (Note: when the Loran Station lease terminates (2017 or earlier), that real property (87 acres) also becomes part of the ILMA.)
- Term is 30 years: expires May 17, 2024; may be cancelled earlier for non-use.
- May be renewed under the same terms and conditions as long as the land continues to be used for an orbital launch facility or other aerospace related activity.
- Assigns to AADC jurisdiction and management of the surface and so much of the subsurface estate as needed under the development plan.
- Subject to all valid existing rights, including lease, easements, and reservations of record.
- Landowner may review "at regular intervals to analyze current and proposed uses as these uses relate to alternative uses for all or part of the land and to determine the uses which best provide for the public interest." (AS 38.04.060(b))
- Public access to state lands, tidelands and waterways shall not be blocked or restricted in any way on state land.
- AADC may restrict public access through the ILMA parcel to protect public safety and the assignee's improvements. (DNR interprets this to mean "during launches and hazardous operations." See p. 3 of 11-12-04 Draft Decision)

AADC 2004 Expansion Application of January 27, 2004

- 14,048 acres.
- Area requested is NOT part of the original ILMA or the parcel currently proposed for conveyance to UA; (however, under DNR's Draft Decision, Ugak Island is proposed for addition to the ILMA, and DNR may intend for UA to include it in the Land Grant)
- AADC requested additional management authority over Ugak Island and mountaintops around the ILMA during launches and hazardous operations because of national security concerns.

DNR Draft Decision of November 15, 2004

- Opportunity for public comment ended January 14, 2005.
- Public Comments received:
 - Questioned the need for additional buffer.
 - Application not in compliance with NEPA and Land Management Requirements
 - Difficulty in predicting closure schedules: dates, length affect
 - Access to public land
 - Negative impact on recreation (hunting, fishing, hiking)
 - Negative impact on tourism
 - Believed part of a comprehensive land grab to convert Narrow Cape Area to a "launch-related exclusion zone"
 - Commercial Launch Complex has morphed into a strictly Military operation
- DNR is now considering comments received and preparing its final decision.

University Lands
HB 130
UA Public Notice Section 6 Amendment – March 3, 2005

Subsection (b) – Public Notice

In HB-130 the University proposed to amend subsection (b) of the existing AS 14.40.366 (2000 Senate Bill 7) to read as follows:

- (b) The University of Alaska shall give public notice of sales, leases, exchanges and transfers of lands conveyed to Board of Regents in trust for the University of Alaska under AS 14.40.365.

Based on public testimony the university proposes to amend subsection (b) to read as follows:

(b)(1) On lands conveyed to the Board of Regents in trust for the University of Alaska under AS14.40.365

(A) the university shall seek public comment on proposals for land development, exchange, or sale;

(B) the Board of Regents shall adopt policies that require the preparation of land development plans and land disposal plans;

(C) the Board of Regents shall adopt policies requiring public notice of not less than 30 days prior to approval of land development plans and land disposal plans including

(i) notice of the proposed action to local legislators, municipalities and legislative information offices in the vicinity of the action and at other locations as the university may designate;

(ii) legal notice to be published in newspapers of general circulation in the vicinity of the proposed action at least once a week for two consecutive weeks; and

(iii) notice of the proposed action being published on state and university public notice websites.

(b)(2) As used in this section "development, exchange, or sale" does not include easements, rights of way or development of campus facilities.

Joseph M. Beedle
Vice President for Finance
Phone: (907) 450-8022
Fax: (907) 450-8023
joc.beedle@alaska.edu



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910 Yukon Drive
PO Box 755120
Fairbanks, AK 99775-5120

UNIVERSITY
of ALASKA

Many Traditions One Alaska

Mr. John Burke, General Manager
Southern Southeast Regional Aquaculture Association, Inc.
14 Borch Street
Ketchikan, AK 99901

February 28, 2005

**Re: Proposed University Land Grant
Neets Creek Parcel**

Dear Mr. Burke:

During the legislative public hearing process on HB130, your organization sought assurances from the University of Alaska (UA) regarding SSRAA's continued uninterrupted use of Neets Creek lease area for a hatchery and cost recovery operation after title is transferred from the State of Alaska to UA. This letter addresses certain assurances that UA will agree to should a land grant bill be passed including the Neets Creek parcel (KT.1004).

Our first assurance is that UA will work with SSRAA and the Department of Natural Resources (DNR) to secure a formal lease agreement prior to the transfer of property to UA. Based on information that we have received from the DNR, Lease ADL No. 226285 is near completion and major negotiating points have been reached.

We have also agreed to provide a deed restriction that will provide for a right of first refusal for SSRAA to purchase the leased property. The deed restriction includes a provision restricting UA from developing or utilizing the leased property in any manner that negatively affects the use or occupancy of the property by SSRAA so long as the lessee lawfully occupies the property, retains its non-profit status and maintains significant hatchery and recovery operations at Neets Creek, without the written consent of SSRAA.

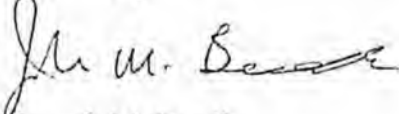
Attached please find draft deed restriction language that would be included in the transfer deed. UA is also proposing an amendment to HB130 (see attached), in section 6, subsection (b) that improves the public notice process and is intended to provide more engagement opportunity for affected land owners and the general public.

Mr. John Burke
Neets Creek Parcel
Page 2

We are confident that UA will be a good lessor and neighbor to SSRAA and look forward to more detailed interactions should this bill become law and should the Neets Creek parcel be transferred to UA.

Thank you for your communication efforts and courtesies extended to UA management as we work through this process.

Sincerely,



Joseph M. Beedle
Vice President for Finance

cc: House Resource Committee
DNR
Representative Jim Elkins

Attachments:
Deed Restrictions – Neets Creek
Public Notice Amendment

**NEETS CREEK
SOUTHERN SOUTHEAST REGIONAL AQUACULTURE ASSOCIATION, INC.
DEED RESTRICTIONS**

ADD LANGUAGE TO THE "UNIVERSITY OF ALASKA LAND GRANT LIST."

[Insert for quitclaim deed from State of Alaska to the University of Alaska]

SUBJECT TO: Lease ADL. No. 226285 (Southern Southeast Regional Aquaculture Association, Inc.). Grantee shall not develop or utilize the above Property in any manner which negatively affects the use or occupancy of the Property by the Lessee so long as lessee lawfully occupies the Property, retains its non-profit status and maintains significant hatchery and recovery operations at Neets Creek/Bay, without the written consent of the Lessee, which consent shall not be unreasonably withheld.

Lessee's Right of First Refusal. Before any of the above Property may be sold for the first time by the Grantee, the Lessee shall have a right of first refusal to purchase the Property on the terms and conditions set forth below (the "Right of First Refusal").

(a) **Notice of Proposed Transfer.** Grantee shall deliver to Lessee a written notice (the "Notice") stating: (i) Grantee's bona fide intention to sell all or a portion of the Property; (ii) the name of the proposed purchaser(s) ("Proposed Purchaser"); (iii) the bona fide purchase price or other consideration for which Grantee proposes to sell all or a portion of the Property (the "Offer Price"); and (iv) the material terms and conditions of the proposed offer (the "Offer Terms"). The Notice shall be deemed Grantee's offer to sell the Property (or the portion of the Property affected by the proposed sale) to Lessee at the Offer Price and on the same Offer Terms stated in the Notice.

(b) **Exercise of Right of First Refusal.** At any time within 90 days after receipt of the Notice, Lessee may, by giving written notice to Grantee, elect to purchase the Property at the Offer Price and on the same Offer Terms stated in the Notice.

(c) **Termination of Right of First Refusal.** The Right of First Refusal shall terminate as to the Property (or the portion of the Property affected by the proposed sale) 90 days after receipt by Lessee of the Notice.

(d) **Assignment of Right of First Refusal.** The Right of First Refusal shall not be assigned.

University Lands
HB 130
UA Public Notice Section 6 Amendment – March 3, 2005

Subsection (b) – Public Notice

In HB-130 the University proposed to amend subsection (b) of the existing AS 14.40.366 (2000 Senate Bill 7) to read as follows:

- (b) The University of Alaska shall give public notice of sales, leases, exchanges and transfers of lands conveyed to Board of Regents in trust for the University of Alaska under AS 14.40.365.

Based on public testimony the university proposes to amend subsection (b) to read as follows:

(b)(1) On lands conveyed to the Board of Regents in trust for the University of Alaska under AS14.40.365

(A) the university shall seek public comment on proposals for land development, exchange, or sale;

(B) the Board of Regents shall adopt policies that require the preparation of land development plans and land disposal plans;

(C) the Board of Regents shall adopt policies requiring public notice of not less than 30 days prior to approval of land development plans and land disposal plans including

(i) notice of the proposed action to local legislators, municipalities and legislative information offices in the vicinity of the action and at other locations as the university may designate;

(ii) legal notice to be published in newspapers of general circulation in the vicinity of the proposed action at least once a week for two consecutive weeks; and

(iii) notice of the proposed action being published on state and university public notice websites.

(b)(2) As used in this section “development, exchange, or sale” does not include easements, rights of way or development of campus facilities.

Douglas Owen

From: jbryner [jbryner@matnet.com]
Sent: Wednesday, February 09, 2005 1:47 PM
To: Rep. Jay Ramras
Subject: HB 130
Attachments: haessler-norris trail system.pdf; haessler-norris doc.pdf

Dear Representative Ramras,

I had sent you a cc of the following letter to Representative Neuman, but I put in the wrong email address for you, and the mail bounced back today. Please take note of our concerns. Thank you.

Sincerely,

Joan Bryner

Dear Representative Neuman,

We would like herewith to voice our opposition to HB 130. In general, we believe it is not a good idea to attempt to finance the University through land sale. We would prefer a direct financing through the legislative budget. The University should receive the funds that it needs in the present, not funds based on some possible future sale of land.

Having voiced the above opposition, we would like to bring your attention specifically to the parcels located in the area of Willow. It seems to us that the choice of parcels may have been made from a desk in Juneau and not from viewing the land *in situ*. Much, if not most, of this area is comprised of wetlands. It would be very costly to develop such lands and would require significant investment; thus, it would not really be beneficial to the University.

However, our immediate concern has to do with a trail system historically developed and at present frequently used in the Frying Pan Lake and Deception Creek areas. The Haessler-Norris Trail System is documented in the Mat-Su Borough archives. We are enclosing via attachment a map and description of this trail system. Some of these trails have been in use for decades. Today these trails are regularly used by mushers training for the Iditarod and the Fur Rondy races. Private ownership of these parcels could completely wipe out the trail system should an owner deny access over these lands.

Therefore, we strongly propose to you to amend the bill so as to exclude the Willow area parcels. It would indeed be extremely regrettable if the Haessler-Norris Trail System were to be jeopardized by this bill.

I would like this letter to be put into the public record.

Sincerely,

Joan and Bruno Bryner
P.O. Box 247
Willow, Ak 99688

Tel. 907 495 6253

2/9/2005

Douglas Owen

From: Ronald Dick [redick@gci.net]
Sent: Wednesday, February 09, 2005 2:07 PM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Galto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep.Mary.Kapsnen@legis.state.ak.us
Subject: Land transfer

I am a resident of Sunnyside, AK (jwest of Pelican) in Lisianski Inlet. I am opposed to the transfer of land at Mte cove in Lisianski Inlet. This is an important heavy weather anchorage and over night spot for the commercial fishing fleet, it is a very important subsistence site for the Native community and the other rural residents of the area, and any development would be inconsistent with the upland use of wilderness. Thank you for considering my input

Ronald E. Dick

FEB 11 2005



14 Borch Street

Ketchikan,
Ak 99901

Phone:
(907) 225-9605

FAX:
(907) 225-1348

Southern Southeast Regional Aquaculture Association, Inc.

8 February 2005

Chairman Jay Ramras
Chairman Ralph Samuals
House Resources Committee
State Capitol Building
Juneau, AK

Dear Representative Ramras and Representative Samuels:

This letter is written to inform you that Southern Southeast Regional Aquaculture Association (SSRAA) strongly opposes the inclusion of the Neets Creek Parcel, which is the Neets Bay Hatchery site and its associated watershed, in those lands proposed to be transferred from the State to the University of Alaska. We ask you not to transfer this parcel to the University of Alaska; that it remain as State lands.

The reasons for our opposition to the land transfer are summarized below:

1. The Neets Creek land parcel is almost exactly the small watershed that is the sole source of water for Neets Bay Hatchery and the hatchery site, which lies in the lower end of the parcel at saltwater.
2. The Neets Bay Hatchery site is one of the few true production hatchery sites in Alaska that can sustain both large-scale production as well as cost recovery in a Special Harvest Area.
3. The single over-riding goal in the administration of university land is to generate revenue for the university.
4. University land administrators pursue two courses in meeting their goal: if the land is appreciating in value or provides significant revenue through use it is held; if the land is not appreciating in value or does not otherwise provide funds through use it is sold to generate revenue.
5. SSRAA is a non profit corporation. Regional commercial salmon fishermen chose to tax themselves 3% of the ex-vessel value of their harvest to initiate funding of SSRAA in the early 1980's and continue to do so as collateral for SSRAA's well-being.
6. If SSRAA is significantly charged for use of the Neets Bay Parcel, SSRAA would necessarily have to increase cost recovery harvest and revenue, taking fish that would have otherwise been harvested by fishermen. This is in essence a tax on salmon fishermen.

7. If SSRAA is required to buy the land to retain its current site, the organization will have to increase cost recovery harvest to repay the required loans. Again, this is in essence a tax on SE salmon fishermen.
8. If the watershed is used for another form of resource extraction, the quantity and quality of water in the small watershed will likely be altered and detrimental to hatchery operations.
9. Regardless of whether both parties work in good faith, the current goals of University Land administration of the Neets Creek Parcel and SSRAA are mutually exclusive.
10. The University could not reach its goals without significantly impacting a non-profit organization that would have to take more from its users to meet the increased costs of operation. Or put otherwise, the University would be taxing fishermen to support its programs.
11. The other alternative is that SSRAA would leave the site and either cease to exist or reduce production to a fraction of what the organization now produces. This would result in a significant loss in harvest for SE fishermen.
12. Any long or short-term value the University would receive for this parcel is very small related to the long-term value now produced for SE Alaska communities from SSRAA's activity on the site.

A more detailed explanation of this issue is attached.

We appreciate your willingness to consider our position on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Burke" with a stylized flourish at the end.

John Burke
SSRAA General Manager

cc:

Representative Jim Elkins
Representative Carl Gatto
Representative Gabrielle LeDoux
Representative Kurt Olson
Representative Paul Seaton
Representative Harry Crawford
Representative Mary Kapsner
Representative Peggy Wilson
Senator Burt Stedman.

SSRAA's Perspective of the Proposed Land Transfer of the Neets Creek Parcel:

The outcome of this proposed land transfer would at the least result in an additional tax on commercial fishermen in SE Alaska and in the worst case it would bring an end to SSRAA operations.

The Neets Creek Parcel is the Neets Bay Hatchery site and its watershed. The hatchery is located at the interface of this parcel with saltwater. There is a barrier falls on Neets Creek that blocks the entire watershed to salmon. Much of the parcel was relatively recently logged and there are currently no tenants or resource users in or adjacent to this parcel except SSRAA. This is a small watershed and it is likely that any significant use of the parcel involving resource extraction would negatively impact water quality and become a detriment to successful operation of the hatchery.

Neets Bay is one of only several true production hatcheries in the State of Alaska; it is SSRAA's flagship facility. While the uncounted bays and freshwater streams in SE Alaska suggest that there are many opportunities for fisheries enhancement, in actuality there are few sites that meet the criteria for such an operation considering the distance from important wild salmon stocks, availability of a quality water source and the ability to establish an adjacent Special Harvest Area that accommodate both cost recovery and common property fisheries without impacting traditional fisheries or adjacent wild stocks. Neets Bay is such a place and it is the only hatchery that meets all of these criteria in Southern Southeast Alaska.

SSRAA annually gains approximately 75% of the corporation's operating revenue by conducting cost recovery harvest in Neets Bay. There are currently no alternative sites in Southern SE Alaska where SSRAA could do large-scale cost recovery.

Without a fully functioning Neets Bay Hatchery, both in the production of fish and cost recovery harvest, SSRAA could not exist as it is now known.

The process of the proposed land transfer has increased our concern about this matter. Though we have been working closely with DNR for several years to design a long-term lease for the Neets Bay Hatchery site, the first we heard of the proposed land transfer was on Tuesday of last week when we were called by a staff member of one of our local legislators. DNR has been involved in a land selection process for several years while we were in direct good-faith discussion with that agency over a long-term lease of the same site. Recent activities associated with this lease process were done at the request of DNR and at a cost to SSRAA, including a survey of the hatchery site and a professional assessment of the value of the site. While the actions of DNR are not the issue of concern, the actions leave questions of "good faith dealing" unanswered and significantly raise the level of concern around this issue.

The concern related to "process" did not end early last week. Through numerous calls and e-mails to personnel in DNR, we simply were not able to get any information about what was happening and where we stood in the process. The best answer we received can be paraphrased: "people very high in government had made these decisions after careful consideration and that what was done was done". We discovered late Friday afternoon that there would be a news release from the Governor's Office that afternoon and that a representative from the University would be in Ketchikan to answer questions

about the proposed land transfers the following Monday, which was yesterday as I write this letter. We would not have known of these things had we not inquired after being alerted by our legislative representative.

SSRAA staff and members of the Executive Committee of the Board of Directors met with the representative from the University on Monday. This person was open and candid, but not reassuring. First, lands are transferred to the University Land Trust to generate income. While existing land uses are taken into consideration, the generation of income is the goal of administering these lands. There are generally two consequences: the land is held if it can be used to create significant income or if the land was appreciating in value; if the land does not meet either of those criteria it is sold as profits from the sale will generate interest income in the Land Trust.

While we feel we may be able to work with the administrators of this program, we are left wondering exactly what that would mean in terms of an outcome. It seems the two groups have contradictory goals. SSRAA is a non-profit corporation designed to provide salmon harvest for common property fisheries, and not to make a profit. Successful operation of Neets Bay Hatchery is essential to produce the numbers of fish required to significantly enhance salmon fisheries in the region as well as being essential to create the cost recovery revenue necessary to sustain SSRAA. Neets Bay Hatchery is the heart of SSRAA's activity. The University Land Trust administrators are charged with generating revenue from lands they hold. Increasing lease costs or user fees for SSRAA would require additional cost recovery harvest to meet those costs, which by its nature takes fish from common property users. Simply put, any increase in user fees would come directly from fish/revenue that would otherwise go to regional commercial and sport fishermen as SSRAA would have to increase its share of cost recovery harvest to meet the new costs. Any other use of this land would likely disturb this small watershed directly impacting water quality and the successful function of the hatchery. In addition, it is hard to imagine any additional use of this small tract of land that would generate significant revenue for the University. If the University chose to sell the land SSRAA would have to buy the land in order to continue its current program. The required loan would be paid by additional cost recovery harvest, which would again come directly from fish that would otherwise be harvested by common property users.

If the University Land administrators determined that the land must be sold, and SSRAA either could not or chose not to purchase the land it is very likely SSRAA would cease to exist.

The University could not reach its goals without impacting a non-profit organization that would have to take from its users to meet the increased costs of operation. Or put otherwise, the University would be taxing fishermen to support its programs.

Finally, it is hard to imagine that any funds the University might get from administration of this land would be but a small fraction of what the region now receives from SSRAA's operations on the parcel. There is a legitimate possibility that the actions of the University would cause SSRAA to fail.

Background on Neets Bay Hatchery and SSRAA: Currently about 130 million chum salmon are produced annually at Neets Bay for release there and at 3 additional sites (Anita Bay, Kendrick Bay and Nakat Inlet) in Southern SE Alaska. The Neets Bay coho program with 3 million smolts released annually is the largest long-term coho program in SE Alaska in terms of adult returns. In addition there are 800,000 chinook released

annually at Neets Bay. Because all the hatchery facilities in the region are fully utilized, these programs could not be transferred to other existing sites.

The hatchery was built in 1983 with loans secured by fishermen who taxed themselves as collateral for the loans. The site was built on US Forest Service Land. SSRAA continued to lease the site from the Forest Service until 1998 when the land was transferred to the State. SSRAA has worked with DNR since 1998 to establish a lease on the site. SSRAA has met all requirements of DNR in this process. The primary difficulty of the process was that SSRAA desired a long-term lease to insure the operation and the nature of such a lease was relatively unique in DNR process. It is important to note that SSRAA has willingly incurred costs for requirements imposed by DNR and has always acted in good faith in these negotiations.

SSRAA runs three additional hatcheries, Whitman Lake in Ketchikan, Burnett Inlet near Wrangel and Crystal Lake near Petersburg. The Neets Bay facility is considerably larger than the other sites and is the only place where SSRAA does a significant cost recovery program.

The impact of SSRAA's programs is far-reaching in Southern SE Alaska. In 1999 the McDowell Group estimated the annual regional economic impacts of the organization at approximately 28 million dollars. The primary value is distributed directly to commercial salmon fishermen who harvest SSRAA-produced fish and the processors who buy, process, and sell these fish. Many of these fishermen as well as SSRAA employees populate local SE communities and support local businesses, secondarily adding to this amount. At the time of the survey McDowell estimated that SSRAA production contributes \$3.1 million a year through guided sport fishing and associated businesses in Ketchikan alone. While this is included in the \$28 million estimate, benefits of the sportfish harvest of SSRAA-produced fish in communities from Sitka and Craig in outside waters through Wrangel and Petersburg on inside waters is not included.

SSRAA is run by a Board of Directors primarily comprised of commercial fishermen and including representatives from local communities and other interests.

John Burke
SSRAA General Manager

PORT ALEXANDER COMPREHENSIVE PLAN

INTRODUCTION

PURPOSE

A comprehensive plan is a guide for making decisions that affect the future development of a community. The plan identifies community goals and sets policies and development standards to achieve the goals. Thus, when issues arise about development or capital expenditures, they can be evaluated on a basis of established policy. This helps assure that development and expenditures will be consistent with community goals.

The original Port Alexander Comprehensive Plan is the result of a four-year effort by members of the Planning Commission, City Council and interested residents. The Plan was formalized after several citywide meetings and countless work sessions and adopted in 1984. Revision process was begun in 1995 and adopted in 1996. As adopted by the city, this plan becomes the official framework for future development.

Three key terms are used throughout this document:

Plan Element: A major category or subject area, such as land and water use, circulation/transportation, or community facilities.

Goal: A desired condition or situation to be achieved.

Objective: A course of action selected to reach a goal.

UPDATING THE PLAN

The Planning Commission will meet annually, and present updated changes to the City Council in January. It should include a description of events during this time that have affected the plan, how the plan was affected, and, if appropriate, recommendations for changes in the plan. If changes in the plan are recommended, hearings will be held to ensure that the goals and objectives of the plan accurately reflect the long-term quality of life and the desires of the community.

Revised
2/8/04

Dear Jay Ramras,

I am a graduate student at the University of Alaska, Fairbanks. Many of my family members work for the University. However, we are united in believing that the University Lands Bill is a very poor deal both for UA and for the State of Alaska. The Lands Bill will not come close to solving the UA's budget problems; however, it may prejudice the State against granting funds to UA in the future. Furthermore, it puts the University in a position where it must liquidate its lands to continue operating at current levels.

More importantly, the Lands Bill treats Alaska's people unethically. Communities were given only two days to respond to a bill that had apparently been under preparation for at least a year. Many communities may be affected strongly and adversely by passage of this bill. All of us Alaskans will lose out as still more of our precious public lands pass into private hands. This bill could transfer as much as 167,000 acres of land away from the people of Alaska. Furthermore, we will lose our right to public process if this bill is passed as written. In future, the University could develop these holdings without any public notification or hearings. Mary Montgomery has attempted to assuage fears about the loss of public process by describing the UA's policy of public notification. However, it seems disingenuous of her to defend the bill on these grounds, when the bill itself specifically eliminates the state statute that forms the mandatory basis for this policy. It seems that this Lands Bill is not so much an attempt to equitably fund the University as it is a semi-transparent plan to develop public lands without public sanction.

Governor Murkowski claims that private lands are better managed than public

lands. This is only true when "better managed" means "managed for private gain." Considerations of public good, or of the rights of communities and individuals, seldom have a place in the management decisions of a private entity seeking private gain. I support the University, but its mission is not to be a steward of Alaskans' land. It should be funded fairly, not at the expense of ethical treatment for Alaskan citizens. Please, stand up for Alaskans' rights by opposing HB 130.

Thankyou,

Rosemary McGuire

Box 83553

Fairbanks, AK.

99708

(907)-455-6347

Jane Pierson

From: Rebecca McGuire [ftrlm@uaf.edu]
Sent: Tuesday, March 01, 2005 4:07 PM
To: Rep. Jay Ramras
Cc: Rep. Jim Elkins; Rep. Carl Gallo; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton;
Rep. Harry Crawford; Rep. Mary Kapsner; ftrlm@uaf.edu
Subject: UNIVERSITY LAND GRANT/STATE FOREST

Resources Committee:

As a graduate student at UAF, I would like to see a well-funded University system. However, I feel that Governor Murkowski's recently submitted bill to transfer State lands to the University (HB 130) is the wrong way to fund us. The Lands Bill will not come close to solving the University's budget problems; however, it may prejudice the State against granting funds to UA in the future. Furthermore, it puts the University in a position where it must liquidate its lands to continue operating at current levels.

The bill was introduced February 7th, which was the first notification that the affected communities were given. Communities were given only two days to respond to a bill that had apparently been under preparation for at least a year. Many communities may be affected strongly and adversely by passage of this bill. All Alaskans will lose out as still more of our precious public lands pass into private hands. This bill could transfer as much as 167,000 acres of land away from the people of Alaska.

The other problem, as I see it, is that once this land passes to UAF, a private institution, the public process is sidelined. There is little required public notice or commentary once the land is in private hands. The University could develop these holdings without any public notification or hearings. Mary Montgomery has said that University's policy of public notification will prevent this loss of public process.

However, it seems disingenuous of her to defend the bill on these grounds, when the bill itself specifically eliminates the state statute that forms the mandatory basis for this policy. It seems that this Lands Bill is not so much an attempt to equitably fund the University as it is a semi-transparent plan to develop public lands without public sanction.

Governor Murkowski claims that private lands are better managed than public lands. This depends upon your definition of 'better managed'. Considerations of public good, or of the rights of communities and individuals, seldom have a place in the management decisions of a private entity seeking private gain. I support the University, and I want it to be funded. However, it should be funded fairly, not at the expense of ethical treatment for Alaskan citizens. As a lifelong Alaskan, I feel that this is a great mistake and reflects poorly on the University and the State legislature.

Please, stand up for Alaskans' rights by opposing HB 130.

Rebecca McGuire

Jane Pierson

From: christine lundstedt [baranof9general@yahoo.com]
Sent: Tuesday, March 01, 2005 1:06 PM
To: Rep. Jay Ramras
Subject: HB130

Christine Lundstedt
479 Katlian Street
Sitka, Alaska
Baranof9general@yahoo.com

Representative Jay Ramras
State Capitol Building
Juneau, Alaska

Dear Representative Ramras,

This letter is to urge you to drop Baranof -Warm Springs Bay from HB130.
There are pressing and concrete reasons why Baranof Warm Springs should be excluded .

Tourism:

Baranof presently is already a very high use area, and a regular full day stop on the itinerary of all cruisers and commercial tour vessels in Southeast. No matter how gluttoned visitors are on Southeast beauty they always comment Warm Springs Bay is a jewel in a class of its own. At the Baranof General Store (I own it, my daughters run it) which is the de facto tourist information office, we hear this all day every day and began keeping a log of the commercial cruise boats last summer and discovered we are a very high use destination indeed with thousands of visitors every season. Of our state's top three industries, tourism today is the one with the most nearly unlimited potential. Visitors are thrilled by the pristine nature of Warm Springs Bay. Development, roads, buildings, ferry terminals in this wonderful bay would be a grim anachronism and a death knell for the bay as a destination and we certainly seem to have value in the Southeast tourism picture. This pristine beauty, the very reason people come to Alaska, is something you cannot create but it certainly is something easily destroyed and impossible to get back ever again. The lands bill is written in defiance of a lengthy and thoroughly researched conclusion DNR came to in their extensive report only two years ago that the precise lands included in the proposed University Grant should never be developed but preserved for the existing and continued high level of public recreational use. And DNR noted the great majority of the parcel in question is impossible to build on. Some ears have evidently been boxed at DNR to produce the lands bill with a straight face.

The no strings development the University land grant opens us up means the destruction of the very real and rich culture of a century old Alaskan townsite and its well demonstrated strong appeal for visitors.

If they, and we, see paved roads, ferry terminals, all the development that is suddenly proposed for this bay and town visitors and homeowners hearts will sink and we surely will be dropped from tourism itineraries like a hot rock.

3/1/2005

Baranof Water Supply:

Baranof depends completely on Baranof Lake and River for its fresh water. It is the present undisturbed natural terrain that assures us of the clean and pure water we now have. As the selected lands are non-percolating the massive disturbance caused by construction along the east end and south shore of Baranof Lake and River will create filthy water as sediments and pollutants wash directly into the river and our drinking water. In fact it is impossible to redirect waste water and everything it will carry anywhere else but the lake and river. Fish and Game will tell you the river and lake are superb cut throat trout habitat highly prized by fishermen, and it is a world class destination for fly fishermen the bay's wonderful Baranof Wilderness Lodge in particular caters to. Disturbance of muskeg creates a quagmire that will never resolve with ongoing use of these fragile areas. The fouling of the water will increase exponentially with additional construction of buildings and their use. We ask the House Resources Committee to exclude the Baranof-Warm Springs Bay lands from the selection to protect our only source of safe and clean water and the high levels of use of our lake and river provide. Please consult a map and notice how very close together these resources are grouped. Destroy one, destroy them all.

Baranof Hot Springs:

The hot springs between Baranof Lake and townsite are a legend in themselves, and supply hot water to homeowners and to the thousands of visitors to Warm Springs Bay. The City and Borough of Sitka has participated in the construction of a public bath house in Baranof that is enjoyed by thousands every year. Also there is a very substantial complex of natural hot mineral water pools in the rain forest right alongside the Baranof River that is utterly spectacular. These pools have long been and continue to be described in superlatives in countless travel books, periodicals, current and ancient cruising atlases, and commercial cruise ships themselves include pictures and text in their advertising literature to tell potential clients they are in for something very special indeed when they arrive at Baranof in Warm Springs Bay for a soak in their famous hot springs. These hot springs come from deep beneath the earth's mantle to the surface in extensive serpentine fissures that in the case of Tenakee are intelligently protected by blasting prohibitions. Tenakee has an ordinance prohibiting blasting anywhere within a 20 mile radius of the townsite in order to protect their one small spring. Baranof has nine primary fissures and springs in quite a close grouping used by many times more people than in Tenakee that richly deserve protection. Certain of our springs are clearly quite unstable, delivering a substantial flow for a period (of months) and only a trickle the next. Our Sitka Assembly is presently working on an ordinance that will prohibit blasting within the most reasonable radius in order to preserve these wonderful springs that are a treasure for so many people.

Seismic Activity:

The 267 acres selected for the lands bill are identical with the land identified for most costly, and one of the most popularly reviled preliminary ferry terminal SATP plans.

With specific regard to the cross-island road to Baranof, a major east-west fault runs directly alongside and just to the north of the proposed road bed. Furthermore, the fault is in an area of Baranof Island itself categorized as being at particularly high risk of seismic activity. For one, I feel pretty convinced that spending more than 100-million dollars to build such a road could instead buy a fleet of good smaller ferries with a turn of speed, as well as a little dredging and widening in Sergius Narrows. Then we will truly have a highly effective, flexible and vastly more affordable system that will realistically incorporate Sitka into the Southeast transportation grid.

Thank you for your attention in a matter that carries such broad and long term consequences for the financial, commercial, and cultural health of our state. Again we urge you to drop the 267 acres in Warm Springs Bay from any form of HB130.

Best regards,

Christine Lundstedt
Sarah Lundstedt
Dana Lundstedt
(registered Alaska voters all)

STATE OF ALASKA/

FRANK MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water

550 West 7th Ave.; Suite 1070
Anchorage, AK 99501
Telephone: (907) 269-8600

March 3, 2005

The Honorable Representative Harry Crawford
State Capital
Juneau, Alaska 99801

Dear Representative Crawford:

Yesterday after the House Resources Committee hearing on HB 130, the University Land bill, you asked me two questions concerning possible native allotment conflicts:

- possible native allotment conflict with the proposed Lisianski Peninsula conveyance; and
- possible Native Allotment conflict with the proposed Biorka Island conveyance;

You also handed me information about the two potential conflicts in a letter from the Sitka Tribe of Alaska. I appreciate the information and would like to take this opportunity to respond.

Lisianski Peninsula Native Allotments. The letter from the Sitka Tribe of Alaska indicates that there are three native allotments adjacent to but not in conflict with the proposed Lisianski Peninsula conveyance. They assert that these adjacent allotments would be "irreversibly damaged" by University ownership if they were developed as remote settlement areas.

I do not believe that the presence of adjacent allotments makes a university conveyance inappropriate. Specifically, state management would not be significantly different than University management for these parcels. DNR is unlikely to refrain from development on 1,443 acres along more than six miles of coastline because of the nearby allotments. A multi-year land use plan with extensive public process came to a similar conclusion. Let me explain.

In 2002, DNR finished the Northern Southeast Area Plan that includes these parcels (identified as B-06, B-07, and B-07 in the Plan). The designation for the parcels is general use, and the management intent provides that the parcels are "to be managed for multiple uses including dispersed recreation and remote settlement." The plan's intent also indicates that the remote settlement is unlikely in the near future, and should not occur until better access occurs and until more accessible state lands are developed. However, in summary, DNR concluded, after a multi-year planning process with extensive public participation, that these parcels should be included in a development category and should be used eventually for remote settlement.

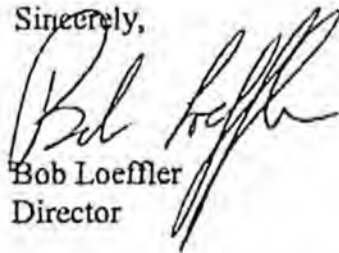
Put another way, DNR concluded that the nearby land ownership (including native allotments) was not incompatible with development. In fact DNR's management under the Area Plan would be similar to that likely by the University. I hope this answers your concerns about this parcel.

Biorka Island Potential Native Allotments. The effect of the potential Native Allotments on the proposed Biorka Island conveyance is different from those of Lisianski Peninsula. That allotment, a portion of which has already been approved by BLM, was excluded from the state's ownership on Biorka Island. If the heirs of Mr. Walton file a reinstatement application with BLM, and BLM approves that application, the area of the reinstated application is automatically excluded from state ownership. This problem may affect the acreage that the University ultimately obtains. However, University ownership will not affect the fate of Mr. Walton's allotment. That fate rests with BLM.

You also asked a question about the location of a seal or sea-lion haulout near the proposed Biorka Island conveyance. I am still trying to find information about that but will relay the information when I have it.

I hope this is helpful. I apologize for not getting you information you requested sooner. If you need anything else, please let me know (and I promise to respond as soon as possible).

Sincerely,



Bob Loeffler
Director

Cc: Representative Ramras

Representative Samuels



TR
my Leigh Gerber Board member

Greater Ketchikan Chamber of Commerce

P.O. Box 5957, Ketchikan, Alaska 99901

Phone: (907) 225-3184 Fax: (907) 225-3187

E-mail: info@ketchikanchamber.com

www.ketchikanchamber.com

330 active members +
have passed the following resolution

Ketchikan Chamber of Commerce Resolution

05-01

2005 Officers

Renee Schofield
President
Tongass Substance
Screening

Joe Johnston
1st Vice-President
Davies-Barry Insurance

Rob Skinner
2nd Vice-President
Lewis Motors

Glen Thompson
Secretary
Tongass Sanitation

Steve Boehlert
Treasurer
Wells Fargo Bank

J.C. Conley
Past President
Service Auto Parts

2005 Directors

Leigh Gerber
Norquest Seafoods

Owen Graham
Alaska Forest Association

Chris Herby
Channel Electric, Inc

Mike Holman
Individual Member

Jennifer Naylor
Individual

Mike Round
SSRAA

Andrew Spokely
Andros Oil

Kim Kirby
Southeast Kayaks

Doug Ward
Alaska Ship & Dry Dock

Jodie Buck
Ally HR Solutions

WHEREAS Southern Southeast Regional Aquaculture Association's (SSRAA) hatchery at Neets Bay has consistently produced significant social and economic salmon enhancement benefits for Ketchikan since 1983; and

WHEREAS SSRAA, a not for profit corporation, has produced \$28 million dollars in total economic output for the Ketchikan region in 2000 and produces similar benefits year after year for the past twenty-four years; and

WHEREAS the salmon production from Neets Bay hatchery is credited with the majority of this economic output; and

WHEREAS Neets Bay is SSRAA's largest production hatchery releasing over 135 million juvenile salmon to the common property fishery to enhance the salmon resource of southeast Alaska for the benefit of all who want them; and

WHEREAS any development within the watershed of Neets Creek and Bluff Lake, which SSRAA draws its water for the hatchery, could jeopardize these benefits to the economy and residents of Ketchikan; and

WHEREAS proposed House Bill # 130 would transfer the ownership of this parcel containing these watersheds and the hatchery land from the state of Alaska Natural Resources to the University of Alaska Board of Regents for the purpose of revenue through sales and or development of this parcel; and

WHEREAS the goals and purposes of selected University of Alaska lands are in direct conflict with the goals and purposes of SSRAA's use of this land; and

WHEREAS control and management of the Neets Creek watershed is vital to future hatchery production at Neets Bay hatchery; Now, therefore,

BE IT RESOLVED that the Greater Ketchikan Chamber of Commerce in convention assembled this 3rd day of February, 2005 in the City of Ketchikan, Alaska opposes the transfer of the watershed and hatchery land at Neets Creek, parcel KT.100-1, contained in H. B. #130, from the state of Alaska Department of Natural Resources to the University of Alaska Board of Regents; and

BE IT FURTHER RESOLVED that this body supports legislation that would protect and secure this parcel from future uses that could negatively impact SSRAA's Neets Bay hatchery operations.

Blaine Ashcraft, Business Manager

Greater Ketchikan Chamber of Commerce

Committee

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: *House Resources*
FAX: *907.465.2070*
DATE: *3.4.2005*
MESSAGE:

*2 pages to follow this cover.
Please include this testimony
into the record for HB 130*

would be available for borough selection, selections that would be necessary for the financial viability of these political entities?

Of course, I also am very disappointed in how fast this bill has been moving, how little regard there has been for the public process and needs and concerns of cities, and how the teleconference of Feb. 14 was conducted. It is unacceptable to treat the speakers in the manner portrayed by the chairman. The university had their chance to offer information at the one (and only one so far) public meeting. Valuable teleconference time should not have been used for a question and answer session between university officials and committee members. The allotted speaking time should be given equally to each speaker, instead of letting some speak over the time but cutting other comments off after just a few sentences. There should also be more public meetings between the university and the public to discuss the lands chosen, and other options.

Finally, and perhaps most importantly, the state needs to re-shoulder its responsibility for funding educational needs for Alaska. You need to end the situations where, every two to three years, something else is sold to support vital services and programs.

Thank you for your time.

Concerned citizens,

Mona Christian, Dave Kensinger

ATIN. House Resources Committee

HB 130 public testimony
March 4, 2005

My name is Mona Christian speaking from Petersburg. My husband and I live 20 miles by water south of Petersburg in the residential area adjacent to the land offered near Beechers Pass Marine Park, and we own several pieces of property there.

According to the inaccurate map on-line to which we're all supposed to refer, most of my property could be for sale! DNR reassures me that this will not be the case, but I recommend that a more accurate map be immediately published. The present map also shows much beach front land available, which is just the opposite of the situation. Most of the beach front land is private, residential property. This leads to several other concerns and facts that the committee and university lands people need to be aware of:

- most of the land offered begins 1200 feet off the beach
- most of that land is muskeg, or swampy land that is almost impossible to build on at that distance inland
- this land, which is 27 miles by water from Petersburg, is not in an organized borough, which means we have no building codes, planning and zoning, police or fire protection, ambulance service, or electric, water, or sewer connections

All these facts preclude the desirability of this land for residential development. Despite what was implied at the Feb. 4 teleconference, the fact that people own land in the area already does not automatically demand that other land be offered for sale so others can live there. If there is to be land disposal and sales, it should be with accessible, "buildable" land, and for sensible economic reasons.

As far as the stated need for more land to be available for private ownership, one need only look at land recently offered across the state. In the Feb. 9 Mental Health sale, only 13 parcels out of 40 were bid on. Last fall 28 parcels were offered, also by the university, near the proposed Beechers Pass area. Only 2 parcels were bid on. So here we have two problems-land offered that isn't being purchased, and volumes of property dumped on the market that if sold, would depress land valuations for existing property owners.

Before any more land is offered, these issues need to be addressed. One could ask if proper research was done before some of the state land was selected, which highlights another reason for slowing down the process of this bill's progression.

In addition, this land is in an area that Petersburg/Wrangell may incorporate into a borough, an action which has been strongly encouraged statewide for several years. So if the state wants all lands to be in boroughs, why are you removing large chunks that

John H. Littlefield
POB 2212
4102 Halibut Point Road
Sitka, AK 99835
907-747-6866 voice
907-738-6866 cell

Co-Chair Representative Ramras
House Resources Committee

Re: HB130

Dear Representative Ramras,

I will be traveling tomorrow, and will be unable to testify on House bill 130 however, I do want my remarks noted for the record.

The Littlefield family is the owner of a certified 160 acre native allotment on Lisianski Peninsula near Sitka. It seems certain that developing the Lisianski Peninsula will increase our property value. While that seems like good news, it is at best a mixed blessing. As have many, many residents testified against this bill, I think I need to add my voice to the committee process as well. City and Borough of Sitka Assembly member, Doris Bailey, has adequately expressed my concerns with the land transfers around Lisianski Peninsula and Sitka from a personal basis. I submit these additional comments more as a matter of process. I have expressed some of these thoughts to my legislators. Peggy Wilson, and Bert Stedman.

1. I support the University of Alaska, and believe most Alaskans share that opinion.
2. I support the State of Alaska's efforts to make land available to the public.
3. I believe in a transparent public process, to accomplish both of these items as well as other work of the people.

House Bill 130 has combined two distinct items into a single action. I believe the actions should be debated on their merits separately. I believe that most Alaskans support the University and if they don't they should. If long-term funding for the University is our goal, then we should investigate ALL funding options. House Bill 130 has identified a problem, long-term funding of the University, and selected granting highly questionable parcels of land to the University as the only solution. The problem and solution in this case are not necessarily compatible or desirable to many.

All Alaskans should share in the burden of funding the University. I have several suggestions on how they could do that and I'm sure there are others.

1. We don't have to look much farther than the permanent fund for a long-term funding solution to many of the University's needs. My last information indicated there was about \$30 billion in the permanent fund. I am not an accountant, but I would suggest that an endowment to the University of approximately \$500 million would go a long ways toward ensuring economic stability for the University. The University's annual income would of course, vary by the amount of the endowment, but this amount would dwarf the existing endowment fund and generate real dollars immediately for the University. The exact amount of the necessary endowment could easily be calculated by an accountant. I realize that many other Universities have several billions of dollars in their endowments. We'll get there one of these days and much faster if we jump start the endowment with a large cash infusion.

2. Secondly, I would recommend that lands granted to the University should be selected from the North Slope or other areas where the likelihood of getting long-term returns from gas, oil, or minerals is very likely. The University needs annual income. Returns from gas, oil, and minerals can provide that for many years. All Alaskans together owned the State lands. But there's a great difference between lands that are valuable for mineral, gas, and oil development and remotely located and lands that are similar, but close to existing communities. Land selections near existing communities, disproportionately affect the local citizens more so than the rest of the State residents. Much of the lands that have been selected in Southeast have little value to the University other than the income that would be derived from a sale. The sales would generate a onetime deposit to the University's endowment fund and will not generate annual income. It will also generate a great amount of dissatisfaction from the local residents.

3. There is a process already in place to get land to the University. These programs are subject to public scrutiny at this time. This is the preferred method to dispose of public lands. It may take a little longer, but the public is better served when everyone has their input in the final decisions are made. If the University owns these lands they will not have to answer to the public when they dispose of these lands. In fact, as a private owner, the University could completely pave over all of these lands if they wished. Sound preposterous? Probably so, but we have no guaranty they won't. Remember that the solutions to the long term funding of the University are just that, long-term. They do not need to be solved today. Further the legislature could direct the DNR to speed up the existing process while still honoring the public process.

What would I like you to do? I would like you to simply kill or table this bill. It is not so timely, that the funding issues cannot be fully debated and the full range of alternatives presented for discussion. A new bill (or several) could easily address these issues.

Thank you for your consideration,

John H. Littlefield
907-738-6866

5/04/05 - Testimony from City of Sitka
Doris Bailey, Assembly

Ladies and Gentlemen: Thank you for the opportunity to testify today. My name is Doris Bailey and I am a member of the Assembly of the City and Borough of Sitka. We had an emergency meeting the evening of February 14th to unanimously oppose the parcels that are proposed within the City and Borough of Sitka to be transferred to the University, with the exception of that parcel on Japonski Island where the University has its campus. We believe that parcel to be an appropriate transfer.

I would like to address the "Not in My Backyard" syndrome which, in listening to your meetings, I have gathered is one of the issues which has deterred you from considering the very strong and loud protest you have heard from Southeast Alaska. I would like to consider each parcel that is in the C&B of Sitka. As we understand it, these parcels are being transferred with the idea that they are viable commercial property that is now or will be appropriate for development and therefore would be good to transfer to the University so that they can be sold for funds to operate said institution.

The City and Borough already has a substantial amount of lands along our road system and in Sitka Sound which are in trust land status. The University controls the 193 acres South Benchlands and a 487 acre tract that includes Thimbleberry and Heart Lakes. The Mental Health Trust owns parcels above Sawmill Creek Road, half of Lisianski Peninsula and large numbers of islands in Sitka Sound. Therefore, the community is already shouldering more than its share of trust land selections. In addition, the willingness of the University to accept local land use controls has not been clarified.

Biorka Island is 16 miles out in the Pacific Ocean from Sitka. It is at the head of Sitka Sound and directly faces the ocean. There are no islands or other barriers outside of Biorka. My husband and I lived out there for 3-1/2 years in the middle and late 1970's so we are aware of Nature's forces which are available in all their fury at Biorka Island. There are occasions year round when it is impossible to either get on or off this island by either boat or air. During the winter these "times" can extend to a week or more. Development of Biorka Island could result in a fishing lodge being placed adjacent to one of the most heavily used salmon fishing areas (there's a major drag on the north side of the island) and there is concern that lodge clients may put added pressure on this fishery. There is also the possibility that the development of a lodge on Biorka Island could put substantial pressure on Goddard Hot Springs and the two small municipally owned bath houses on that property. In addition, there are many aids to navigation located on that island which are owned, operated and maintained by the Federal Aviation Administration. There are at least two radars, a Tacan and other communications equipment. Has the FAA been contacted regarding development on the island? I would suspect they would have security concerns and would not welcome development which would bring people to wander about the island investigating their facilities. You have said that the Native allotment that is under dispute within the parcel designated would be released when that parcel is proved. I am a bit amazed that the University is interested in land on which there is such a specific encumbrance. I do not think that the highest and best use for the proposed land on Biorka Island could possibly be development of any kind.

Lisianski Peninsula is another case in point with regard to Native issues. The Dog Point Fish Camp operated by the Littlefield family has used Dog Point for subsistence and cultural teaching activities for many years. They have children's camp, camps for adults with addictions and family camps wherein they teach Tlingit cultural values and subsistence fishing and hunting and preservation of food. The proposed parcel completely surrounds the Littlefield parcel and their parcel will without doubt be impacted to extinction should it be developed. And, once again, as I understand it, development is the purpose of the transfer. As you are aware Sitka Tribe is strongly opposing the transfer of this property to the University, as is the City and Borough of Sitka. It is in protected waters and the highest and best development use would undoubtedly be tourist use which, as I said,

would strongly impact the Littlefield operation.

Middle Island is an island which was subdivided by the State of Alaska and a lottery held some years ago for parcels which now have many homes and cabins located upon them. The entire developable beachfront of Middle Island is targeted for residential and recreational uses. This beachfront on Middle Island has already been selected or subdivided (the University would acquire two beachfront areas - one on the west side that has steep terrain and the back of the bay on the south side that runs totally dry at low tide). The center of the island which consists of a steep rocky wooded mountain was not claimed for any residential use at the time of the lottery because of the topography. The only possible use that the City and Borough can fathom would be logging. Logging would certainly impact those residential uses which exist on the beach front as well as destroy the view shed. In addition, the City and Borough has claimed for part of their land the rest of the beach front property on Middle Island and has designated it for residential uses along with strict park/reserved uses because the primary herring spawn fishery is around Middle Island. This was done because of the Tribe's strong concerns about activity affecting the herring spawn in this primary use area. The City has done its part to set aside a major high habitat area on Middle Island for public recreation and has set aside an area that has development potential but has petroglyphs. The selection of Middle Island and the potential for logging, creates incredible uncertainty for private land owners, the municipality and residents on the north half of Sitka that have homes that look over the island. This uncertainty may harm values of existing lots and lots the municipality plans on developing. Once again, we strongly feel that this parcel should not be transferred to the University because its development possibilities are in conflict with the other uses of the island.

The parcel at Baranof Warm Springs townsite is 9.5 acres. The proposed University selection is 267 acres. It is up the bluff from the town site and on the opposite side of the spectacular falls which draws so many people to visit. This open meadowy area is mostly wetlands and is the watershed for the town site as well as the possible connection to the warm springs for which it gets its name. Any kind of development in this area is going to be very iffy due to the need for permits from the Corps of Engineers for wetlands permits, the danger of contamination of the water supply and the possibility of destroying the thermal conduits for the hot water that has been a drawing card for this settlement. The small bay already receives a large amount of transient traffic during the summer and development of the UA land would totally overwhelm the small anchorage, State of Alaska dock, small boardwalk that serves the private cottages, and the small fragile hot springs.

Having said all this and trying to show that development is not appropriate on the parcels selected, please be assured that the City and Borough is desperately in need of land for building residential units. The University owns a large parcel which the City and Borough has coveted for residential building use for many years. It is the only large parcel of land close enough and with terrain that is suitable for building. Getting utilities to this parcel is estimated to cost more than \$52,000 per lot which is the stumbling block for development. We are diligently working with the University to try to come up with some way we can save this land for residential use as we are extremely concerned that it not be sold to some kind of conservancy entity which would tie it up as "wilderness." If costs are so prohibitive close to the City and Borough, we believe that is another reason these proposed remote parcels are absolutely not conducive to development.

To reiterate, the City and Borough of Sitka already has a substantial amount of area in trust status. We respectfully and urgently request that you hear our plea and do not transfer these parcels to the University who would find little in these parcels to allow them to get any income from them.

To: Representative Jay Ramras
Re: HB 130: Baranof Warm Springs drinking water
CC: House Resources Committee members, Bob Loeffler, DNR

The Baranof Property Owners Association ("BPOA") is an incorporated association of the private property owners in the township of Baranof, at the head of Warm Springs Bay. The BPOA strongly opposes the inclusion of the Warm Springs Bay parcel in HB 130 because of the harmful effects any development of the proposed conveyance parcel would have on the drinking water system used by residents of Baranof.

The community of Baranof is served by a pipeline water system which draws cold water from the Baranof River, immediately downstream from Baranof Lake. HB 130's proposed conveyance to the University includes uplands which drain directly into Baranof Lake, which will be the recipient of effluent and sewage from any development of these lands, presenting a real threat to water quality in the drinking water system used by Baranof residents. The town of Baranof, which has existed since the 1920's, does not support the proposed conveyance of state land because homosite or commercial development will jeopardize the clean water source upon which the community has long relied. The wetland quality of the proposed conveyance, coupled with its unavoidably harmful effect on the water used by our town, compels us to strongly oppose this proposed conveyance to the University. Please do not approve a conveyance that will destroy our water source.

Jim Brennan
President, Baranof Property Owners Association
1008 G Street, Anchorage, Alaska, 99501
274-7808, brennans@gci.net

2/28/2005

FAXPage 1 of 2

To: House Resource Committee

cc: Rep. Peggy Wilson

From: Laurie Mastrella, Marty Remund

POB 8147 Port Alexander 99836

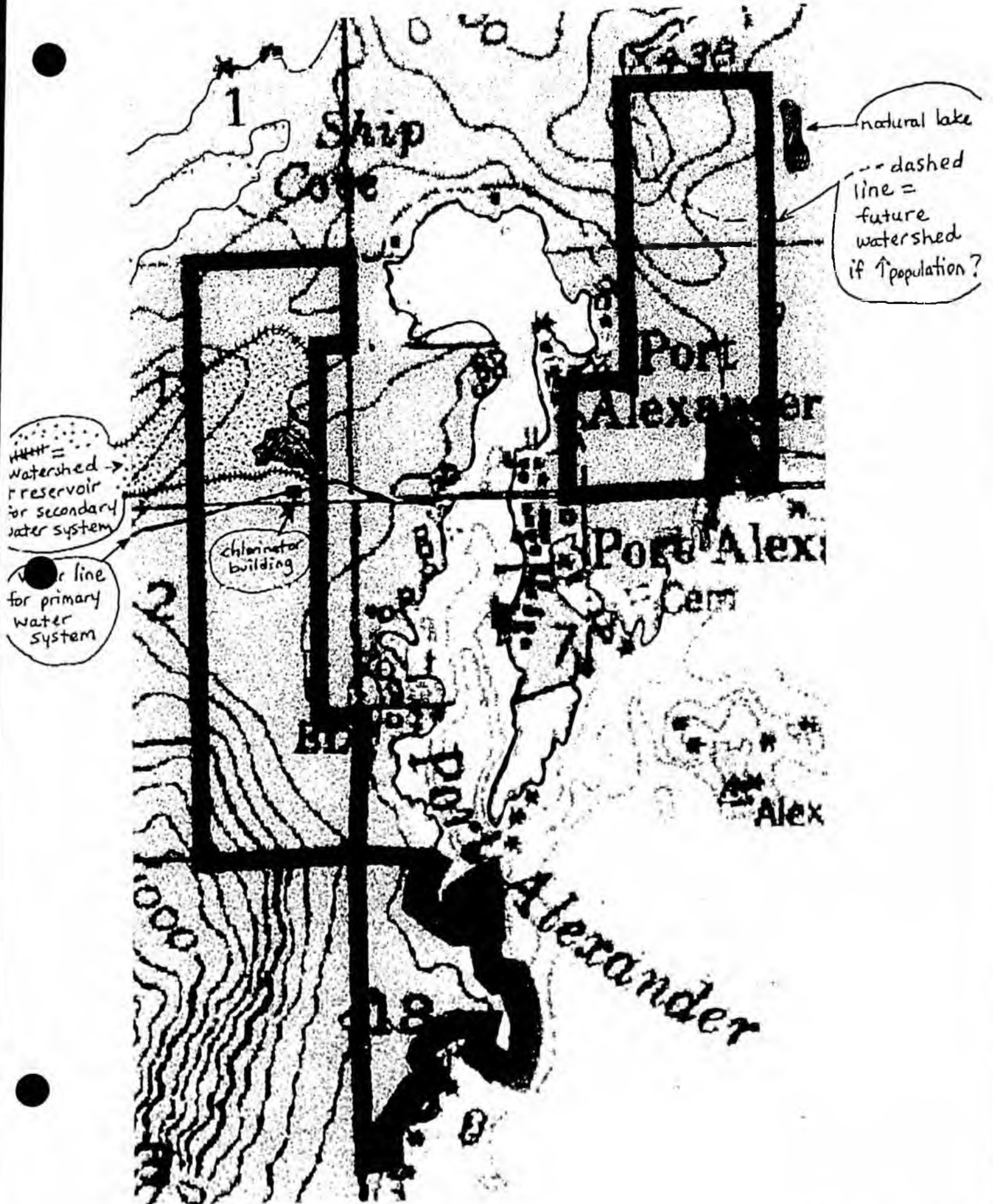
(907) 568-2226 marty.remund@worldnet.att.net

Re: HB130 University Land Grant

The following page shows the relationship between Port Alexander's existing water system and the parcels selected for the U. of AK Land Grant under HB130.

As you can see, a significant part of our community's water system is within the proposed Land Grant.

Obviously, many in our community have concerns about the idea of development in our watershed. Thank you for looking into dropping at least this parcel. We would prefer all of the nominated lands around P.A. remain public as they are absolutely essential for subsistence.



STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE COMMISSIONER

- 400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FAX: (907) 465-3886
- 550 WEST 7TH AVENUE, SUITE 1400
ANCHORAGE, ALASKA 99501-3650
PHONE: (907) 269-8431
FAX: (907) 269-8918

February 7, 2005

The Honorable Jay Ramras, Co-chair
The Honorable Ralph Samuels, Co-chair
House Resources Committee
Alaska State Legislature
Juneau, AK 99801

Re: HB 130, University Lands Bill

Dear Representative Ramras and Samuels:

Thank you for scheduling a hearing in your Committee this week for the University Lands Bill. The bill was introduced on Monday, February 07, 2005.

The bill transfers 260,000 acres of State land to the University and implements the intent of SB 7, passed by the 2000 Legislature. Unlike SB 7 this bill identifies specific lands to be transferred. The transfer is much quicker and less expensive than the process identified in SB 7. All but one of the 71 parcels identified in the Governor's proposal will be transferred within three years at a cost that is less than 5% of the SB 7 estimate. This proposal eliminates the potential disincentive to development that attends SB 7, because once the legislation passes, the eventual land manager is immediately clear. This proposal provides more income-producing land to the University than was available under SB 7. The specific lands to be transferred are summarized in the enclosed Fact Sheet.

Under the proposed legislation, the Department of Natural Resources (DNR) will transfer all but one of the parcels to the University of Alaska within three years of the bill's passage. During those three years, DNR will complete the required title search, and will reserve appropriate public access easements, navigable waters, etc. Actual authority for management will change on the date the deeds are recorded. The one exception to the three-year transfer is the University Research Forest, a 51,820-acre tract southwest of Fairbanks within the Tanana Valley State Forest. For fifty years DNR will continue to manage the forest for commercial timber and public use in a manner consistent with the University's research needs. All transfers are subject to valid existing rights.

This transfer will provide the University with potential for near-term and long-term income. The investment properties — those in Southeast and elsewhere in Alaska — provide some near-term and medium-term revenue potential. It will take time and effort to turn even the land with near-term income potential into revenue for the University. Despite the delay in creating income, this land will strengthen the University's financial base.

"Develop, Conserve, and Enhance: Natural Resources for Present and Future Alaskans."

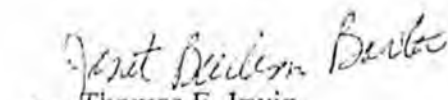
Representative Ramras and Samuels

February 7, 2005

Page 2 of 2

For your information I have enclosed a fact Sheet and a copy of the *University of Alaska Land Grant List 2005*. Thank you for your consideration. Please contact Janet Burlison Baxter at (907) 465-4730 if have any questions. You may also contact Bob Loeffler, Director of the Division of Mining, Land and Water at (907) 269-8600.

Sincerely,


Thomas E. Irwin
Commissioner

Enclosures: University Land Fact Sheet, 2/4/05
University of Alaska Land Grant List 2005
Governor's Transmittal Letter

cc: Janet Baxter, Legislative Liaison, DNR
Bob Loeffler, Director, DMLW



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

March 1, 2005

Representative Jay Ramras, Co-Chair
Representative Ralph Samuels, Co-Chair
House Resources Committee
Alaska State Legislature
State Capitol (Mail Stop 3100)
Juneau AK 99801-1182

Dear Representative Ramras,

The United Fishermen of Alaska Board of Directors recently met and considered House Bill 130 regarding land grant transfers for the University of Alaska. While UFA recognizes the importance of land grants to finance the University of Alaska on par with nationwide land-grant universities, we object in particular to the inclusion of the Neets Bay parcel (KT.1004) in the proposed legislation.

The Neets Bay Parcel is the location of a hatchery operation under the management of Southern Southeast Regional Aquaculture Association (SSRAA). The Neets Bay hatchery is the only hatchery location that provides SSRAA with a cost recovery fishery, and therefore funds SSRAA's other hatchery operations that help support commercial and sport fisheries critical to the Southeast Alaska economy. According to a McDowell Group study, SSRAA's hatchery operations contributed \$28 million to the economy of Southeast Alaska in 2000. Other SSRAA hatcheries that are provided funding from the Neets Bay cost recovery operation provide 15,000 - 20,000 coho salmon each year to the sport and charter fisheries around Ketchikan, as well as an estimated 67 percent of the sport-caught king salmon in the Ketchikan area.

The Neets Bay hatchery operation requires the use of the waters flowing from the watershed that comprises the Neets Bay parcel. According to hatchery operators, all of the available water in the watershed is needed to sustain the hatchery operation, leaving no available water for remote residential development. The other potential use listed in

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Armstrong Keta • At-sea Processors Association
Bristol Bay Reserve • Concerned Area "M" Fishermen • Cordova District Fishermen United • Douglas Island Pink and Chum
Fishing Vessel Owners Association • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
North Pacific Fisheries Association • North Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association
Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation
Purse Seine Vessel Owner Association • Seafood Producers Cooperative • Southeast Alaska Herring Seiners Marketing Association
Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association
United Catcher Boats • United Salmon Association • United Southeast Alaska Gillnetters • Valdez Fisheries Development Association
Western Gulf of Alaska Fishermen

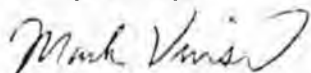
the parcel description, commercial timber harvest, poses a threat to the water quality that is essential to the hatchery operation. UFA agrees with SSRAA that residential or timber development of the Neets Bay watershed is incompatible with the long term needs of the hatchery operation.

If SSRAA is significantly charged for use of the Neets Bay Parcel or required to purchase the parcel from the University, SSRAA would necessarily have to increase cost recovery harvest and revenue, taking fish that would have otherwise been harvested by commercial or sport fishermen. This in essence would be a tax on salmon fishermen.

To ensure continued operation of the Neets Bay hatchery, and its essential contribution to the fisheries and economy of Southeast Alaska, and to prevent negative financial impact to SSRAA, fishermen and Southeast communities, UFA requests that the Neets Bay parcel be removed from the list of land grant parcels included in HB 130.

Thank you for your consideration.

Respectfully,



Mark D. Vinsel
Executive Director

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: Rep. Rammas

FAX:

DATE: Feb 28, 2005

MESSAGE:

Please distribute to all
committee members before
Wed meeting. Thanks

NATHAN GRUENING
PO BOX 1030
PETERSBURG, ALASKA 99833

February 13, 2005


Dear Chair Ramras:

I have lived for half of the year for my entire life (26 years) in Baranof Warm Springs Bay. I request that you remove Baranof from HB 130.

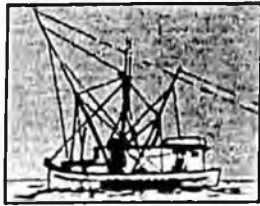
You have heard from others many reasons why and I will not repeat them. But you have not heard that the proposed land exchange at the top of Baranof River and Baranof Lake is our community drinking source. I for one do not want to drink water that has been gathered from below human sewage.

Please do not allow our water shed to be polluted. Remove the Baranof selection from HB 130.

Sincerely,



Nathan Gruening



Alaska Trollers Association

130 Seward St., No. 211
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

February 20, 2005

Chairman Jay Ramras
Chairman Ralph Samuels
House Resources Committee
State Capitol Building
Juneau, AK 99801

Dear Representative Ramras and Representative Samuels:

The Alaska Trollers Association strongly opposes the transfer of the Neets Creek parcel, KT.1004, from Alaska Department of Natural Resources to the University of Alaska Board of Regents under HB 130.

Development of the lands at Neets Creek, which have been nominated for transfer to the University of Alaska, could negatively impact hatchery operations that are dependent on this watershed for incubation and rearing of salmon. Our fear is a degradation of water quality and quantity, both which are essential to maintaining a healthy hatchery program.

Southern Southeast Alaska Aquaculture Association (SSRAA) is a regional aquaculture corporation funded through a 3% enhancement tax paid by commercial salmon fishermen. SSRAA currently operates the Neets Bay Hatchery, which has a long and distinguished record of producing high value salmon returns for both commercial and sport salmon fishermen throughout the Southeast region. The commercial troll fleet, from Yakutat to Ketchikan, derives significant benefit from the salmon produced at Neets Bay hatchery.

ATA feels strongly that the benefits accrued from the salmon produced at the Neets Bay Hatchery far outweigh the risks that could be associated with new development in the vital Neets Creek watershed. We would appreciate your support to retain Neets Creek parcel KT.1004 under state ownership.

Sincerely,

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

Dale Kelley
Executive Director

Brandon Maitlen

From: Brennans [brennans@gci.net]

Sent: Sunday, February 27, 2005 7:25 PM

To: Rep. Gabrielle LeDoux; Rep. Jay Ramras; Seaton@legis.ak.us; Samuels@legis.state.ak.us; Olson@legis.ak.us; Kapsner@legis.ak.us; Gatto@legis.state.ak.us; Crawford@legis.ak.us; Elkins@legis.state.ak.us

Subject: HB 130; Baranof Warm Springs drinking water

The Baranof Property Owners Association ("BPOA") is an incorporated association of the private property owners in the township of Baranof, at the head of Warm Springs Bay. The BPOA strongly opposes the inclusion of the Warm Springs Bay parcel in HB 130 because of the harmful effects any development of the proposed conveyance parcel would have on the drinking water system used by residents of Baranof.

The community of Baranof is served by a pipeline water system which draws cold water from the Baranof River, immediately downstream from Baranof Lake. HB 130's proposed conveyance to the University includes uplands which drain directly into Baranof Lake, which will be the recipient of effluent and sewage from any development of these lands, presenting a real threat to water quality in the drinking water system used by Baranof residents. The town of Baranof, which has existed since the 1920's, does not support the proposed conveyance of state land because homesite or commercial development will jeopardize the clean water source upon which the community has long relied. The wetland quality of the proposed conveyance, coupled with its unavoidably harmful effect on the water used by our town, compels us to strongly oppose this proposed conveyance to the University. Please do not approve a conveyance that will destroy our water source.

Jim Brennan
President, Baranof Property Owners Association

2/28/2005

Douglas Owen

From: Darlene Dehlin [d.dehlin@worldnet.att.net]
Sent: Thursday, February 24, 2005 3:29 PM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux;
Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Cc: Rep. Peggy Wilson
Subject: HB 130

Members of the House Resource Committee:

Rep. Jay Ramras, Co-chair
Rep. Ralph Samuels, Co-chair
Rep. Jim Elkins
Rep. Carl Gatto
Rep. Gabrielle LeDoux
Rep. Kurt Olson
Rep. Paul Seaton
Rep. Harry Crawford
Rep. Mary Kapsner

HB 130 is a bad bill. It is an ineffective and unreliable method of funding the University. In addition, granting these lands to the University for development of any kind could be harmful to the land and the people living in or near these areas.

It appears that the Governor is trying to pull another fast one by "fast-tracking" this piece of legislation. He seems to believe that his own agenda is more important than the needs and wishes of his fellow Alaskans.

I would like to see all the parcels in SE Alaska removed from the bill.

Thank you all for your help!

Sincerely,

Darlene Dehlin
PO Box 6311
Sitka, AK 99835
907-747-4522
email: d.dehlin@att.net

2/24/2005

Douglas Owen

From: Backlagoon@aol.com
Sent: Wednesday, February 23, 2005 12:50 PM
To: Rep. Jay Ramras; Rep. Gabrielle LeDoux
Subject: HB 130 letter to Rep. Wilson

Rep. Wilson,

Thank you for taking the concerns of Southeast Alaskans directly to Co-chair Ramaras and seeking a different solution. If the University truly has to make money from the state's parcels, then they should seek areas in which land has high appraisal value. In other words, if you were a realtor in PA, to make a living you would have to have a well-paying night job! Land selection around PA could bode prospecting problems such as, no power utility, maxed-out water utility and poor parcel access.

Personally speaking, an area that I almost daily use for exercise, hunting and berry-bicking right behind my house is selected. My access to this "network of game trails" will be cut off, leaving no where else to go within range of my house. This scares me because there are limited recreational areas around town, and we have no roads and skiff access is limited to good days in Chatham Strait.

I appreciate your consideration in this matter that affects our small community so greatly.

Anissa Berry
Port Alexander

2/23/2005

Rebecca Rooney

From: Rick Fleischman [Capt-Rick@soundsailing.com]
Sent: Thursday, February 17, 2005 4:55 PM
To: Rep. Peggy Wilson
Cc: Sen. Bert Stedman; Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Rep.Mary.Kapsner@legis.state.ak.us
Subject: House Bill 130

Dear Peggy,

Thank you for your support on our concerns about House Bill 130. I'm glad to hear that the plan is being modified to include some of the public input given at the House Resource committee meetings.

As we discussed briefly on the phone, there is some concern regarding the hot springs in Warm Springs Bay and the possibility of damaging or even losing the springs completely in the event of major development; specifically in regards to the operation of heavy machinery and/or blasting.

My understanding from talking to people who know a lot more about geology and hot springs than I do is that thermal springs bring heated water from below the earth's surface to the springs we enjoy via fissures in the earth's crust. Geothermal hot springs are relatively fragile in the regard that blasting or other vibrations from heavy machinery can collapse these fissures preventing the hot water from reaching the surface.

Because of this, Tenakee Springs has an ordinance prohibiting blasting within 20 miles of the springs there. Around 1895, some people in Tenakee decided it would be a good idea to enlarge the spring, which comes out of a rock near the shoreline and is now right in the middle of town across from the general store. The easy way to enlarge the rock pool was to blast it with dynamite which some of the miners in town proceeded to do. After blasting, the new pool was much nicer. The only problem was that the hot water stopped flowing to it. Fortunately for Tenakee and all who have visited there since, the hot water started running again after a few weeks. It's important to note that this was a small scale blasting--only clearing rock about 4 feet X 8 feet and about 5 feet deep.

As the hot springs at Baranof (Warm Springs Bay) are one of the major reasons the area is valued so highly by local residents, fishermen, and visitors from around the world, any risk of damaging or losing the hot springs is of the utmost concern.

I have also heard talk of faults around Baranof Lake. As far as I know, there has not been any extensive geologic mapping in the area. There was a feasibility study by the state considering building a road from Sitka to Warm Springs Bay. On page 10 of the study dated March 8, 1996 by Lachel and Associates, I found the following reference:

"A major fault runs just north of, and parallel to, the proposed highway and tunnel route."

On page 49, the same study recommends, "The location, orientation, and characteristics of the

fault lying to the north and parallel to the tunnel line must be determined and assessed for it's potential effects on the tunnel construction.

I did find a geological map of Baranof Island showing faults at:
<http://www.dggs.dnr.state.ak.us/scan1/p/oversized/P0792pt02.PDF>.

On Plate 2, there is a major fault north of Warm Springs Bay that runs on an east/west orientation from Mt. Edgcomb all the way to Chatham Strait just north of Warm Springs Bay. I assume that this is the fault discussed in the feasibility study. The plate also shows an approximate position of the Medvejie Lake fault that runs east/west and ends near the south shore of Baranof Lake.

I don't know if you have visited the hot springs here at Baranof. If not, you should put it high on your priority list because they are truly an incredible treasure. I have traveled extensively and have never seen a more beautiful scene than the thermal pools surrounded by the rain forest overlooking the glacial fed, class 5 rapids of the Baranof River. It is truly a world class spot and we must protect it! Thank you for your efforts to make sure that the 276 acres of land in Warm Springs Bay is removed from the list of parcels to be transferred to the University of Alaska in House Bill 130.

Sincerely,

Rick Fleischman

1802 B Alder Way
Sitka, AK 99835
747-7473

Note: I am currently caretaking at the Baranof Warm Springs lodge and can be reached on a cell phone here--206.605.8363.

----- Original Message -----

From: Rep. Peggy Wilson
To: lhscwls+hb130@legis.state.ak.us
Sent: Thursday, February 17, 2005 12:19 PM
Subject: HB 130 Update

I am so glad that you all have taken time out of your schedules to keep abreast of developments with HB 130.

In response to the outpouring of testimony, The Resource Committee has suspended public testimony for HB 130. The Committee is going to roll up their sleeves and work with DNR and the University to create a modified plan. Some of the changes will be handled with amendments to the bill and some of the changes will be handled by agreements with the stakeholders and the University. Once the changes have been fleshed out they will be released for public review. This review process will include public testimony. HB 130 is expected to be on the House Resources Calendar on March 2, 2005.

HB 130 repeals requirements that the University seek public comment on ALL future University Land developments - not just those under HB 130. (see section 6 HB 130)

Sec. 14.40.366. Management requirements for university land. [See editor's note.] (a) The Board of Regents shall, by policy, establish procedures for mineral entry or location and mineral leasing on university land selections made under AS 14.40.365 that are consistent with the Constitution of the State of Alaska and the Alaska Statehood Act (P.L. 85 - 508, 72 Stat. 339).

439

THE UNIVERSITY OF ALASKA, ETC.

§ 14.40.367

(b) Notwithstanding other provisions of law, the University of Alaska shall seek public comment on proposals for development, exchange, or sale of university selections made under AS 14.40.365. The Board of Regents shall adopt policies that provide that the university shall prepare an annual plan for management and disposition of university land under this section and shall, not less than 60 days before scheduled approval by the Board of Regents of the plan,

- (1) make copies of the plan available at all legislative information offices and at other locations as the university may designate;
- (2) publish a notice in newspapers of general circulation in the state that provides the public with information on the locations where the plan is available for public inspection;
- (3) give notice to all legislators and to local governments with jurisdiction over the land affected by the proposal; and
- (4) seek public comment on the annual plan before action by the Board of Regents approving the plan.

(c) Subject to appropriation of the income, the Board of Regents shall use an amount up to 20 percent of the earnings derived from the management of university land conveyed to the university under AS 14.40.365 for programs and services supporting the development of natural resources within the region from which the earnings were derived. The earnings shall be used by the campus or campuses located within the region from which the earnings were derived if a municipality within which the campus or campuses are located provides to the campus or campuses a match of the same amount. This subsection does not apply if the match is not made available by a municipality.

(d) Before the conveyance or the disposal of an interest in the land to a third party, land conveyed to the University of Alaska under AS 14.40.365 shall be managed in a manner that, to the extent practicable, permits reasonable activities of the public that do not interfere with the use or management of the land by the university. The Board of Regents shall adopt a permitting process consistent with this subsection. (§ 5 ch 136 SLA 2000)

Effective dates. — Section 5, ch. 136, SLA 2000, which enacted this section, took effect on July 20, 2000.

See the editor's note for additional information as to the effectiveness of this enactment.

Editor's notes. — The Governor has contacted the

veto override of HCS CSSB 7(FIN) am II, which has been designated as ch. 136, SLA 2000 and which enacted this section. See 2000 Op. Alaska Att'y. Gen. No. 1. The issue is under litigation in *Alaska Legislative Council v. Knowles*, 1JC-00-1237 Civ. (First Jud. Dist. at Juneau).

new
14.40.366 ← Deleted

1 income accruing from an existing lease, license, contract, prospecting site sale, permit,
2 right-of-way, easement, or trespass claim.

3 (k) Notwithstanding any other provision of this section, within 10 years after
4 conveyance of land under this section the Board of Regents may reconvey to the
5 Department of Natural Resources land

6 (1) containing hazardous waste that was present on the land before
7 conveyance under this section;

8 (2) on which is located an historic or archeological site that is subject
9 to management under AS 41.35; or

10 (3) that the Board of Regents and the commissioner of natural
11 resources jointly agree is in the best interests of the state and the university to
12 reconvey.

13 (l) After the effective date of this section and before the conveyance of a
14 parcel of land to the Board of Regents in trust for the University of Alaska under this
15 section, the commissioner of natural resources may not convey, without consent of the
16 university, any irrevocable interest in a parcel that is required to be conveyed to the
17 Board of Regents in trust for the University of Alaska under this section.

18 * Sec. 6. AS 14.40.366 is repealed and reenacted to read:

19 **Sec. 14.40.366. Management requirements for university land.** Before the
20 conveyance or the disposal of an interest in the land to a third party, land conveyed to
21 the Board of Regents in trust for the University of Alaska under AS 14.40.365 shall be
22 managed in a manner that, to the extent practicable, permits reasonable activities of
23 the public that do not interfere with the use or management of the land by the
24 university.

25 * Sec. 7. AS 14.40.400(a) is amended to read:

26 (a) The Board of Regents shall establish a separate endowment trust fund in
27 which shall be held in trust in perpetuity all

28 (1) net income derived from the sale or lease of the land granted under
29 the Act of Congress approved January 21, 1929, as amended;

30 (2) net income derived from the sale, lease, or management of the land
31 [SELECTED BY AND] conveyed to the Board of Regents in trust for the

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

February 18, 2005

VIA FACSIMILE
Representative Ramras
Co-chair, House Resources Committee
State Capitol, Room 104
Juneau, AK 99801-1182
fax: 907-485-2070

FEB 23 2005

Re: Written Testimony on House Bill 130

Dear Representative Ramras:

I write to oppose the inclusion of 438 acres of land on Biorka Island and 1,443 acres of land on Lisianski Peninsula in House Bill 130/ Senate Bill 96. These lands are adjacent to or overlapping with native allotment lands that Tlingit people of Sitka have fought to receive as native allotments for over eighty years. This land grant to the University would irreversibly change the nature of these native allotments and in one case would be conflicting with the native allotment claim. Thus I urge the State to amend Senate Bill 130 to exclude these lands from lands the University would receive in HB 130.

As the Resources Protection Director at Sitka Tribe, I am primarily responsible to protect the property interest of native allotment applicants and landowners in the Sitka area. Sitka Tribe has compacted this responsibility from the federal government since 1995.

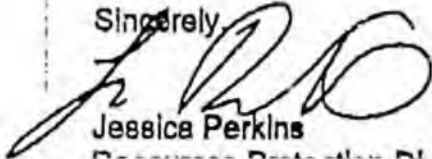
Blorka Island

I write on behalf of the family of Rudolph Walton, native allotment applicant of 160 acres of land on Blorka Island. Blorka Island was traditionally called *Waa's* to the Tlingit people of Sitka. It was on this land that Rudolph Walton (1867-1951) was born and had his summer camp. Mr. Walton applied for 160 acres of land on *Waa's* as a native allotment under the Native Allotment Act of 1906 in 1909. (Native allotment application A-01494 or J-01494). In 1921, Mr. Walton received title to 44.5 acres of land and the remainder of the island was reserved to the Navy. In 1940 the War Department condemned Mr. Walton's native allotment. In 1951, the War Department determined Mr. Walton's native allotment to be surplus to the War Effort and granted 22.5 acres of land to the Federal Aviation Administration and 20 acres of land to the United States Coast Guard. Since that time, the heirs of Rudolph Walton have fought to get Rudolph Walton's land back. This spring, the heirs will be filing a reinstatement application for the full 160 acres of land. The 160 acre application would include a portion of the 438 acres of land proposed to be transferred to the University of Alaska in HB 130.

Lislanski Peninsula

Three native allotments are on land adjacent to the 1,443 acres of land to be granted to the University of Alaska under House Bill 130. These native allotments would be irreversibly damaged as remote fish camps as they have been historically and presently used if the adjacent lands were granted to the University and developed as a remote settlement area. Thus, I urge you to exclude the land on Lislanski Peninsula from House Bill 130.

Sincerely,



Jessica Perkins
Resources Protection Director

Cc:

Representative Samuels, co-chair House Resources Committee, State Capitol, Room 126, Juneau, AK 99801-1182 fax: 907-465-3810

Representative Elkins (907-465-3793), Representative Gatto (907-465-2381),
Representative LeDoux (907-465-4958), Representative Olson (907-465-3835),
Representative Seaton (907-465-3472), Representative Crawford (907-465-4585),
Representative Kapsner (907-465-4589)

Representative Peggy Wilson (907-465-3175)
Senator Bert Stedman (907-465-3922)
Governor Frank Murkowski (907 465-3532)

STATE OF ALASKA
THE LEGISLATURE

FEB 22 2005

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: House Resources Comte

FAX: 907.465.2070

DATE: 2.22.2005.

MESSAGE:

2 pgs to follow this cover. (3) total

Please enter this testimony into the Comte record on HB130. She was unable to give it orally before the Comte on 2/16/2005. The Comte ran out of time.

Thank you.

Ellen Sharpsteen

February 21, 2005

Representative Peggy Wilson
Representative Ralph Samuels
Representative Jay Ramras

Re: House Bill 130

Dear Representatives;

I attended the teleconference but was unasked to speak do to the extremely limited time allowed for this bill. Time which should have been utilized for public comment was taken up with a bill that wasn't even on the agenda and for "official clarification" of the meaning of a superfluous phrase.

As a property owner in Farragut Bay, I feel that you were remiss in letting me know of this bill in a timely manner. The apparent speed which this bill has moved is not appropriate. The comment period is much to short and the notice is almost nonexistent. This is totally objectionable.

Irrespective of that, my comments are as follows:

According to your map, Read Island and its neighbor, Round Island, as well as Flock Rock in Farragut Bay are being designated for transfer to the University for inclusion into the Land Grant Trust Fund. This does not make any sense. Flock Rock, as its name implies, is just a group of rocks exposed above the water line. There aren't any trees, anchorages, hunting, or fishing available at Flock Rock. It is not even suitable for subdivision into parceling out for home sites. Therefore, there isn't any viable means of income with their inclusion.

Round Island is a local name for an island connected to Read Island via a sunken reef. There aren't any anchorages at Round Island. It is covered with trees and except for the reef, is steep sided. It also isn't suitable for home sites, and is therefore not viable for a means of income.

Read Island, on-the-other-hand, does have anchorages which are used extensively by commercial fishermen, sport fishermen, eco-tourism charters, pleasure crafters, hunters, and trappers. It does have some cedar trees, which could be harvested, although with great difficulty. The island is used for trapping, and hunting as well. It is forested near the water, while in the interior of the island, there are large areas of muskeg. This would be very difficult to build on, let alone getting the building materials to the site.

Instead of depriving people of its use, a user fee, such as the Forest Service now charges, could be applied to people using the island. This would be a continuous income generating source to the University. Granted, initially, it would be much less than if the

Island were sold to a private individual. But over the long term, it might even end up being more income.

However, a much better idea would be to not give any land to the University, but to designate a percentage of income off the oil and gas money which comes to the State of Alaska. I feel that the free tuition for the top ten percent of high school graduates is ridiculous. These top ten percent of the graduates would be recipients of scholarships as well as college loans and grants. They do not need free tuition.

Another area of concern for me is Whitney Island at Cape Fanshaw. This is an area used extensively by all the above users, as well as day users, like for picnics. People explore the old fox farm, the "Post Office" on the mainland, the old cannery, and other old building sites. They harvest the raspberries, strawberries, and other fruit. The lilacs are especially nice for cut flowers. These were planted when people lived at Cape Fanshaw and have now gone wild.

To put this area into a privately owned situation would be disastrous. Even if the University decided not to sell the land outright, they would remove its use by the public.

Once again, I do not feel that the University should get any land, but should, in fact, receive money from the oil and gas revenue. The Alaska Senate Bill 7, enacted in 2000 should be rescinded and Lisa Murkowski stopped from initiating her Bill in the U.S. Senate.

Please, do not allow this bill to pass. It would be more of a detriment to future generations than the money it would generate today.

Sincerely,



Gayle M. Eastwood

ALASKA BIRCH WORKS

Bob Zachel
P.O. Box 83244
Fairbanks, AK 99708
(907) 455-6164

FEB 22 2005

TO: Jay Kamrags

RE: Land transfer from the
Tanana Valley State Forest to the
University of Alaska.

The TVSF land being considered
for transfer to UA is land currently
being used for active logging. This
land is in the Rosie Creek area. There
is an existing road system that
was built and is maintained by
Dept of Forestry in conjunction with
timber sale contracts. The timber
in this area is good quality, has good
access, and is close to existing markets
and processing facilities.
The road system is also used
extensively by hunters and other
recreational users.

UAF has an experimental forest in
this area called Bonanza Creek Experimental
Forest. Several years ago the faculty

ALASKA BIRCH WORKS

Bob Zachel
P.O. Box 83244
Fairbanks, AK 99708
(907) 455-6164

of the Forestry Dept. voted to stop all timber sales in this area. Putting more forest lands under their control will likely ~~not~~ result in more of same policy. VAF has no road building or maintenance program. Without maintenance the existing road system will be lost and with it the access by all users.

Giving VA productive timber land will likely lead to less development and more administrative cost.

The land VA is getting is for reserve generation. When the VA president says this is not going to help reduce funding request in the foreseeable future I question the wisdom of doing it.

I am opposed to giving VA land from the TVSF that is currently being used by the local logging and saw-mill operation.

Bob Zachel
Alaska Birch Works

February 19, 2005

FEB 21 2005

Representative Jay Ramras
State Capitol, Room 104
Juneau, Alaska 99811

Re: SB 96/HB 130 University Land Bill

Dear Representative Ramras,

After reviewing the maps contained in the University of Alaska Land Grant List of 2005 I'm not surprised to see why there is so much controversy from individuals and communities. Last year I retired from DNR after working as a land manager for 25 years within the SE Regional Office. Having been involved with the selection of these lands from the Tongass National Forest I have an intimate knowledge of DNR's land base in Southeast. I wish to point out some issues for your consideration.

DNR and the University have worked very closely to come up with a statewide list of parcels at the Governor's request. SB 7 from 2000 is clearly flawed and SB96/HB 130 is an attempt to fix the legislation by generating a specific list of parcels. This approach is reasonable but the parcel list must be altered to serve the public's need.

The current list contains 44 southeast properties (40,114 acres) scattered from Ketchikan to Juneau that from a geographic standpoint will be costly to manage. The list encompasses land for settlement, general use and public recreation as identified in DNR's Area Plans.

Observations

- The assumption that land will generate substantial money to fund University programs is flawed. DNR has already sold the most desirable land in southeast and the land pool has also been further reduced by land conveyances to the municipalities, the first settlement agreement to the University and to the Mental Health Trust Land Office. An endowment fund or appropriation is a more sensible way to achieve financial stability along with legislation that conveys a smaller land base.
- DNR's Area Plans undergo intense public scrutiny during a two-year development process. The commissioner's approval of these plans provides classification and management intent for state land. DNR should focus on selling Settlement land for their land disposal programs that have received additional legislative funding in recent years. Additionally, Public Recreation lands should not be part of the land package as these lands have unique public values. Once conveyed to the University the Public Recreation classification becomes meaningless and the public who was assured by DNR that the land would be used for public recreation purposes is betrayed and public trust and confidence in DNR is eroded. One example is the 1,358 acres at Lynn Canal, more commonly called Lynn Sisters. This parcel is classified as

Public Recreation and is identified as a future State Marine Park. This land would complement St. James Bay State Marine Park a few miles to the north that is heavily used and has a great public use cabin. There are also several parcels that have a Wildlife Habitat classification along with either Settlement or General Use. DNR should continue to hold all Wildlife Habitat lands.

By regulation DNR can only sell land classified as Settlement whereas the classifications have no relevance upon conveyance to the University. Less than 5% of the land is classified Settlement and even a smaller percentage is truly developable after accounting for steep terrain, muskeg and anadromous streams. While DNR has not included any Settlement lands proposed for sale within the next five years, they can ill afford the loss of any Settlement land if the legislature desires DNR to continue with a long-term land disposal program.

- **Removal of Selected Land** Harris River Junction (320 acres) should not be under consideration as the Commissioner's approval of the Prince of Wales Island Area Plan concurred with the relinquishment of this selection. This selection as well as several others are only selected and have not been conveyed from the federal government.
- **Maps in the Land Grant List** In some cases the parcel encompasses all of the state land in a specific area. In over 50% of the cases, the parcel represents only that land in the pool and gives no recognition to adjacent private or remaining state land. The legislature and the public cannot evaluate or visualize these fragmented ownership patterns without seeing adjacent private and state lands. A look at these maps leads one to believe that all surrounding land is Tongass National Forest, that is not the case. A good example is Thorne Bay containing four separate tracts of 2,557 acres. This map does not aid in understanding fractured ownership boundaries that will occur. The problem is compounded by the fact that DNR will issue a quitclaim deed for the land; this action does not require a land survey on the ground.
- **Acreage** The 250-260,000 acre figure has been tossed around for years. While the University obviously wants the maximum acreage possible there is no reason that the Governor cannot reduce this acreage and remove from the pool the controversial parcels or select additional parcels if parcels must be dropped and the 260,000 acre figure maintained. Due to controversy surrounding this legislation there is no compelling reason to fast track this bill.

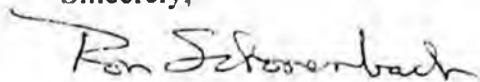
Recommendations

- Remove from the pool all land classified Settlement, Public Recreation and Wildlife Habitat. Settlement lands are essential for DNR to continue with their land disposal program. Public Recreation and Wildlife Habitat lands are identified for specific, unique values and must continue to be managed by DNR. Elimination of these lands will aid the University by having fewer scattered parcels to manage.

- Remove from the pool land approved for relinquishment and land selected but not yet conveyed.
- Request that DNR produce a corrected set of maps showing state and private land surrounding the selected parcels.

I would appreciate your efforts to consider these revisions and to share my letter with other committee members. Please contact me if you wish to discuss any of the issues.

Sincerely,



Ron Schonenbach

16435A Pt. Lena Loop Road, Juneau 99801

789-2028

cc: Governor Murkowski
Commissioner Tom Irwin

Douglas Owen

From: EDWINA L BARNETT SIMMONS [simmonsbarnett@msn.com]

Sent: Sunday, February 20, 2005 9:12 PM

To: Rep. Jay Ramras

FEB 21 2005

To: My Representative: Peggy Wilson, and the House Resource Committee:

Jay Ramras co-chair, Ralph Samuels co-chair, Jim Elkins, Carl Gatto,
Gabrielle LeDoux, Kurt Olson, Paul Seaton, Harry Crawford, Mary Kapsner

Dear Representatives:

I was born in Fairbanks in 1945 and my wife in 1954, and we both grew up on homesteads with a subsistence lifestyle. We watched the population of that area grow from 10,000 to 60,000 in what felt like overnight during the peak of the TransAlaska pipeline construction period. We also watched in dismay at how a large influx of people can change your chosen lifestyle because of the increase demand on the hunting and fishing resources. Fairbanks no longer offered the lifestyle we desired, so we searched for a new area/community that matched our needs. We found that in Lisianski Inlet. It was and still is perfect with the low density, the sheer magnificence of scenery, and the abundance of fish and wild game for a subsistence lifestyle. We loved the area enough to re-locate, build a new home, raise a family, live here for the past 20 years and retired here.

Lisianski Inlet is *not* an area that can support a larger population *because* of its remoteness, which is the very reason why so many Pelicanites have chosen to live here. This is an area that Nature has chosen to keep remote through the roughness and steepness of the land and by the unpredictable patterns of the weather and the ocean. There are some areas of Alaska that need to remain remote and this is one of them. Please do not destroy the Inlet and the subsistence lifestyle that the people of Lisianski Inlet/Pelican have chosen. The passage of HB 130 and the development that is sure to follow would ruin the area and this unique way of life.

Thank you for your consideration to our strong objection to the passage of HB 130.

Sincerely,

Avery and Edwina Simmons
907-752-5037

FEB 21 2005

Douglas Owen

From: Jennifer Price [Jen@soundsailing.com]
Sent: Friday, February 18, 2005 3:55 PM
To: Rep. Jay Ramras
Cc: Rep. Peggy Wilson; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gallo; Rep. Gabrielle LeDoux;
Rep. Kurt Olson; Sen. Bert Stedman; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Subject: HB 130

Dear Representative Ramras and committee members,

I am writing to thank you for the opportunity to give my testimony Wednesday, February 16th, regarding the controversial House Bill 130. I hope to punctuate my statement given over the phone with this written testimony.

I am opposed to HB 130, clearly, because of specific parcels of land which are listed in the proposed grant to the University of Alaska. While I am unfamiliar with many of the areas designated farther north and in the interior, it was quite clear to me over the several days of testimony put forth that people from all over the state are alarmed with the prospect of losing the public land surrounding their homes, recreational areas, and subsistence grounds.

I admit that many of us are not exactly eloquent in our vocal testimonies, nor in our written testimonies, but what counts here is the passion and determination of each and every voting Alaskan who makes his feelings known to our representatives. Please take to heart every testimony you've heard or read in relation to this bill--in the recent past and in the near future-- because we are counting on you, our elected officials, to listen to us and to fairly evaluate that for which we are fighting--to keep our public lands public.

I advocate doing away with HB 130 completely and finding a different way to help fund the University of Alaska. If this is not to happen I would hope that the revised bill will delete all of Southeast Alaska from the land grant, most importantly Baranof, Warm Springs Bay. I think you heard plenty of testimony on behalf of this lovely little pocket of beauty and serenity, so I'll be brief. I am a person who owns NO property here in the bay, therefore I have NO financial interest in the area, but I am actually in the majority of its champions. The Baranof Homeowner's Association consists of a small group of landowners, many from whom you've heard testimony recently. But there are hundreds of people who frequent this spot consistently including Sitkans, out-of-state boaters, the fishing fleet, the Coast Guard, destination fishers, hikers, wildlife enthusiasts, charter boats and scores of other types. We all return to this place repeatedly because of the thundering waterfall, the raging river, the unspoiled wetlands, the pristine lakes, the majestic mountains, the world-class hot springs, and the phenomenal fishing and wildlife. What is missing here is any large-scale development, and that is what we all cherish about this wonderful sanctuary called Warm Springs Bay.

We all live in Alaska for many disparate reasons, but I would wager a bet that most Alaskans choose to live in this great state because of its vastness, its physical diversity, and especially its seemingly limitless wilderness. Let's not give what is currently public land to an entity which may sell to a private party, thereby losing, parcel by parcel, the very essence of this great vast land we call Alaska.

2/21/2005

Thanks for listening.

Jennifer Price
Caretaker, Baranof Wilderness Lodge

1802 B Alder Way
Sitka, AK 99835
747-7473



Kodiak Game Ranch

Po. Box 1608 Kodiak AK 99615

billkathybuckburton@hotmail.com

2/1/2005



My name is Bill Burton and I'm the owner of the Kodiak Game Ranch at Narrow Cape along with my wife and son. We have the ranch that the U. of Ak has selected for the 2,880 acres out of our lease area. We've operated this ranch for going on 40 years, and this Ranch has been operated as a livestock ranch for over 60 years. The ranches on Kodiak with their state leases have kept open to the public most of the public land on the road system. If it hadn't been for the leases most of this land would have been put in private land status, which would have prevented their use for the general public. If this is taken over by the Univ. it could prevent the public access not only to the Narrow Cape area, but the rest of the ranch which includes all the valleys and the Sacramento River, which are hunting and fishing areas the public has been using, as they would have to pass through the Univ. land to access the rest of the ranch.

We are opposed to their land selection out here for a couple of reasons, unless the Univ. can give both the Borough and us a written agreement, which this bill states and the promises that Kate Ripley stated in the Mirror article of Feb 8th. First of all, she stated there are no current plans to develop the land, and all current land agreements would remain in effect. These would include the KLC, and our grazing lease that we, Kodiak Game Ranch, operate. Furthermore, she also stated that the Univ. is not planning to limit public access to the area. However, our concern is that when our lease term is up, that we would be able to renew the lease and we would like something written, giving clause about a renewal to our lease.

This land that the Univ. is proposing to select will take the majority of our winter range that our livestock have to graze on and winter range is absolutely essential to us to be able to run the livestock. Also we have a fencing contract with the NRCS (Natural Resources Conservation Service) to fence off a portion of that land for conservation purposes. All of the fencing materials have already been purchased, as the contract has been approved. This is a fairly large contract, so if the State lease for which it is located on now becomes University land, will we be able to fence off the pasture, or will we be stuck with the cost of the fencing materials with no place to fence?

The University says that this would be land utilized for education and research purpose. However, they also state in the future they might regroup and make a different use of the land, (to better benefit the university). Possibly subdivide and sell the land for the most possible profit for the University?

Now maybe the University will do better with their rocket research and educational facilities, but they for sure haven't had a very good record supporting agriculture in the state in the last few years. At one time they did quite a lot of Ag. Research, and had good facilities to do so, but these have all been allowed to decay and disappear, and livestock

Kodiak Game Ranch
Po. Box 1608 Kodiak AK 99615

research in the state to my knowledge is virtually nil. So maybe they could utilize some of it for Ag research, along with Rocket research, but I suppose that's really wishful thinking.

A couple of years ago the University also wanted 1,200 acres along the beachfront at Narrow Cape, including Pasagshak Point for purposes to subdivide into lots, much like they did at Saltery Cove, where they took 60 acres out of an existing livestock lease, so they could sell it. Why is that a land grant University, which is supposed to support agriculture, mining etc, would take land from an established agricultural farm or ranch, and use it for a land sale to make money for the University, when it is supposed to support the agriculture they are in fact hurting? Isn't that a contradiction to their stated purpose?

I would like to say, that the KLC has been a good neighbor, allowing our grazing lease to remain and have helped us in various ways. Furthermore, I'm an ex Navy man, and I do believe we need the 'Star Wars' research that President Reagan first envisioned, as we do indeed live in a very dangerous world and definitely need an anti-missile defense program. However, I don't see where that qualifies the University to take 2,880 acres out of an existing grazing lease that has been in existence for over 60 years, possibly endangering its future existence, unless there is a provision to protect and renew the lease and possibly utilize some of their research to further the livestock industry here in Kodiak along with the rocket research.

Sincerely,

Bill Burton

February 9, 2005

To: My Representative: Peggy Wilson

House Resource Committee:

Jay Ramras co-chair, Ralph Samuels co-chair, Jim Elkins, Carl Gatto, Gabrielle LeDoux, Kurt Olson, Paul Seaton, Harry Crawford, Mary Kapsner

Subj: HB130

Dear Representatives:

My name is Jim Slater and I have lived in Lisianski Inlet for the past five years. I am a commercial salmon troller and utilize the area for business. I have also made my home here because of its natural beauty and the subsistence opportunities it provides. The University of Alaska Land Grant threatens my way of life and my business.

I strongly oppose this bill for what it is are trying to do and how the legislature is handling it.

More specifically I oppose the bill because:

- 1) This bill will directly and significantly affect the majority of Alaskans. The public was first able to view the content of HB130 on Monday, January 7th. The first hearing was today, two days later. The fact that it is being pushed through the legislature so quickly does not allow the public enough time to understand and to comment on it. If as our elected officials you are interested in what your constituents have to say, then why can't you give us time to comment? What's the rush?
- 2) The amount of land being transferred in Lisianski Inlet is over 1000 acres. That is significantly more private land than is currently in the inlet. The affect that this big a change will have on Pelican, its surrounding communities, and the environment is unstudied and unknown. The Northern Southeast Alaska Land Usage Plan has been recently completed. It went through a public process in which myself and some of my neighbors participated in. As I understand it, the University will not be required to observe any of elements in the plan. To transfer any of the land without regard for what the local community needs or wants is wrong. The impact that the increased population density will have could very well damage our subsistence and business activities. In general, this will make it a much less desirable place to live and work.
- 3) ST1002 covers from Sunnyside to the south end of town. Most Sunnyside residents have land directly behind their houses that will be affected by this transfer. Many use the land for a water supply and an access to the Tongass for subsistence activities. I personally use the land for subsistence activities.

- 4) MF 1001 is in a place where I moor my boat. It provides the most immediate refuge for someone coming into Lisianski from Cross Sound in rough weather. It is also a place where I sell fish.

I officially request:

- 1) That we SLOW down this process to allow a suitable public comment period.
- 2) That ST1002 and MF 1001 are eliminated or substantially reduced in size. If the latter is the case this must be done with public involvement.
- 3) That this comment be included in the HB130's file.

Thank you for considering my comments and for truly representing the wishes of the Alaskan people by rejecting this bill.

Sincerely,

James C. Slater
P.O Box 63
Pelican, AK 99832

Rebecca Rooney

From: Ronald Dick [redick@pci.net]
Sent: Wednesday, February 09, 2005 2:17 PM
To: Rep. Peggy Wilson
Subject: land transfer

Dear representative Wilson:

My family has a home and wilderness lodge at Sunnyside near Pelican, AK (in Lisianski Inlet). I am opposed to the proposed land transfer being fast-tracked by Gov. Murkowski. We need slow this process down so the public can be more involved. I am particularly opposed to the transfer of Mite Cove in Lisianski Inlet. This area should be left undeveloped for several reasons. It is an important anchorage for the commercial fishing fleet in Cross Sound. It is used as a heavy weather refuge and as an overnight anchorage during fishing season. This is also a very important subsistence site for the local residents, especially the Native residents. My family uses this area for seaweed. Also, this area should be left undeveloped in order to be consistent with the upland use of wilderness. I am sure that most of the people who live in Lisianski Inlet do not know that this transfer is being planned. Thank you for your consideration of my input. Ronald Dick

[REDACTED]

From: Rep. Peggy Wilson
Sent: Friday, February 18, 2005 8:19 AM
To: Rep. Peggy Wilson
Subject: RE: House Bill 130

From: Rick Fieischman [mailto:Capt-Rick@soundsailing.com]
Sent: Thursday, February 17, 2005 4:55 PM
To: Rep. Peggy Wilson
Cc: Sen. Bert Stedman; Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Rep.Mary.Kapsner@legis.state.ak.us
Subject: House Bill 130

Dear Peggy,

Thank you for your support on our concerns about House Bill 130. I'm glad to hear that the plan is being modified to include some of the public input given at the House Resource committee meetings.

As we discussed briefly on the phone, there is some concern regarding the hot springs in Warm Springs Bay and the possibility of damaging or even losing the springs completely in the event of major development; specifically in regards to the operation of heavy machinery and/or blasting.

My understanding from talking to people who know a lot more about geology and hot springs than I do is that thermal springs bring heated water from below the earth's surface to the springs we enjoy via fissures in the earth's crust. Geothermal hot springs are relatively fragile in the regard that blasting or other vibrations from heavy machinery can collapse these fissures preventing the hot water from reaching the surface.

Because of this, Tenakee Springs has an ordinance prohibiting blasting within 20 miles of the springs there. Around 1995, some people in Tenakee decided it would be a good idea to enlarge the spring, which comes out of a rock near the shoreline and is now right in the middle of town across from the general store. The easy way to enlarge the rock pool was to blast it with dynamite which some of the miners in town proceeded to do. After blasting, the new pool was much nicer. The only problem was that the hot water stopped flowing to it. Fortunately for Tenakee and all who have visited there since, the hot water started running again after a few weeks. It's important to note that this was a small scale blasting--only clearing rock about 4 feet X 8 feet and about 5 feet deep.

As the hot springs at Baranof (Warm Springs Bay) are one of the major reasons the area is valued so highly by local residents, fishermen, and visitors from around the world, any risk of damaging or losing the hot springs is of the utmost concern.

I have also heard talk of faults around Baranof Lake. As far as I know, there has not been any

extensive geologic mapping in the area. There was a feasibility study by the state considering building a road from Sitka to Warm Springs Bay. On page 10 of the study dated March 8, 1996 by Lachel and Associates, I found the following reference:

"A major fault runs just north of, and parallel to, the proposed highway and tunnel route."

On page 49, the same study recommends, "The location, orientation, and characteristics of the fault lying to the north and parallel to the tunnel line must be determined and assessed for its potential effects on the tunnel construction."

I did find a geological map of Baranof Island showing faults at:
<http://www.dggs.dnr.state.ak.us/scan1/p/oversized/P0792pt02.PDF>.

On Plate 2, there is a major fault north of Warm Springs Bay that runs on an east/west orientation from Mt. Edgumbe all the way to Chatham Strait just north of Warm Springs Bay. I assume that this is the fault discussed in the feasibility study. The plate also shows an approximate position of the Medvejie Lake fault that runs east/west and ends near the south shore of Baranof Lake.

I don't know if you have visited the hot springs here at Baranof. If not, you should put it high on your priority list because they are truly an incredible treasure. I have traveled extensively and have never seen a more beautiful scene than the thermal pools surrounded by the rain forest overlooking the glacial fed, class 5 rapids of the Baranof River. It is truly a world class spot and we must protect it! Thank you for your efforts to make sure that the 276 acres of land in Warm Springs Bay is removed from the list of parcels to be transferred to the University of Alaska in House Bill 130.

Sincerely,

Rick Fleischman

1802 B Alder Way
Sitka, AK 99835
747-7473

Note: I am currently caretaking at the Baranof Warm Springs lodge and can be reached on a cell phone here--206.605.8363.

Rebecca Rooney

From: Marty&Laurie [marty.remund@worldnet.att.net]
Sent: Tuesday, February 15, 2005 7:33 AM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner; Rep. Jim Elkins
Cc: Rep. Peggy Wilson
Subject: NO to UA Land Grant HB130

House Resource Committee members:
Thank you for hearing testimony yesterday on HB130.

I believe the University of Alaska is an excellent institution of higher learning which deserves full funding from the State of Alaska. However, even IF land grants *were* an appropriate way to fund the University (they are NOT), DNR's nomination of such utterly inappropriate parcels would make this bill unworthy of going any further than your committee.

For example, the 267 acres selected in Port Alexander (which currently occupies about 128 acres) include the community's entire watershed: the collection basin, water tank, pipeline, chlorinator shed, backup reservoir, and boardwalk access. This water system cannot support 267 acres of new development. This is reflected in DNR's Area Plan, which, regarding these parcels, states that "development is not considered appropriate given uncertainty over the need for additional land in this remote fishing community and the ability of the City of Port Alexander to provide public services". It is unclear why DNR would select these parcels after correctly concluding that they should not be developed. In fact, the Port Alexander Planning Commission is currently working on issues related to growth and our water system capacity, and was before the issue of UA lands was even imposed upon us.

Additionally, these parcels are absolutely essential subsistence hunting areas. They enclose Port Alexander on all sides, and considering the rough waters of Chatham Strait during most of the hunting season, are often the only option for putting food on the table. The importance of hunting cannot be overstated: *subsistence IS our economy*. If your perception as committee members is that people feel threatened by this legislation, then good, you are getting the point. Development on these lands would directly jeopardize the ability of Port Alexander residents to feed our families. You can expect us to be passionate about that.

Laurie Mastrella
Port Alexander

Douglas Owen

From: Norm & Linda Carson [nlcarson@att.net]
Sent: Thursday, February 17, 2005 5:29 PM
To: Sen. Bert Stedman; Rep. Peggy Wilson; Rep. Paul Seaton; Rep. Ralph Samuels; Rep. Kurt Olson; Rep. Gabrielle LeDoux; Rep. Mary Kapsner; Rep. Carl Gatto; Rep. Harry Crawford; Rep. Jay Ramras
Cc: Warren Wiley; Tim Whiting; TnJBurke@aol.com; Mary Lou Strahm; Deb Spencer; Snyder, Larry; jim slater; Terri Schomer; Kim Ross; Fred Reeder; Bill Ray; Claude Odell; Caroline Odell; John & Sari Monagle; Mig Miles; Malcolm McGregor; David Kensinger; Ed Kalwara; Greg & Donica Jerue; Brown Simon II; Renda Heimbigner; John Glass; Joanne Giendenning; Joe DeTemple; City of Pelican; Scott & Amy Carson; Roy Campbell; Richard Burton; Bruce & Judy Bowler; Bruce Bauer
Subject: University Lands Bill a Bad Idea

University Lands Bill a Bad Idea

The recent discussion of HB 130 in the House Resources Committee demonstrates that transferring high value public land currently utilized for recreation, subsistence, tourism, or other commercial uses is poor public policy. If you reside in Juneau, Haines, Hoonah, Elfin Cove, Gustavus, etc. you may have hunted or recreated in lands slated to be given to the University. These include but are not limited to var' tracts of land around Tenakee, Pelican, Idaho Inlet, Mite Cove/Ewe Ledge, etc. If you live elsewhere in Southeast you better stay informed on HB 130 as most assuredly land you utilize is affected.

The University is anxious to receive these lands as they will then become private property and can be disposed of with much less oversight by the University. Joe Beadle, (U of A), in testimony stated that the University would be able to react much quicker to "market forces". In other words, a wealthy speculator could make an offer and purchase land in large blocks with out going through a public bid process. There are no requirements in HB 130 that land be subdivided into home site lots for Alaska residents. Donald Trump could buy his private Alaskan retreat and post the property with no trespassing signs.

To make matters worse, this State legislation would pave the way for Senator Murkowski to pass Federal Legislation offering up another 260,000 acres in matching Federal Lands to be passed on to the University. If we are having this much difficulty in agreeing upon State land to be transferred, can you imagine the fur ball we will have over another 44,000 acres out of the Tongass?

I do not believe we should lock up our land to never be developed; however, giving it to the University to dispose of is not responsible. Land in our rural areas should be made available for purchase by Alaska residents for home sites, in discussion with the local communities, in lot size consistent with existing lots, and in small numbers over a lengthy period of time so that all generations may participate.

In a State with 30 billion dollars in the permanent fund I find it incredible we are even discussing HB 130. Personally, I would much rather see a portion of the permanent fund be allocated to an educational endowment. An endowment would cause everyone to pay a little bit as would future generations. The University offers an educational opportunity to every family, therefore everyone should contribute. In the meantime rural land disposal can proceed in a rational manner.

Norm Carson

PO Box 98

907-735-2460

2/18/2005

Pelican, AK 99832

907-321-1950

Douglas Owen

From: Jesse Remund [jessman160@hotmail.com]
Sent: Thursday, February 17, 2005 8:24 PM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson
Subject: Concerned

Dear Representatives,

My name is Jesse Remund and I am writing in regards to the 250,000 acres of land being offered to the University of Alaska. First off I would like to express that I am very against the idea. I was raised in Port Alexander from a baby until the age of 16. My family has been living off of the land there for over 25 years. I was raised hunting deer and gathering wild plants to help feed my family. Every one in the community has depended on the forest around the town for hunting, gathering, and recreation for as long as Port Alexander has been a town. If this large area of forest is given to University of Alaska it will deprive the community of the natural and replenishing resources that everyone depends on for living. Please hear my concern. Thank you.

Sincerely,
Jesse Remund

Douglas Owen

From: Rick Fleischman [Capt-Rick@soundsailing.com]
Sent: Thursday, February 17, 2005 4:55 PM
To: Rep. Peggy Wilson
Cc: Sen. Bert Stedman; Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Rep.Mary.Kapsner@legis.state.ak.us
Subject: House Bill 130

Dear Peggy,

Thank you for your support on our concerns about House Bill 130. I'm glad to hear that the plan is being modified to include some of the public input given at the House Resource committee meetings.

As we discussed briefly on the phone, there is some concern regarding the hot springs in Warm Springs Bay and the possibility of damaging or even losing the springs completely in the event of major development; specifically in regards to the operation of heavy machinery and/or blasting.

My understanding from talking to people who know a lot more about geology and hot springs than I do is that thermal springs bring heated water from below the earth's surface to the springs we enjoy via fissures in the earth's crust. Geothermal hot springs are relatively fragile in the regard that blasting or other vibrations from heavy machinery can collapse these fissures preventing the hot water from reaching the surface.

Because of this, Tenakee Springs has an ordinance prohibiting blasting within 20 miles of the springs there. Around 1895, some people in Tenakee decided it would be a good idea to enlarge the spring, which comes out of a rock near the shoreline and is now right in the middle of town across from the general store. The easy way to enlarge the rock pool was to blast it with dynamite which some of the miners in town proceeded to do. After blasting, the new pool was much nicer. The only problem was that the hot water stopped flowing to it. Fortunately for Tenakee and all who have visited there since, the hot water started running again after a few weeks. It's important to note that this was a small scale blasting--only clearing rock about 4 feet X 8 feet and about 5 feet deep.

As the hot springs at Baranof (Warm Springs Bay) are one of the major reasons the area is valued so highly by local residents, fishermen, and visitors from around the world, any risk of damaging or losing the hot springs is of the utmost concern.

I have also heard talk of faults around Baranof Lake. As far as I know, there has not been any extensive geologic mapping in the area. There was a feasibility study by the state considering building a road from Sitka to Warm Springs Bay. On page 10 of the study dated March 8, 1996 by Lachel and Associates, I found the following reference:

"A major fault runs just north of, and parallel to, the proposed highway and tunnel route."

On page 49, the same study recommends, "The location, orientation, and characteristics of the

fault lying to the north and parallel to the tunnel line must be determined and assessed for it's potential effects on the tunnel construction.

I did find a geological map of Baranof Island showing faults at:
<http://www.dggs.dnr.state.ak.us/scan1/p/oversized/P0792pt02.PDF>.

On Plate 2, there is a major fault north of Warm Springs Bay that runs on an east/west orientation from Mt. Edgcumbe all the way to Chatham Strait just north of Warm Springs Bay. I assume that this is the fault discussed in the feasibility study. The plate also shows an approximate position of the Medveje Lake fault that runs east/west and ends near the south shore of Baranof Lake.

I don't know if you have visited the hot springs here at Baranof. If not, you should put it high on your priority list because they are truly an incredible treasure. I have traveled extensively and have never seen a more beautiful scene than the thermal pools surrounded by the rain forest overlooking the glacial fed, class 5 rapids of the Baranof River. It is truly a world class spot and we must protect it! Thank you for your efforts to make sure that the 276 acres of land in Warm Springs Bay is removed from the list of parcels to be transferred to the University of Alaska in House Bill 130.

Sincerely,

Rick Fleischman

1802 B Alder Way
Sitka, AK 99835
747-7473

Note: I am currently caretaking at the Baranof Warm Springs lodge and can be reached on a cell phone here--206.605.8363.

----- Original Message -----

From: Rep. Peggy Wilson

To: lhscwls+hb130@legis.state.ak.us

Sent: Thursday, February 17, 2005 12:19 PM

Subject: HB 130 Update

I am so glad that you all have taken time out of your schedules to keep abreast of developments with HB 130.

In response to the outpouring of testimony, The Resource Committee has suspended public testimony for HB 130. The Committee is going to roll up their sleeves and work with DNR and the University to create a modified plan. Some of the changes will be handled with amendments to the bill and some of the changes will be handled by agreements with the stakeholders and the University. Once the changes have been fleshed out they will be released for public review. This review process will include public testimony. HB 130 is expected to be on the House Resources Calendar on March 2, 2005.

2/17/2005

Melinda Hofstad
PO Box 1030
Petersburg, Alaska 99833

Rep. Jay Ramras, Co-Chair
Resources Committee

Dear Chairman Ramras:

I commend you and your Committee for recognizing the need to do some major reworking of HB 130. I have been waiting to testify and have not yet had the chance to do so.

I am a 30-year property/home owner in Baranof Warm Springs Bay. Our village is a century old and is 15.4 acres of private land. Many of the lots are unbuilt and some are for sale. HB 130 proposes to add an additional 267 acres of private land directly adjacent to our town. This exchange has been proposed with absolutely not one bit of input from anyone who lives there. We don't want input after the University has the land with the intent on making a profit on it. We wanted and deserved input before it ever was put on this exchange list.

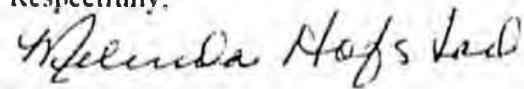
This is an unsuitable site for selection in the first place. The majority of this property is wetlands and steep fiord type terrain, and has already been assessed by DNR to be unsuitable for home sites, which seems to be exactly what the University plans to do with it.

Baranof Warm Springs is part of the Sitka Borough. The Sitka Assembly held a Special Meeting on Monday night and unanimously voted to oppose this bill. They understand that they cannot possibly afford to provide the sewer and water systems, schools, docks, harbors, fire and police protection, etc. that this kind of development would require to a remote community 100 miles from Sitka.

Please, amend this bill and remove the Baranof Warm Springs Bay parcel and add a piece of property that is not adjacent to an already existing community.

And finally, please consider that in the case of Baranof you would be taking a century old village of 15 private acres, and adding an additional 267 acres of development to it with absolutely no input from those of us who already live there. I ask you to think how you would feel if someone in a bureaucracy somewhere, arbitrarily increased the size of the community where you and your family live by 18 times and you have no say until after the fact. And that's not even guaranteed in this legislation.

Respectfully,


Melinda Hofstad

Douglas Owen

From: William M. Hopkins [hopkins@kpunet.net]
Sent: Wednesday, February 16, 2005 11:04 AM
To: Rep. Jay Ramras
Subject: HB 130

The Honorable Rep. Jay Ramras:

I have been watching your hearings on HB 130. It is infuriating to see the possible give away of beautiful state lands to a less than responsible University of Alaska. I am a lifelong Republican, but only need to look at Slide Mountain north of Ketchikan to see what university land management means. Slide Mountain was clearcut from top to bottom directly behind the D-1 Loop neighborhood and in plain view of the Totem Bight State Park. The University of Alaska had no regard or consideration for the residents who live below nor or the viewshed of the state park.

They secretly sold a large parcel of old-growth timber to a logging company behind a residential neighborhood at Mountain Point south of Ketchikan. It too was mostly clear cut, with no regard to the local residents who now have to live with the mess. To add insult to injury, all of this timber was exported in the round to the Pacific Far East while our local mills slave for timber.

The next time you fly to Anchorage, weather permitting, you might want to look down between Icy Bay and Cape Yakataga to see what University of Alaska land management means.

I stand opposed to HB 130 and any giveaways of state land to the University of Alaska. They are bad stewards and not trustworthy to be gifted with undeveloped land.

Sincerely yours,

William M. Hopkins
12810 Snowberry Lane North
Ketchikan, Alaska 99901

2/16/2005

Douglas Owen

From: Norm & Linda Carson [nlcarson@att.net]
Sent: Thursday, February 17, 2005 6:41 AM
To: City of Pelican; Craig Loken; Carol Seymour; Karen & Victo; Patricia Phillips; Steve & Jill Daniels; Terry Wirta; Rep. Jay Ramras; Rep. Ralph Samuels
Cc: David Kensinger; Jeanne'; Mig Miles; Caroline Odell; Claude Odell; Fred Reeder; jim slater; Deb Spencer; Sen. Bert Stedman; Mary Lou Strahm; Kathie Wasserman; Rep. Peggy Wilson; Terri Schomer
Subject: Lands Bill Delayed
Attachments: House Panel Holds Off On Lands Bill.doc

Thank you to everyone that took time to comment on this bill, we have a temporary reprieve while the bureaucrats huddle to come up with another version of HB 130. I called in on last Monday to the House Resource Committee teleconferenced hearing and was on the list to testify. There were so many people wanting to testify that they were going to continue on with the hearing on Wednesday. It appears that after Monday's two hours of public testimony, so adamantly against this bill, they decided to regroup, rewrite the bill and try again on March 2nd.

HB 130 was bad enough, but the idea that an additional 260,000 acres of Federal land Statewide could be matched with HB 130, if Sen. Murkowski could get the Federal legislation passed, is even more alarming. From the testimony it appears that HB 130 was needed as a matching land bill in order for the Federal Bill under the Senator to proceed. The Federal Bill could jeopardize lands we thought protected under the last Tongass Land Management Plan, parts of Lisianski that are now protected as being part of the Tongass could be selected to be given to the University for future funding.

I am not one to lock up our land from any future development, but I would like to see it proceed in a rational manner, in such a way that offers the most benefits to local residents, has local input, and is consistent with historical local land use. In the past the State has disposed of small parcels of land close to Pelican, for development as residential or recreational homesites: that seems appropriate.

I was disappointed in the manner this land bill was presented to the communities. HB 130 was announced in a news release by the Administration on a Saturday, details were made available to the public on Monday, (if you had a computer), the bill was then introduced on Monday in House Rules with its first public hearing on Wednesday of the same week.

The State should take an approach the Forest Service uses when considering land use changes in the rural areas. The Forest Service will publicly announce the policy and then visit the affected communities with maps in hand to clearly explain the options. At the very least the State should have sent every affected community a set of maps depicting the lands they proposed to give away adjacent to that community. Relying on folks to find the DNR website, then find the list of geographical areas, and then identify them as being close to their community was not right. For example; under Pelican only two of the three parcels was listed. The Mite Cove parcel was listed separately, the first time I opened the DNR site I missed it. I sent an e-mail to DNR asking if there were any other sites beyond the two that were in Lisianski Inlet, the e-mail was never responded to by DNR.

Thank you again to you folks that commented or supported the positions of those that did.

Norm Carson

2/17/2005

PO Box 98
Pelican 99832

2/17/2005

Douglas Owen

From: Doris Bailey [dorie@gci.net]
Sent: Wednesday, February 16, 2005 10:53 PM
To: Rep. Harry Crawford; Rep. Jim Elkins; Rep. Carl Galto; Rep. Mary Kapsner; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Paul Seaton
Cc: Sen. Bert Stedman; Rep. Peggy Wilson; Hugh Bevan; Jessica Perkins; John Littlefield; Kevin Ritchie; Kathie Wasserman
Subject: HB130/SB96

Ladies and Gentlemen of the House Natural Resources Committee: I am a member of the Assembly of the City and Borough of Sitka. I attended the hearings you held on Monday February 14 and Wednesday February 16 in order to testify on the above bills but was not called upon. I am glad our mutual constituents from Warm Springs Bay were able to discuss some of the issues with you but feel there are other parcels within the City and Borough that deserve equal time. The Sitka Assembly met in emergency meeting the evening of February 14 to take public testimony and to decide on an official opinion. The following is a unanimously approved letter addressed to the Honorable Frank Murkowski. My personal comments follow this letter:

The Honorable Frank Murkowski
 Governor of the State of Alaska
 PO Box 110001
 Third Floor, State Capitol
 Juneau, Alaska 99801-0001

Dear Governor:

The City and Borough Assembly of Sitka met for a special meeting on February 14, 2005 to discuss the issue of University Land Transfers. We would like to take this opportunity to oppose HB130/SB96 in their present form.

The properties for transfer are integral parts of the communities of Baranof Island, and this action could have incalculable detrimental effects on these communities. We believe the City and Borough of Sitka would be better served if these properties are left intact so that the Municipality could have better oversight as to their issues.

As this proposal has come as a surprise to us and gives us little or no opportunity to respond we respectfully request that this process be slowed to a more appropriate pace. This would allow the affected communities to hold public hearing and pass resolutions in response.

More specifically we are opposed to the transfer of Middle and Biorka Islands, Lisianski Point, Baranof Warm Springs, and Port Alexander. We are supportive of the University obtaining the parcel of land that the Sitka Campus resides on. Furthermore, it is our hope that the State reconciles the land transfer proposals with existing approved State and local land management plans. We are also concerned with the possibility of incorrect maps, disputed Native allotments within the proposals, and the impact on subsistence activities.

It is worth noting that there was no public testimony favoring these bills; and we do not support them proceeding. Thank you for your consideration of our comments.

Sincerely,

/s/ Marko Dapcovich, Mayor

cc: Senator Bert Stedman
 Representative Peggy Wilson

My own personal comments: 1. Lisianski Point surrounds the Littlefield parcel at Dog Point where the Littlefield's

2/17/2005

have conducted subsistence and total immersion cultural activities teaching the young people and people with addictions along with whole families from early spring through late autumn how to live a Tlingit life style. They are heavily supported by the entire community both white and Native. The kind of development which would make the property under consideration financially viable would substantially impact the Dog Point Camp. 2. Biorka Island is 16 miles out at the head of Sitka Sound with nothing to the west of it but the Pacific Ocean. Any development there seems extremely unlikely. The FAA removed all the equipment out there and removed the four families living there because of the cost of maintaining residences. However, there are several FAA facilities (radar, TACAN, etc.) in use on Biorka and I would suspect there would be a security issue should the southeast side be developed in some way. There would also be the danger of FAA facilities deterioration should there be people on the island. Has the FAA been consulted? Cost, in addition to better technology, was a factor in the Coast Guard removing the Loran station that was located there until the middle 80's. The side of the island being considered completely surrounds a disputed Native allotment of the Walton family. At one time when the FAA was quartered out there I saw official charts of the island with that parcel specifically delineated. My husband received a phone call about this during this past 3 or 4 months so the claim appears to be active. I am sure the Tribe could be of more help with this issue. However, any meaningful development seems a very remote possibility at this time. This seems true of all the parcels in the City and Borough of Sitka. Development of parcels within distance of the road system and utilities have proved to be almost uneconomically possible because of terrain and wetlands which makes remote parcels even more questionable. Development of these remote parcels do not lend themselves to any kind of economic viability. It seems to me that the only possible interested buyers would be persons wanting to develop some kind of tourist lodges for use six months a year. This will still require an enormous outlay and will impact significantly the recreational and subsistence uses of all these parcels.

I respectfully request that you work with local officials and citizens' groups including Sitka Tribe of Alaska to locate appropriate land for the University. And I would also mention that the University also owns in Sitka the only tract of land that has any possible use as development for residences. We are already in public hearing and discussion to determine how the City and Borough of Sitka can acquire that parcel so that we will have land for the future. There simply is NO land available for building homes for our citizens. We have been squeezed by many entities: State, Federal, Mental Health Trust, University, Native corporations and land for private use is not available.

Doris Bailey
dorie@gci.net

There are three truths: my truth, your truth, and the truth. -Chinese proverb

Douglas Owen

From: Claude Odell [lfcak@ptialaska.net]
Sent: Wednesday, February 16, 2005 9:22 PM
To: Representative_Peggy_Wison@legis.state.ak.us; Rep. Jay Ramras; Rep. Ralph Samuels;
Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton;
Rep. Harry Crawford; Rep. Mary Kapsner
Subject: HB130

To: Peggy Wilson (My Representative), and the House Resource Committee:
Jay Ramras (Cochair), Ralph Samuels (Cochair), Jim Elkins, Carl Gatto, Gabrielle LeDoux,
Kurt Olson, Paul Seaton, Harry Crawford, Mary Kapsner.

From: Claude K. Odell, Box 616, Pelican, AK 99832

Phone & Fax (907) 735-2232

Email lfcak@ptialaska.net <mailto:lfcak@ptialaska.net>

2/16/2005

Subject: HB130

Dear Representatives,

I've never been much of a writer. I've never written a letter to a Representative or Senator in my whole life of sixty years, but HB130 has me so stirred up that I think its time to express my opinion against Governor Murkowski's brilliant plan to fund the University.

I was born in Juneau, but moved to Pelican in 1956. My father was a longliner, and at the age of 12 started fishing halibut and black cod. I moved to Sitka in 1969 and resided there until I moved back to Pelican in 1982. I went from Longliner to Tug Boat Operator to Carpenter to Gen. Contractor in those years, but I just couldn't stay away from Pelican and its lifestyle. I've been here in Pelican ever since. I've been hunting and fishing, since before statehood, in areas designated for and adjacent to the lands that are being offered to the University. This would jeopardize the life style of myself and all the other local residents, who have grown to love the whole area around Pelican and Lisianski Inlet.

I've built or worked on probably 80% of the buildings in Pelican and Lisianski Inlet. In fact most of my work now is outside of Pelican but still in the Inlet, so I have a real feel of what this area is comprised of and by whom. Everyone is against this Land Liquidation of Governor Murkowski's and I feel that this should be put across to all the representatives in the strongest words.

Thank You For Your Time,

Claude K. Odell

Douglas Owen

From: Brennans [brennans@gci.net]
Sent: Wednesday, February 16, 2005 10:03 PM
To: Rep. Jay Ramras
Subject: HB 130

Representative Ramras,

Thank you for the generous allowance of time to those testifying about the Warm Springs Bay parcel at today's (Wednesday) hearing. You were personally gracious in weathering criticism of the process by some who have been frustrated by it thus far. I am hopeful, as are others with obviously heartfelt concerns about a large property conveyance in Warm Springs, that the upcoming round of DNR/University review of the public input will result in a land grant program which will be accepted, rather than hated by affected Alaskans.

Jim Brennan
1006 G St.
Anchorage, Alaska 99501
274-7808(h) 279-5528(w)

Douglas Owen

From: Barry & Kathy Bracken [bbsea@gci.net]
Sent: Wednesday, February 16, 2005 3:12 PM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux;
Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Cc: Sen. Bert Stedman; Rep. Peggy Wilson
Subject: Written testimony on HB 130

To: House Resource Committee Members

RE: HB 130

Dear Honorable Members of the House Resource Committee,

Because of scheduling conflicts, I have been unable to attend the hearings on this bill either in person or by teleconference. Please accept this e-mail message as my testimony and add it to the Bill Record.

I am a longtime resident of Petersburg and currently a member of the Petersburg City Council. Although I am representing myself, because of my position on the Council, I get a lot of feedback from the community. Needless to say, there is a great deal of concern over the transfer of state lands to the University of Alaska. The most common complaints fall into three primary categories, as follows:

- 1. Public process.** Citizens of our community are very concerned that there was no public involvement in the selection of the lands. The University representatives who gave their presentation in town essentially said, "This is the package. Take it or leave it." This is not the way citizens of Alaska are used to being treated, especially in matters as important to the people of the state as this one is.
- 2. Future citizen involvement.** Participants at the University presentation were told that it would be the University's intention to maximize profit from the lands, not to establish the best long-term public good. Again, this runs contrary to past practices of considerable citizen involvement and many residents are concerned that they will be left out of any decision making process, regardless of the potential impacts on communities or resident's lifestyles.
- 3. Concern over specific parcels.** I have also heard a great deal of concern over several specific parcels which are included in the proposed exchange. In our area, the greatest concern is over the Whitney Is. and Read Is. parcels. At one time, both of these areas were included in proposed DNR land disposals, but were withdrawn because of overwhelming public opposition. The prevailing sentiment is that these areas should not be disposed of because of their high recreational and commercial value as intact public lands. The concern is that with less constraints and an abbreviated public process, the University would not be as sensitive to public input.

The third parcel which could impact Petersburg is the Neets Cr. watershed parcel near Ketchikan. The Crystal Lake Hatchery on Mitkof Is. is currently being operated by The Southern Southeast Regional Aquaculture Association under contract to the Dept. of Fish and Game. This hatchery supports several sport fishing lodges in our area. If anything happens to jeopardize the Neets Bay Hatchery, which is the flagship of the SSRAA aquaculture system, then their ability to continue operation of Crystal Lake Hatchery could also be in jeopardy. Conservative estimates place the annual value of the Crystal Lake Hatchery to the Petersburg area economy at nearly \$2 million.

2/17/2005

With these concerns being expressed, I request that this bill not be passed out of committee, at least until the communities of the state have an opportunity to hold public meetings and to collectively provide input regarding the potential impacts of this legislation. Besides the concerns expressed above, as an alumnus, I think this legislation has the potential to put the University of Alaska into an adversarial role with the citizens of Alaska. This is not in the best interest of either the University or the people of the state.

Thank you for the opportunity to comment.

Sincerely,
Barry Bracken

cc: Senator Steadman, Representative Wilson

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Website: www.petersburglodgingandtours.com

February 17, 2005

Chairman Jay Ramras
Chairman Ralph Samuals
House Resources Committee
State Capitol Building
Juneau, Ak

Mr. Chairmen,

There was not enough time to give my testimony at yesterday's hearing on HB 130. So I am sending it to you in writing.

My name is John Peckham. I have resided in Ketchikan and commercially fished since 1975. I am on the Board of Directors of SSRAA and I currently serve as vice president.

I am against the area around Neets Creek being selected for the University of Alaska's land grant.

As you know the watershed and waterfront at Neets Creek help produce millions of salmon that improve southeast salmon fisheries. The economic activity that surrounds that production is an important contributor to Ketchikan's economy. It is hard to imagine a better use for this land. It does not make sense to give it to an organization that would need to use the land in another way.

Any other use of the watershed or the available water is not worth the risk to the hatchery's production and survival.

SSRAA is a non-profit organization. We are currently 9 million dollars in debt. If there was any money to be made from a usage of the waterfront that was compatible with our hatchery we would have already thought of it and implemented it, since we are always struggling with achieving our goals of providing common property fish and meeting our financial obligations.

Having a landlord whose obligation is to make as much money as possible from the land for their own funding is not compatible with SSRAA's goals.

I urge you to do what it takes to deselct the Neets Creek parcel from the University's land grant list.

Thankyou.

FACSIMILE FORM

FEB 16 2005

Barry Bracken
P.O. BOX 1201
Petersburg, AK 99833

PHONE/FAX: (907) 772-3736

E-mail: bbsea@gci.net

Web site: <http://www.petersburglodgingandtours.com>

TO: House Resource Committee
Alaska State Legislature

DATE: Feb. 16, 2005

NO. PAGES: 2
(Including cover page)

RE: Written Testimony on HB-130

This is a follow-up of written testimony I sent to individual members of the House Resource Committee via e-mail. For some reason, Rep. Elkin's message was returned and I'd like to make certain he receives the message. Personnel at our Legislative Information Office suggested that I FAX the message to the committee as well.

Again, thank you for the opportunity to comment.

To: House Resource Committee Members

RE: HB 130

Dear Honorable Members of the House Resource Committee,

Because of scheduling conflicts, I have been unable to attend the hearings on this bill either in person or by teleconference. Please accept this e-mail message as my testimony and add it to the Bill Record.

I am a longtime resident of Petersburg and currently a member of the Petersburg City Council. Although I am representing myself, because of my position on the Council, I get a lot of feedback from the community. Needless to say, there is a great deal of concern over the transfer of state lands to the University of Alaska. The most common complaints fall into three primary categories, as follows:

- 1. Public process.** Citizens of our community are very concerned that there was no public involvement in the selection of the lands. The University representatives who gave their presentation in town essentially said, "This is the package. Take it or leave it." This is not the way citizens of Alaska are used to being treated, especially in matters as important to the people of the state as this one is.
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The third parcel which could impact Petersburg is the Neets Cr. watershed parcel near Ketchikan. The Crystal Lake Hatchery on Mitkof Is. is currently being operated by The Southern Southeast Regional Aquaculture Association under contract to the Dept. of Fish and Game. This hatchery supports several sport fishing lodges in our area. If anything happens to jeopardize the Neets Bay Hatchery, which is the flagship of the SSRAA aquaculture system, then their ability to continue operation of Crystal Lake Hatchery could also be in jeopardy. Conservative estimates place the annual value of the Crystal Lake Hatchery to the Petersburg area economy at nearly \$2 million.

With these concerns being expressed, I request that this bill not be passed out of committee, at least until the communities of the state have an opportunity to hold public meetings and to collectively provide input regarding the potential impacts of this legislation. Besides the concerns expressed above, as an alumnus, I think this legislation has the potential to put the University of Alaska into an adversarial role with the citizens of Alaska. This is not in the best interest of either the University or the people of the state.

Thank you for the opportunity to comment.

Sincerely,

Barry Bracken

cc: Senator Steadman, Representative Wilson

Douglas Owen

From: Alaska Passages [info@alaskapassages.com]
Sent: Wednesday, February 23, 2005 2:58 PM
To: Rep. Jay Ramras
Subject: House Bill 130

FEB 23 2005

February 21, 2005

Dear Representative Ramras;

I am glad that you were able to give people time to testify on House Bill 130 last week, even though the Bill had been pulled from consideration pending some rewriting. Many people had waited a long time to testify and had worked hard on their testimony. Letting people air their concerns goes a long way towards earning their trust in public process.

I wish to respond to your closing remarks at the end of the teleconference, when you said that House Bill 130 sought to find ways for people to own private land in Alaska. I agree with what you said that ownership of private land is important. When local people own the lands they live on it forms a strong sense of community and pride of place.

I do not believe that House Bill 130 is going to do that however.

The lands that are going to be sold in remote settings such as Whitney Island by Cape Fanshaw or Sanford Cove in Endicott Arm are too remote for community settlement. At best, they could be used for seasonal vacation cabins. In selling these properties off for this purpose, the University may realize a small profit but in the meantime would be privatizing public recreation lands. The Central/ Southeast Area Plan has designated Sanford Cove, Whitney Island and Read Island in Farragut bay as "Ru or undeveloped recreation" These are "areas that offer a high potential for dispersed recreation or tourism". The Plan goes on to say that these lands "cannot be sold to individuals".

Lots of time and research went into the Area Plans to come up with those land designations. It does not make sense to arbitrarily change the plans for convenience sake, or to make a buck. That shows lack of vision and a lack of respect for the planning process.

So what would be the point in offering remote parcels like these to the University for sale? They would be unable to realize much profit on them without going against land use planning designations which would be very unwise.

I am also concerned with the University getting 2000 acres of Mitkof Island. Petersburg is looking to form a borough and this land would come out of the land my community wants to include in our borough. Let us have that land and we can sell it off to help defray the huge shortfalls that our local school systems are facing.

As I have said in earlier testimony, the University will only realize 1% of its annual income from these properties if they sell. It is not enough money to warrant the trouble this will cause throughout South Alaska.

Thank you for your consideration.

Sincerely,

Julie Hursey
Box 213
Petersburg, Alaska

Christine Marasigan

From: Pam Foreman [pforeman@gci.net]
Sent: Wednesday, February 09, 2005 10:44 AM
To: Rep. Gabrielle LeDoux
Cc: Sen. Gary Stevens; Christine Marasigan; Tuck Bonney; Tom Abell; Pat Branson; Nancy Wells; Mike Anderson; Cecil Ranney; Barbara Williams; Rep. Jay Ramras
Subject: HB 130

Hello Representative LeDoux -

I wanted to share a few thoughts on HB 130. I'm not sure I will be able to be at the LIO today for the scheduled hearing, but perhaps you can share these thoughts with your committee members.

Although I was relieved to read in last night's paper that the University doesn't intend to sell the Narrow Cape land identified in the Governor's bill for transmittal to the University, the fact is that there are no guarantees that a sale won't happen at some point in the future. As you know, there is very little public land accessible by road in Kodiak. The land identified in HB130 represents a segment of public land that is important to local residents for hiking, beach combing, fishing, bird watching and wildlife viewing. I would hope that the committee will identify existing trails, roads and other easements on this land within the legislation, guaranteeing for future generations that the land and waterways will still be accessible to the public.

Thank you for your consideration.

Sincerely,

Pam Foreman

Christine Marasigan

From: Barbara Rudio [brudio@hotmail.com]
Sent: Wednesday, February 09, 2005 11:14 AM
To: Rep. Gabrielle LeDoux; Sen. Gary Stevens
Subject: Narrow Cape

I am unable to attend the HB 130 teleconference this afternoon, but want to pass on my opinion.

I urge removing the Narrow Cape parcel from the land transfer to the University system. Although University spokespersons have indicated that the parcel would be treated as educational and say that it would be unlikely it would ever be sold. We need to remember all the things we were told about the launch complex that would never happen -- and most of them have happened.

This parcel is vital to the recreational activities of Kodiak residents and visitors. We have so little public land on the road system.

Thank you -- Barbara Rudio, 486-8369

Christine Marasigan

From: Beverly Horn [bevjack7@gci.net]
Sent: Wednesday, February 09, 2005 11:14 AM
To: Rep. Gabrielle LeDoux; Sen. Gary Stevens; Rep.Jayramras@legis.state.ak.us
Subject: Fw: Narrow Cape

----- Original Message -----

From: Beverly Horn
To: Gabreille LeDeoux@legis.state.ak.us ; Gary Stevens@legis.state.ak.us
Sent: Tuesday, February 08, 2005 11:50 AM
Subject: Fw: Narrow Cape

----- Original Message -----

From: Beverly Horn
To: Ledoux@legis.state.ak.us ; Stevens@legis.state.ak.us
Sent: Tuesday, February 08, 2005 11:44 AM
Subject: Narrow Cape

Please be advised that we do not support SB 96 nor HB130 pertaining to land at Narrow Cape. That is just a sneaky way of getting around the problem with AADC.

Also,we do not want to see this land closed to the public at any time. We have never supported AADC and especially do not now. They have lied to Kodiak residents time and again.

Please do not support this manuever! Thank you.

Sincerely,

Beverly and Louie Horn P.O. Box 15 Kodiak, Ak 99615

(or bevjack7@gci.net)

Christine Marasigan

From: rosemary mcguire [ftrdm@uaf.edu]
Sent: Wednesday, February 09, 2005 9:20 AM
To: Rep. Gabrielle LeDoux
Subject: Narrow Cape

Dear Ms. LeDoux,

I am writing to urge you to help remove the 3,000 acre parcel at Narrow Cape on Kodiak Island from the bill transferring state lands to the University. This land is economically and socially important to the people of Kodiak. If the land is given to the university there is a strong likelihood that Kodiak residents will lose access to it, considering the ongoing controversy surrounding it.

Many of us see this bill as an underhanded way to develop state lands without input from the people of Alaska. Anything you can do to mitigate its blows to local communities would be appreciated.

Thankyou,

Rosemary McGuire
574-68-4631

Christine Marasigan

From: Skimin, David PO2 [DSkimin@CGAlaska.uscg.mil]
Sent: Wednesday, February 09, 2005 8:05 AM
To: Rep. Gabrielle LeDoux
Subject: AADC

Mrs. Ledoux

I am in grave concern with the proposed land transfer to AADC via UofA. The land to be allocated is a heavily used area and is visited year-round. Please concenter the communities requests and ensure the committee reviews the outcome from the land use survey that was taken from DNR.

Very Respectfully
David Skimin

Christine Marasigan

From: Mike Sirofchuck [msirofchuck@kodiak.k12.ak.us]
Sent: Wednesday, February 09, 2005 8:05 AM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Paul Seaton; Rep. Jim Elkins; Rep. Carl Gatto;
Rep. Gabrielle LeDoux; Rep. Harry Crawford; Rep. Mary Kapsner
Subject: Please remove "Kodiak Rocket Range" from HB 130

The land designated "Kodiak Rocket Range" should not be conveyed to the University. First, the name is incorrect and a misnomer. This parcel is listed on maps as Narrow Cape; is it NOT a "rocket range".

The AADC structures on this land are individually fenced off and connected by a single road; they do not sprawl all over the parcel.

This parcel is the only large parcel of land connected to the Kodiak road system that is available for public recreation.

Most other land adjoining our road system is in private hands, including Native land claims. It is vital that this area be kept open for public access.

Regardless of what the University may say, once they own the land, there is nothing to stop them from selling it to AADC and effectively closing it to public access.

Both the University and especially AADC have been very closed to public input on use of their lands.

It should be clear from the number of comments coming from Kodiak that the community does not support this conveyance.

Please support the wishes of our community.

Please find another parcel of land to substitute for this one.

Thank you for your consideration.

Mike Sirofchuck
Kodiak, Alaska

Christine Marasigan

From: barbara [browndog@ptialaska.net]
Sent: Wednesday, February 09, 2005 7:53 AM
To: Rep. Gabrielle LeDoux
Subject: oppose bouse bill 130

I oppose the governors plan to by pass local government land us planning efforts t y the transfer of land to the University of Alaska

2/9/2005

Christine Marasigan

From: Patrick Saltonstall [pgsalton@gci.net]
Sent: Wednesday, February 09, 2005 7:50 AM
To: Rep. Gabrielle LeDoux
Cc: Sen. Gary Stevens
Subject: Narrow Cape Land

Dear Gabrielle and Gary,

I am sure you are getting a number of emails on this one! Here is my take. The people of Kodiak really do not have all that much public land on the road system - most of it is owned by Lesnoi and other private entities. That land could be developed or have access restricted at any time. This is why the Narrow Cape area is so important. It is public (state owned) land that any one can drive out to and enjoy. 2,800 acres is a huge percentage of all the public land on the roadsystem. I really do not trust the Rocket launch and UAA on this one, and would hate to see access limited to this highly valuable recreational area.

Perhaps the UAA people could choose another area? Perhaps down on Sitkinak or out on the Kupreanof Peninsula? Or if they absolutely have to have the Narrow Cape Land could it be put into the deed of sale that access can not be restricted in any way and that the borough gets first right of refusal on any land sale. Personally, I would be worried even about the latter. They would probably shut the area down in the 'interests of national security'.

Narrow Cape is a gem, and a great place to recreate. I always take visitors out there to walk the beaches. And make a migration out every spring to watch whales. Please keep it State Owned. While State owned at least the public has some sort of oversight on the launch complex.

I fear the day there is no oversight and access.

Thanks,

Patrick Saltonstall
PO Box 3553
Kodiak, AK

Christine Marasigan

From: edward gondok [edbud@theriver.com]
Sent: Wednesday, February 09, 2005 6:37 AM
To: Rep. Gabrielle LeDoux; Sen. Gary Stevens; Laurie Madsen; Peggy Jean Smith
Subject: Fw: HB130
Attachments: "AVG certification"

Here are my comments sent to Dr. Bob to be read into the record tonight since I am unable to attend.

----- Original Message -----

From: edward gondok
To: Dr. Bob Johnson
Sent: Wednesday, February 09, 2005 8:34 AM
Subject: HB130

Please read into the record tonight for me at the hearing since I can't be there.

Please remove Narrow Cape from bill HB130. We the people of Kodiak are who lives here and we are the caretakers of this wonderful Island. The AADC should not be who regulates our access to Fossil Beach and Narrow Cape. I have more good memories than I could possibly say about my times roaming this area. What I really object to is the fact that Mark Hamilton is the President of the Uof A system and the Chairman of the Board of AADC as well. How can we possible get a fair deal when he is involved in both sides of the possible future land transaction. This should be conflict of interests, none of which include a fair deal for Kodiak citizens. I urge Ms. Ledoux and Mr. Stevens to work to remove Narrow Cape from this bill. The AADC doesn't own Kodiak, YET. Rose Cobls Box 2875 Kodiak Ak 907-487-2507

Christine Marasigan

From: v34@gci.net
Sent: Wednesday, February 09, 2005 6:31 AM
To: Christine Marasigan
Subject: HB 130 comments for Rep. LeDoux

Dear Gabrielle:

I believe that it is in the best interest of our community that the lands designated "Kodiak Rocket Range" be removed from the list of state lands to be conveyed to the University of Alaska.

While there are provisions for public input if the University decides to sell, the bottom line is this:

once the University has title to the land, they can do whatever they want.

Despite any assurances, there is no guarantee that they will not sell it to AADC. It is not improbable to think that Senator Ted Stevens could find federal dollars to finance AADC's purchase of Narrow Cape.

If the land cannot be removed from the list, guarantees should be written into HB 130 that the land cannot be sold or developed in violation of Borough codes and comprehensive plans.

It could be written into the bill that the land be used for research only and must remain in the hands of the University.

Thanks for your efforts to protect the interests of our community.

Mike Sirofchuck
Kodiak

Christine Marasigan

From: Daniel Rohrer [DRohrer@GCI.net]
Sent: Tuesday, February 08, 2005 9:14 PM
To: Christine Marasigan
Subject: *****SPAM***** House Bill 130. Narrow Cape Land

Christine,

Please forward this to Gabrielle. You are welcomed to read it.

Thanks
Dan Rohrer

Gabrielle,

I normally don't voice much of an opinion about things that are discussed in the editorial pages of the Kodiak Daily Mirror. I always read them and watch with some amusement as people get very worked up over a wide variety of issues. I have read the editorials through the years between AADC and "concerned" Kodiak citizens. I have questioned all along why everyone was getting so worked up. We were told up front that it would not require much land and that there would be very minimal closures if any at all. The up side was of course economic. I am usually always a supporter of new money being brought into the community.

I am now concerned with where I see this UA land transaction headed. AADC has made it clear that they want large portions of land under their control to allow for a viable rocket launch facility in a post 911 world. I assume there is some validity in that statement. I can at least understand where they are coming from. The problem is that the people of Kodiak have clearly stated that they don't want to see that land closed at all. I am one of those people. I enjoy having the freedom to go to the Narrow Cape area and camp or ride horses, etc. I have found great enjoyment in doing that through the years and I would like to see my children be able to do the same thing in the future. The land transaction is giving UA an asset that they can use for the "betterment" of their program. I recognize the value that the Poker Flat Research Range has been but I don't foresee them needing a similar situation in Kodiak. The land would be "educational property" but that doesn't preclude them from selling or at the very least from controlling access and selling that control. I know that UA is quoted in today's Kodiak Daily Mirror as saying that they "can't imagine why they would sell it." UA's spokesperson Ripley then goes on to say "there is no promise that they wouldn't (sell), but there would need to be a compelling reason for the university system to sell." I would suggest that a large amount of money is a very compelling reason to sell. Also allowing closures for a price is very compelling. When attempting to balance a tight budget a lot of things become fair game. I am also concerned about the obvious conflict of interest that Mark Hamilton has in this situation. I know that Ripley goes on to say that any land sales would have an open public process. This doesn't mean they wouldn't happen. In light of the fact that this land exchange is on a fact track through the legislature and the majority of us in Kodiak found out about this today I would suggest that Hamilton's power is not something to be underestimated. Being the president of both boards means it is not lost on him that there is a huge potential advantage for both organizations. Apart from the citizens of Kodiak, others will probably look at any deal between UA and AADC as a mutual win for both organizations. The only people I see losing are the people of Kodiak.....

Gabrielle I am not sure what influence you will be able to have over this bill but I think this bill is one of the exact reasons we have representation in Juneau. I hope that you are able to get the 2,880 acres of state land in Kodiak removed from this land giveaway. There is plenty of other land in the state and even here in Kodiak that could be given without the attached controversy and obvious conflicts of interest.

Thank you for representing us.

Dan Rohrer

PS. I hope you are enjoying the job.

Christine Marasigan

From: hank [hankh@gci.net]
Sent: Tuesday, February 08, 2005 8:32 PM
To: Rep. Gabrielle LeDoux
Cc: Richard Macintosh
Subject: narrow cape

Hi Gabrielle

We do not need this land transfer of the Narrow Cape lands to the U of A. In fact I would like you to introduce a bill making this land a State Park with Burtons able to use their land until their lease expires if not longer. This transfer is an under the table move to remove these lands from public access. I would like your staff to research who is responsible for this inclusion of these lands in the transfer.

My idea of a State Park would secure access to these beautiful beaches and wonderful wild land for future generations and would let the AADC have the original 270 acres that they have now and put control of the road in the State Park's hands so they would have the responsibility of closing it before launches.

Please let me know what you think.

Thanks
Hank Hagemeyer

Christine Marasigan

From: rskinner1 [rskinner@ak.net]
Sent: Tuesday, February 08, 2005 10:57 AM
To: Rep. Gabrielle LeDoux
Subject: Narrow Cape Land Grant

Dear Gabrielle,

As a citizen of Kodiak and life-long Alaska Native resident I am concerned about the inclusion of Narrow Cape acreage in Governor Murkowski's proposed University of Alaska land grant. I am very concerned that traditional use of Narrow Cape lands will be further restricted or eliminated when the land enters private ownership. In addition, because the issue of public access to Narrow Cape has been hotly debated in Kodiak this land grant appears an attempt to circumvent further public participation in this land use issue. The fact that University President Hamilton is also on the AADC board of directors creates an impression of impropriety, since an obvious bidder for the land would be AADC as operators of the Kodiak Launch Facility. Other than making you, as my Representative, aware of my concerns and reservations about this proposed land grant, what is the most effective way to participate in the decision-making process?

Thank you,

Rebecca Skinner

Christine Marasigan

From: Deb Spencer [dspencerak@yahoo.com]
Sent: Tuesday, February 08, 2005 6:36 PM
To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner
Cc: Rep. Peggy Wilson; Sen. Bert Stedman
Subject: HB 130

Dear Chair Ramras and Members of the Committee:

I am writing to express my concerns about HB 130 and its implications for Pelican, my home of 15 years. I am also writing to request that the House Resources Committee schedule additional hearings on HB 130 to allow for greater opportunity for public comment.

At first blush, this legislation appears to be designed to take the public out of public process.

Concurrent referrals to both bodies and short committee lists indicate to me that this bill is on the fast track. Please don't be a rubber stamp. Allow the public process to be just that, public.

I have many concerns about the impact of HB 130 on Lisianski Inlet. My husband and I are partners in a small fish-buying business. Our community's fishing economy is directly connected to healthy streams and forests. The University of Alaska has not shown itself to be a good steward of the land. There must be a better way to fund higher education.

I am unable to attend tomorrow's hearing either in person or via phone due to other commitments. Public notice was so short that I believe many may find themselves in the same predicament. Further, I'm not sure I could educate myself satisfactorily to provide substantive and relevant comment on the proposed legislation at tomorrow's hearing. Please schedule additional hearings on this bill to allow members of the public - all legislators' constituents - an opportunity to weigh in on this important legislation.

Thank you for your careful consideration.
Sincerely,
Deb Spencer
Owner, Shoreline, Inc.

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Christine Marasigan

From: John Witteveen [wclodge@gci.net]
Sent: Tuesday, February 08, 2005 4:51 PM
To: Rep. Gabrielle LeDoux
Subject: Narrow Cape

Gabrielle,
This is a good test of your first year in office. Get Narrow Cape out of the hands of the University so it doesn't end up in the hands of Pat Ladner. I was a firm believer in the rocket launch site when it started but as far as I am concerned now they can shut that place down. Thanks, John

Christine Marasigan

From: Lynne Murphy [hiddenbasin@starband.net]
Sent: Tuesday, February 08, 2005 3:00 PM
To: Rep. Gabrielle LeDoux
Subject: HB 130

remove the Narrow Cape parcel from the Land Grant bills if the bills do not provide BETTER protection for public access in the future.

Christine Marasigan

From: mike litzow [mike_litzow@yahoo.com]
Sent: Tuesday, February 08, 2005 1:33 PM
To: Rep. Gabrielle LeDoux
Subject: Narrow Cape

Gabrielle - I am very concerned that the proposed transfer of lands at Narrow Cape to the University will eventually result in the loss of public access to the area. I realize that all parties involved will say the right things about continued access, but Pat Ladner is on the record (in his recent letter to the Governor) saying that the ultimate goal of AADC is to prohibit public access to the site. Ladner and AADC have a long history of dealing with the public in bad faith, and I am concerned that this transfer is part of an attempt to circumvent the public process on Narrow Cape access.

Many of the recreational lands in Kodiak are privately owned by Native corporations, and could be closed to public access, which makes state land on Narrow Cape even more important. I would appreciate your leadership on this issue.

Sincerely, Mike Litzow

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Christine Marasigan

From: Roger Smith [watsmith@ptialaska.net]
Sent: Tuesday, February 08, 2005 12:45 PM
To: Rep. Gabrielle LeDoux
Subject: HB-130

Gabrielle:

I object to including the Narrow Cape parcel in the proposed land transfer to the University via HB-130. The University has no land management expertise, except selling out the resources as fast as possible. This looks like another case of incest, with ex-military man, Mark Hamilton, getting a fine opportunity to sell out our public access to the rocket launch and to private interests to build the University kingdom.

The DNR is not the greatest advocate of public access under the last couple of governors, but at least there is a public process. The University sold that Saltery Creek parcel on Ebay, for god's sake, with little or no formal public review. In the long run, I think the legislature should strive for more control of how the University uses its lands, at least assuring there is some interagency review of wildlife and fisheries values before selling or leasing.

As a kid who grew up wandering the shortgrass prairie, I am getting increasingly claustrophobic on this Island as our extremely limited road-accessible public lands shrinks.

Thanks for your consideration.

Roger B. Smith
PO Box 2473
Kodiak, AK

Christine Marasigar

From: Postmaster [Postmaster@tenbears.com]
Sent: Tuesday, February 08, 2005 12:03 PM
To: Rep. Gabrielle LeDoux
Subject: Narrow Cape lands, transfer bills SB 96, HB 130

Representative Ledoux

I urge you not to endorse any legislation that includes the transfer of Narrow Cape lands to the University of Alaska for any reason, whether it be for the sale to AADC, the Kodiak Island Borough or any other entity. Leave these lands alone as state public lands.

Respectfully
Eric Stirrup
P.O. Box 4123
Kodiak, AK

Christine Marasigan

From: Philip Tschersich [tscheezy@yahoo.com]
Sent: Tuesday, February 08, 2005 10:03 AM
To: Rep. Gabrielle LeDoux
Subject: State land transfer on Kodiak to the U of A

Dear Representative LeDoux (aka Hi Gabrielle),

I am writing to express my deep concern over land access issues developing at Narrow Cape around the Kodiak Launch Complex. The Alaska Aerospace Development Corporation (AADC) began their sales pitch to the Kodiak community by stating that they would only require a very small footprint and could never imagine needing more land. AADC stated they would not impede access to traditional recreation or fishing areas, would not depend solely on military contracts, and would provide a windfall to the local economy. Now, citing the attacks of 9-11 and using this as a catchall excuse for leveraging access restrictions, they want expanded jurisdiction over the lands at the end of the road.

AADC stated in private communications to the Governor's office and the Alaska Department of Environmental Conservation that they found the public comment process obstructionist and tiresome, so desired to circumvent it through executive order. It seems to have slipped AADC's minds that they were talking about public lands to begin with. AADC's attempts at these backroom dealings have rightly raised the ire of those Kodiak residents who value access to this prime recreation and fishing area.

The state is now considering offering 4,000 acres at Narrow Cape to the University of Alaska. U of A is a land grant college and it is understood that they are to receive revenue for their operations through the sale and development of lands given to it by the state. I think it is safe to assume AADC would be interested in receiving title to those lands at Narrow Cape. As if this were not transparent enough, the state has named the parcel in question the "Kodiak Rocket Range" and has designated a boundary to include the current complex and further envelope all of Narrow Cape (the map can be viewed at the state website: http://www.dnr.state.ak.us/mlw/ualands/map_sc_kodiak_rocket.pdf). Once in private control they would be able to do more or less what they please with it. I imagine lip service would be paid to protecting public access as a prerequisite for any sale, but AADC's ability to rationalize restricting access is becoming abundantly clear.

It does look suspicious when the plan to transfer the lands to U of A, and the possible subsequent sale to AADC, comes on the heels of growing local Kodiak opposition to AADC's activities. This opposition is being voiced through the very public process that AADC finds so cumbersome and has sought to subvert. Furthermore, it is unseemly when the president of the University is on AADC's board of directors.

I am strongly opposed to the transfer of the Lands at the end of the road to the University for the reasons stated above. If the transfer to the University does proceed, I would encourage the Kodiak Island Borough to purchase these lands for the good of the community. Very little of the land along the Kodiak road system is actually public, and it would be disturbing to lose even more.

Thank you for your time and consideration, Philip Tschersich

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Christine Marasigan

From: Karlan Bachmann [starry_karry@hotmail.com]
Sent: Tuesday, February 08, 2005 5:21 AM
To: Rep. Mary Kapsner; Sen. Gary Stevens; Rep. Gabrielle LeDoux
Subject: please do not close this land!!!!

to those it does concern:

i am an alaskan citizen who has been living in chile since february of last year. i plan on coming home this summer. news that i recieve from alaska is alarming. more and more land is being blocked off to citizens, and not for "protection," but rather for military use, thus strengthening the industrial/military/governmental complex. this is dangerous, and is slowly killing the life on this planet. it is slowly killing our land which we need to respect, in order to survive. as the animals with the most priviliges on this planet, we also have the most responsibility. please do not close this land. we need to begin to think differently. we need to begin to live bravely.

sincerely, and with much respect and love,

karlan bachmann

student

starry_karry@hotmail.com

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Christine Marasigan

From: Brent & Tash Fristas [pristas@alaska.net]
Sent: Monday, February 07, 2005 4:11 PM
To: Rep. Gabrielle LeDoux
Cc: Sen. Gary Stevens
Subject: Kodiak Rocket Launch

Representative Ledoux and Senator Stevens:

Please note that I am opposed to HB 130 (and Senate Bill 96, which is apparently similar to HB 130) which proposes to swap land at Narrow Cape from DNR's control to the University of Alaska.

This is an attempt to avoid public process, public scrutiny, and public outrage aimed at the Kodiak Rocket Launch Facility. Kodiak residents have been participating in public comment periods and deserve the right to be involved in how this land at Narrow Cape is ultimately designated.

It is absolutely underhanded of the Governor to turn around and avoid the entire public process by setting up a land deal where the Rocket Launch can BUY the land that Kodiak residents are fighting hard to preserve for public use. This deal will ensure that a select few have their own personal playground on some of our most accessible land.

This land is used by people for a variety of reasons--easy access (no plane or boat required), hunting, fishing, beach combing.....all of these reasons are legitimate and are why we live where we do.

Representative Ledoux, Senator Stevens--please go to bat for us, and oppose this land deal. If you need written comment, tell us when and where to write. If you need verbal comment, tell us when and where.

Please also suggest to the Kodiak Daily Mirror to run your phone number, email address, and times and places for folks to make public comment regarding the Rocket Launch Facility. Those without internet access or English language proficiency will have a hard time digging up the necessary information to participate in public process.

Thanks,

Natasha Zahn Pristas

Christine Marasigan

From: Andi Olsen [andio@keaconnect.net]
Sent: Monday, February 07, 2005 1:52 PM
To: Rep. Gabrielle LeDoux
Subject: Rocket Launch Land Transfer

Dear Gabrielle, I just want to put my two cents in regarding the Narrow Cape Land transfer. I have been attending the hearings and meetings regarding the Launch Complex from the very beginning and must say that this is the lowest blow we have recieved from AADC. I have not been in one camp or the other regarding the development of the Narrow Cape facillity, we have friends that have been employeed out at the Site and I can say that there have been positive impact on some sectors of our community. That is not to say that I trust Ladner and company, I think that he has since the beginning understood that this was to be a military operation but knew that the community would not support that and therefore went with the "private company" perspective. I am completely against giving public recreational land away for state gains.

Narrow Cape has been one of my personal favorite spots to hike and beachcomb for years and I don't want to give up access to this area for the profit of a few. I understand that this matter will be under the consideration of the House Resources Committee in the near future. Please remember how many of us use this area and how important and devisive this issue has been to our island people over the years, don't forget us when you make decisions regarding this matter. Sincerely Andi Olsen

2/9/2005

Christine Marasigan

From: Charlie and Suzanne King [mardelsud@gci.net]

Sent: Monday, February 07, 2005 4:09 AM

To: Rep. Gabrielle LeDoux

Dear Representative LeDoux:

I have just read an article in the Anchorage newspaper saying that Gov. Murkowski wants to give the University of Alaska 2,880 acres of land at the Kodiak Launch Complex.

I am all for giving land to the University of Alaska but do not believe that any land in, at or near the KLC should be given away under any circumstances.

I feel this move by Gov. Murkowski is a back door maneuver to get around all the opposition in Kodiak to giving the KLC control over a larger area of land.

I am asking that you work to remove this parcel from the list that is being submitted for approval.

Sincerely,

Charlie King
P.O. Box 1573
Kodiak, Ask. 99615
(907) 486-6251

February 6, 2005

Leonard and Carolyn Heitman
P.O. Box 2303
Kodiak, Alaska 99615
cheitman@ptialaska.net

Dear Representatives Mary Kapsner, Ralph Samuels, Jay Ramras, Kurt Olson, Paul Seaton, Carl Gatto and James Elkins,

Regarding Governor Murkowski's request to the Legislature to approve the transfer of state land to the University of Alaska, we are requesting your involvement in removing from the list the 2,880 acres of *prime, public* land at Narrow Cape, Kodiak Island which is presently used by the Alaska Aerospace Development Corporation (AADC). The land in question, including Fossil Beach is a highly used recreational area for island residents and if the land transfer is granted to the U of A, the university will most probably turn the land over to the AADC and the land and road to Fossil Beach will be permanently closed year around to residents and tourists alike. The AADC wants to permanently exclude the public from this land.

Kodiak residents have very limited access to recreational areas along the 50 miles of road system. The majority of the road has rocky cliffs and ocean on one side and hillsides on the other. The majority of beaches are not accessible for the same reason. Also, 75% - 80% of the land on Kodiak Island is Federal owned. Kodiak residents are asking that the small percentage of prime, state public land and beaches on Kodiak Island remain available for public use, as this right is granted under the Alaska State Constitution.

The Alaska Department of Natural Resources is currently considering the AADC's request for land jurisdiction over an additional 14,000 (fourteen thousand) acres of public land, which many Kodiak residents object to. If this happens, the AADC will then have jurisdiction over a total of 18,000 acres of prime, public use land. The AADC already has the authority to close off the public road at Narrow Cape for a limited amount of time before rocket/missile launches, and therefore there is no need for a permanent ownership request for public lands. Therefore, we are requesting that the Representatives on the House Resources Committee withdraw from consideration the Governor's request that the 2,880 acres of Narrow Cape land on Kodiak Island be transferred to the University of Alaska. Fossil Beach at Narrow Cape is one of the largest prime beaches on Kodiak Island and highly used by local residents and tourists in the summer, and the public does not want to see ownership transferred to the AADC by the University in the future. A copy of this letter is being sent to the House Resources Committee members listed below.

Sincerely,

Leonard and Carolyn Heitman

Christine Marasigan

From: Terry Dickey [tpdsalut@yahoo.com]
Sent: Sunday, February 06, 2005 10:37 PM
To: Rep. Gabrielle LeDoux
Subject: Narrow Cape, Kodiak

Sunday, February 06, 2005

Rep. Gabrielle LeDoux,

I am strongly opposed to the state transferring approximately 3,000 acres of land at Narrow Cape on Kodiak Island to the University of Alaska. This land must remain in the public sector so that access can be maintained to the recreational areas.

Please remove the Narrow Cape parcel of land from the bill that is scheduled for a hearing by the House Resources Committee this week.

Sincerely

Terry Dickey

====
Terry P. Dickey
POB f2148
Fairbanks, AK 99708
tpdsalut@yahoo.com
H:907.479-0131
W:907.474-6950

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Christine Marasigan

From: Ruth Gunderson [kodiak-rg@alaska.com]
Sent: Sunday, February 06, 2005 5:11 PM
To: Rep. Gabrielle LeDoux
Subject: Land at Narrow Cape

Greetings from Kodiak -

I urge you to vote against selling this land at Narrow Cape. You are aware that this is a recreational area and events that Kodiak has held at that area. Many enjoy the annual Whale watch, many do hike and picnic there and we do enjoy taking our visitors there for we have little else to show them. I come from the State of Wa. and I certainly never saw shells imbedded in the rock before. I cannot walk that lovely beach any longer, but I know of many who do. Please let this belong to the Borough and let it be ours alone for our activities.

I hope our State Representative can help us in every way possible.

Thank you.

Ruth Gunderson

2/9/2005

Christine Marasigan

From: Janet Ladner [jladner@earthlink.net]
Sent: Sunday, February 06, 2005 5:03 PM
To: Rep. Gabrielle LeDoux
Subject: stop AADC and CEO Hayward F. Ladner

To your honorable gabrielle LeDoux:

Please stop the expansion at Narrow Cape and don't ruin the last state that is basically pristine.

Thank you,

Janet McDonald-Ladner



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

March 1, 2005

Representative Jay Ramras, Co-Chair
House Resources Committee
Alaska State Legislature
State Capitol (Mail Stop 3100)
Juneau AK 99801-1182

Dear Representative Ramras,

The United Fishermen of Alaska Board of Directors recently met and considered House Bill 130 regarding land grant transfers for the University of Alaska. Fishermen and community representatives from Kodiak have expressed concerns with the inclusion of the Kodiak Rocket Range (MA.KR.1001) in the proposed legislation.

Fishermen and Kodiak residents are concerned that longtime recreational and subsistence uses of the rocket range area will be jeopardized by transfer of the parcel to the University of Alaska.

UFA supports Kodiak fishermen and community in requesting that the Kodiak Rocket Range parcel be excluded from the University Land Grant parcel list in HB 130.

Respectfully,


Mark D. Vinsel
Executive Director

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Armstrong Keta • At-sea Processors Association
Bristol Bay Reserve • Concerned Area "M" Fishermen • Cordova District Fishermen United • Douglas Island Pink and Chum
Fishing Vessel Owners Association • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
North Pacific Fisheries Association • North Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association
Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation
Purse Seine Vessel Owner Association • Seafood Producers Cooperative • Southeast Alaska Herring Seiners Marketing Association
Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association
United Catcher Boats • United Salmon Association • United Southeast Alaska Gillnetters • Valdez Fisheries Development Association
Western Gulf of Alaska Fishermen

Hoonah Indian Association
P.O. Box 602
Hoonah, AK 99829
Phone (907) 945-3545 Fax (907) 945-3703

March 4, 2005

Rep. Jay Ramras
Co-chair: House Resource Committee
State of Alaska

Re: University Lands bill; HB 130

Dear Representative Ramras,

Please include these statements into the record of testimony regarding state University Lands bill, HB 130.

The Hoonah Indian Association is a federally recognized tribe in accordance with and by the authority of the Acts of Congress of June 18, 1934 (48 Stat. 984) and May 1, 1936 (49 Stat. 1250).

It is the purpose of this letter to register our opposition to the acquisition of State and Federal lands by the University that come at the cost of Alaska's communities or environment. We are opposed to the efforts of the State and its delegation in Washington D.C. to seek federal taxpayers' land to make up the shortfall, in funding, that results from the State's refusal to fully fund its university system.

We want to assure you that we support the University of Alaska as a land-grant institution, and appreciate the opportunity the University has to responsibly use the lands that have been given to the University's Land-Grant Endowment Trust Fund and helps to pay for the Alaska Scholars Program in addition to various natural resource education and research projects.

Unfortunately, we are aware that in the pursuit of profits some of the University's lands have become the object of wholesale clear-cut logging, oil-leasing, mining and development that we believe has not been in the long-term best interest of the University or the State of Alaska. We are also aware that poor management of some University-authorized operations has resulted in damage to sensitive habitat resulting in numerous citations, as in the case of operations on Cape Yakataga.

Additionally, we are concerned with how the recent Mountain Point land sale by the University in the Ketchikan area, to the ALCAN Forest Products Co., has outraged residents who feel betrayed by the failure of the University and the company to include their participation in project planning. It is unacceptable that they now watch in dismay as their local watershed is clear-cut logged and the values of their community threatened.

We are particularly concerned to see that the bills introduced in the Alaska State Legislature contain language that would repeal requirements for the University to engage tribal councils, communities, businesses, and local residents in development plans for any of the University's land holdings.

As an organization that represents descendants of Alaska's original land caretakers, the Hoonah Indian Association stands opposed to State of Alaska proposals that are little more than attempts to acquire federal public land and assets at federal taxpayer expense.

In areas traditionally occupied and used by various groups of Native people, some with yet unresolved issues of land ownership, the proposed legislation would allow the University of Alaska access to federal and state lands of cultural, environmental and economic significance including wildlands in the Tongass National Forest. We notice that several parcels listed on the U of A Land Grant List of 2005 Parcel Descriptions for Northern S.E. Alaska identify properties significant to the Tlingit people of this region that are currently managed by the State of Alaska. In addition, some lands to be selected from the Tongass National Forest are undoubtedly areas with cultural and economic value related to their customary and traditional use. Some include the sites of former village locations and the graves and cemeteries of ancestors, from whom the land was previously procured.

The Hoonah Indian Association is strongly opposed to the passage of any legislation that grants state or federal public land to the University of Alaska. We specifically request that language repealing public process be added back in the University's land management requirements. We seriously encourage the University to secure more reliable sources of revenue from more responsible and ecologically sound alternatives.

The Hoonah Indian Association appreciates the opportunity to go on record with these comments.

Sincerely,

Frank Wright Jr.
President

Brandon Maitlen

From: Dave Belton [naturalresources@hiatribe.org]
Sent: Friday, March 04, 2005 11:23 AM
To: Rep. Jay Ramras
Cc: Rep. Ralph Samuels
Subject: HB 130: University Lands
Attachments: U of A Lands.doc

Dear Rep. Ramras,

Please include these comments into the Record of Testimony regarding University Lands bill; HB130.

Thank you,

David M. Belton
Director of Cultural and Natural Resources
Hoonah Indian Association
P.O. Box 602
Hoonah, Alaska 99829
(907) 945-3545

ndon Maitlen

From: Greg Streveler [grigori@gustavus.ak.us]
Sent: Friday, March 04, 2005 3:51 PM
To: Rep. Jay Ramras
Subject: University Lands

Dear Representative Ramras:

I am so grateful and relieved that the House Resources Committee decided to remove some parcels, and particularly the Baranof Warm Springs parcel, from the University Lands bill. Thank you!

Yours truly,

Judy Brakel, Box 94, Gustavus, AK 99826

Brandon Maitlen

From: Doris Bailey [dorie@gci.net]
Sent: Friday, March 04, 2005 5:06 PM
To: Rep. Jay Ramras
Subject: HB 130

Representative Ramras, I want to thank you from the bottom of my heart for allowing me extra time during my testimony today. I apologize for my emotion but this has been a very personal and important issue for me and for many of my constituents. I am sorry I didn't quite have time to get all the issues addressed as I wanted but you did receive my comments in writing which was important to me. Please take note of my comments about Middle Island and Lisianski Point when you take the final vote on the floor. Thank you again for your kindness in extending the time for me.

Doris Bailey
dorie@gci.net

There are three truths: my truth, your truth, and the truth. -Chinese proverb

Brandon Maitlen

From: Doris Bailey [dorie@gci.net]
Sent: Friday, March 04, 2005 5:18 PM
To: Rep. Harry Crawford; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Mary Kapsner; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Paul Seaton
Cc: Rep. Peggy Wilson; Sen. Bert Stedman
Subject: HB 130

Thank you so much for allowing me to testify for the City and Borough of Sitka today and also for allowing me some extra time for that testimony. This is an issue which has been very emotional and personal for me and also for many of my constituents. I appreciate the work you have done on this bill and appreciate more than I indicated the difficulties of the issues. Thank you for reading the hard copy of my comments which were faxed to you and once again thank you for the opportunity of testifying.

Doris Bailey
dorie@gci.net

There are three truths: my truth, your truth, and the truth. -Chinese proverb

London Maitlen

From: Claude Odell [lfcak@ptialaska.net]
Sent: Friday, March 04, 2005 6:34 PM
To: Rep. Peggy Wilson
Subject: Re: HB 130 Update

Rep. Peggy Wilson wrote:

> Hello Everyone,

>

>

>

> I want to keep you updated on what is happening with HB 130,
> University Land Grant. There is a Committee Substitute for HB 130
> drafted that will be presented in the Resources Committee meeting
> today, 3/4/05 at 1:00 pm. I would like to thank all of my constituents
> that have taken the time to call in, e-mail and write letters
> providing your viewpoints on the bill. I think that the process has
> worked and there are some changes that have been incorporated into the
> bill.

>

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>

> They have identified seven parcels that will be removed from the
> conveyance. They are listed below.

>

- > 1. Parcel Number CS.DI.1001.Duke Island;
- > 2. Parcel Number CS.kI.1001, Kelp Island;
- > 3. Parcel Number JU.LM.1001, Lena Creek;
- > 4. Parcel Number KT.1004, Neets Creek;
- > 5. Parcel Number MA.KR.1001, Kodiak Rocket Range;
- > 6. Parcel Number PA.1001, Port Alexander;
- > 7. Parcel Number ST.1002, Warm Springs Bay.

>

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> Please continue to watch as things unfold in the legislature and
> continue to provide me with your opinions.

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> Thank you,

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> Peggy

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Dear Peggy,

Thanks for the emails on current happenings on HB130. I see that after Doris Bailey spoke to the House Natural Resources Committee that Warm Springs and PA got excluded. I

sure would like to see the Pelican area to be excluded in the same way. 99% of the people in Lisianski Inlet are totally against the allotment of land going to the U of A. Please do your best for us local yokals without much say in the big city.

Thanks Again,

Claude K. Odell
29 year resident of Pelican

Brandon Maitlen

From: Doris Bailey [dorie@gci.net]
Sent: Saturday, March 05, 2005 8:18 AM
To: Rep. Harry Crawford; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Mary Kapsner; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Paul Seaton; Sen. Bert Stedman; Sen. Albert Kookesh
Cc: John C. Breseman; John C. Breseman
Subject: Fw: HB130

To whom it may concern,

Hi,

I tried to send a letter concerning this matter the other day and lost service, so will try again.

It is quite obvious that this bill future effects have not been thoroughly thought through and the public was not included at an early enough stage to comment before some people are trying to railroad it through.

I have lived in Pelican all of my life since 1954 and can see where this bill can and will create serious consequences in this area if passed, mostly negative.

It will definitely contradict with rural residences subsistence, recreational, etc...rights.

I strongly believe there should be no further land distributions by federal or state government whatsoever until the previous ones are settled and finalized.

"It's been 45 years since statehood and 33 years since passage of ANCSA and repeal of the (Alaska Native Land) Allotment Act. Yet under current law and procedures we were at least 20 years from seeing these conveyance completed, and by some estimates maybe 85 years or longer away from Alaskans gaining the land that is rightfully theirs," said Murkowski.

"This land transfer is incredibly important for Alaska Natives politically, economically and culturally. We were promised these lands a long time ago and these 45,000 acres are a step to reclaiming what is rightfully ours," said Chris McNeil, Jr., Sealaska President and CEO.

The Alaska Land Transfer Acceleration Act also authorizes the federal government to allocate a total of AT LEAST 200,000 ACRES.

I personally have submitted a 190 acre native allotment claim in the Lisianski Inlet area near Pelican, Alaska.

The above quotes are from the Sealaska Shareholder newsletter dated February 2005.

BIA I believe still has billions of dollars missing that should be another matter settled before land distributions so native who deserve that monies could also have the option of buying these lands.

I hereby request a copy of a map of these selected areas be sent to me if anyone has access to one. Thank you.

I do not have a lot of peoples address's but request people forward this to anyone the believe might be concerned. I don't have Alber Kookesh's address and all the letters I have read about HB130 I am amazed I haven't seen his name?

Sincerely, John C. Breseman
Box 52 Salmon Way
Pelican, Alaska 99832

jbpelicanak@hotmail.com
clifford@ptialaska.net
907-735-2277

LETTERS TO CITY MANAGERS
CITY COUNCIL

Stacy Kittama

From: Ron and Nan Schonenbach [ronnan@gci.net]
Sent: Wednesday, February 23, 2005 4:40 PM
To: clerk@gustavus-ak.gov; mayor@gustavus-ak.gov; jcozzi@haines.ak.us; jmedina@hoonah.net;
 city_clerk@ci.juneau.ak.us; mgr@borough.ketchikan.ak.us; clerk@ci.petersburg.ak.us;
 saxcity@ptalaska.net; saxman_city_clerk@yahoo.com; colleen@cityofsitka.com;
 daryekdd@aokcom.gci.net; cityclerk@aptalaska.net; cbyman@starband.net; yakclerk@starband.net;
 mayor@city.ketchikan.ak.us; m.harris@skagway.org; cityofib@aptalaska.net
Subject: SB 96/HB 130 University Land Bill

Hello,

Based on the testimony which this bill has received there are certainly some land ownership issues for SE communities to consider. The last 25 years I worked for DNR and the last five years I served as the SE Regional Land Manager for the Div. of Mining, Land and Water so I am very familiar with land boundaries and DNR Area Plans. I am pleased to have worked with many individuals from all the communities over the years.

The legislation which the governor introduced has huge impacts on SE and I clearly do not believe the communities are served by this bill. I have attached the letter I recently sent to Rep. Jay Ramras which states my viewpoints. The governor, DNR and the U of A are working on a revision based on testimony. The bill will be back for testimony on March 2. If your community is involved then please contact the gov. office or your representative. The maps are available for viewing on the DNR website. Proposed land is within or near the communities of Haines, Juneau, Pelican, Tenakee, Sitka, Petersburg, Wrangell, Coffman, Thome Bay, and Ketchikan.

Any support you can give to change the bill and reduce land in SE, particularly land classified Settlement, Public Recreation or Wildlife Habitat would be appreciated. Please email or call (789-2028) if you have any questions.

Thanks, Ron Schonenbach

copy

February 19, 2005

Representative Jay Ramras
State Capitol, Room 104
Juneau, Alaska 99811

Re: SB 96/HB 130 University Land Bill

Dear Representative Ramras,

After reviewing the maps contained in the University of Alaska Land Grant List of 2005 I'm not surprised to see why there is so much controversy from individuals and communities. Last year I retired from DNR after working as a land manager for 25 years within the SE Regional Office. Having been involved with the selection of these lands from the Tongass National Forest I have an intimate knowledge of DNR's land base in Southeast. I wish to point out some issues for your consideration.

DNR and the University have worked very closely to come up with a statewide list of parcels at the Governor's request. SB 7 from 2000 is clearly flawed and SB96/HB 130 is an attempt to fix the legislation by generating a specific list of parcels. This approach is reasonable but the parcel list must be altered to serve the public's need.

The current list contains 44 southeast properties (40,114 acres) scattered from Ketchikan to Juneau that from a geographic standpoint will be costly to manage. The list encompasses land for settlement, general use and public recreation as identified in DNR's Area Plans.

Observations

- > The assumption that land will generate substantial money to fund University programs is flawed. DNR has already sold the most desirable land in southeast and the land pool has also been further reduced by land conveyances to the municipalities, the first settlement agreement to the University and to the Mental Health Trust Land Office. An endowment fund or appropriation is a more sensible way to achieve financial stability along with legislation that conveys a smaller land base.
- > DNR's Area Plans undergo intense public scrutiny during a two-year development process. The commissioner's approval of these plans provides classification and management intent for state land. DNR should focus on selling Settlement land for their land disposal programs that have received additional legislative funding in recent years. Additionally, Public Recreation lands should not be part of the land package as these lands have unique public values. Once conveyed to the University the Public Recreation classification becomes meaningless and the public who was assured by DNR that the land would be used for public recreation purposes is betrayed and public trust and confidence in DNR is eroded. One example is the 1,358 acres at Lynn Canal, more commonly called Lynn Sisters. This parcel is classified as

A Baranof Warm Springs is one of these. It's land use classification is "RU" - recreation undeveloped - 2002 S.F. Area plan

Public Recreation and is identified as a future State Marine Park. This land would complement St. James Bay State Marine Park a few miles to the north that is heavily used and has a great public use cabin. There are also several parcels that have a Wildlife Habitat classification along with either Settlement or General Use. DNR should continue to hold all Wildlife Habitat lands.

By regulation DNR can only sell land classified as Settlement whereas the classifications have no relevance upon conveyance to the University. Less than 5% of the land is classified Settlement and even a smaller percentage is truly developable after accounting for steep terrain, muskeg and anadromous streams. While DNR has not included any Settlement lands proposed for sale within the next five years, they can ill afford the loss of any Settlement land if the legislature desires DNR to continue with a long-term land disposal program.

- Removal of Selected Land Harris River Junction (320 acres) should not be under consideration as the Commissioner's approval of the Prince of Wales Island Area Plan concurred with the relinquishment of this selection. This selection as well as several others are only selected and have not been conveyed from the federal government.
- Maps in the Land Grant List In some cases the parcel encompasses all of the state land in a specific area. In over 50% of the cases, the parcel represents only that land in the pool and gives no recognition to adjacent private or remaining state land. The legislature and the public cannot evaluate or visualize these fragmented ownership patterns without seeing adjacent private and state lands. A look at these maps leads one to believe that all surrounding land is Tongass National Forest, that is not the case. A good example is Thorne Bay containing four separate tracts of 2,557 acres. This map does not aid in understanding fractured ownership boundaries that will occur. The problem is compounded by the fact that DNR will issue a quitclaim deed for the land; this action does not require a land survey on the ground.
- Acreage The 250-260,000 acre figure has been tossed around for years. While the University obviously wants the maximum acreage possible there is no reason that the Governor cannot reduce this acreage and remove from the pool the controversial parcels or select additional parcels if parcels must be dropped and the 260,000 acre figure maintained. Due to controversy surrounding this legislation there is no compelling reason to fast track this bill.

Recommendations

- Remove from the pool all land classified Settlement, Public Recreation and Wildlife Habitat. Settlement lands are essential for DNR to continue with their land disposal program. Public Recreation and Wildlife Habitat lands are identified for specific, unique values and must continue to be managed by DNR. Elimination of these lands will aid the University by having fewer scattered parcels to manage.

Baranof
warm springs

- Remove from the pool land approved for relinquishment and land selected but not yet conveyed.
- Request that DNR produce a corrected set of maps showing state and private land surrounding the selected parcels.

I would appreciate your efforts to consider these revisions and to share my letter with other committee members. Please contact me if you wish to discuss any of the issues.

Sincerely,

Ron Schonenbach

16435A Pt. Lena Loop Road, Juneau 99801

789-2028

cc: Governor Murkowski
Commissioner Tom Irwin



**LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE INFORMATION OFFICE**
201 KATLIAN STREET, SUITE 200A
SITKA, AK 99835
Phone: 747-6276 Fax: 747-5807
Email: sitka_lio@legis.state.ak.us

DATE: Mar 4, 2005

TO: House Resources Committee

FAX: 5 pages, including cover sheet

FROM: Sitka Constituents

MESSAGE: To be included for Public Testimony on HB 130



**LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE INFORMATION OFFICE**

201 Katlian Street, Suite 200A, Sitka, AK 99835

Phone: 747-6276 Fax: 747-5807

Email: sitka_lio@legis.state.ak.us

DATE: Mar 4, 2005
TO: House Resources Comm
FAX: 465-2070 3 pages including cover sheet

FROM: Sitka Constituent

MESSAGE: Please include for public testimony for HB 130.

Signe Wilson
P. O. Box 587
Sitka, Alaska 99835

March 4, 2005

House Resources Committee
Alaska State House of Representatives

Ladies and Gentlemen:

I am writing to express my opposition to HB 130 University Land bill. There must be other ways of funding the University of Alaska other than land sales. Legislative action should be introduced to change this from a land grant to a state funded university.

As a forty-five year resident of Sitka, I've seen the negative impact of the Alaska Mental Health Lands selections. There was no public awareness during the selection of these lands yet the bid process through which the sales are held virtually prohibits the average local citizen from ever acquiring any of these lands. The end result is the State receives the inflated income, the local residents suffer higher property assessments and taxes and loss of public use areas.

In reviewing the Southeast selections, each community would suffer a tremendous loss of use by placing these lands in private ownership. Although I live in Sitka, we travel to many of these communities and personally use the areas selected. Mite Cove on Yakobi Island is a small but important anchorage for cruisers and fishermen. A true last haven for folks heading to the fishing grounds. It would also be the only anchorage for the owners of the selected lands virtually eliminating or, in the least, severely restricting it for public use. The other properties near Pelican should be transferred to the city of Pelican so they can determine the use.

The Tenakee selection near the harbor is the only public beach area readily accessible by locals and visitors. Trail access to the public recreation area, the river and private lands is through the selected area. This is also one of the main berry picking areas for locals.


One of the most magical places to explore in Warm Springs Bay is the salt water lagoon. This should always remain public. Other lands in the area should be left as they are until the Southeast Transportation Plan is settled.

In our local Sitka area, residents have always shown a preference to leaving the lands for public use. With one of the largest harbor systems in the state, residents use these lands year round for recreation, subsistence and its scenic values.

The Lisianski Peninsula selection surrounds a Native allotment. Commercial development of the proposed selection would, in all probability, significantly increase the monetary value of the Native land. Money, money, money is what it is all about, right? Not in this case, the owners of the allotment operate a fish camp where they teach the traditional Native subsistence and cultural activities to Sitka youth and young adults as a way of bringing order to their, sometimes troubled, lives. This unique approach has succeeded where other more conventional means has failed. This same projected commercial development surrounding their camp would destroy the isolated Native camp environment essential to the success of their program. It is unthinkable that anyone would knowingly do anything that would bring harm to this grass roots effort to help our young people.

Local citizens in all areas should have the opportunity to help determine land uses that affect them and not be bulldozed by the very folks that were voted in to represent their interests.

Sincerely,



Signe Wilson

Brandon Maitlen

From: Cliff Lobaugh [cdlobaugh@gci.net]

Sent: Friday, March 04, 2005 7:32 AM

To: Rep. Jay Ramras

Subject: University land grab

I oppose the University of Alaska land grab as it deals with Southeast Alaska and the lack of hearings before the lands were considered. This seems like a rushed deal to the public and poorly put together.

Cliff Lobaugh
3340 Fritz Cove Rd.
Juneau, Ak 99801

Brandon Maitlen

From: Jeanne' [31lesh36@silveridge.com]
Sent: Friday, March 04, 2005 6:51 AM
To: Rep. Jay Ramras
Subject: HB 130

FUNDING THE UNIVERSITY—HB 130

We must all question why this land grant proposal became the mechanism as a funding source for the University of Alaska. The manner in which this issue has been driven, without public hearings, suggests another agenda is being served. We have \$30 billion in our Permanent Fund; why wasn't this resource considered as one writer suggested? This is a statewide issue, the solution should be shared by everyone and every generation.

It is the people's responsibility to mandate appropriate action through our elected representatives, we hope our voices are heard. In my judgment, the best solution means a contribution from our PFDs. This income is a great windfall, we did not earn it. What better way to demonstrate our direct support for a worthy program? If we do not accept this reasoning, why should we direct a land grant solution to targeted regions to solve this problem?

According to Joe Beedle's testimony, if these lots were sold, the university would realize about \$5 billion annually. Our permanent fund dividends could be reduced by 1% and match that amount.

There may be regions that would opt for a land grant. So be it; some of us want out of this option. We want the right to determine paths to a vision of our area's development.

Bob Leshner
PO Box 3
Pelican, Alaska 99832
907 735 2276

Brandon Maitlen

From: Sally McGuire [chilkootmcguire@yahoo.com]

Sent: Friday, March 04, 2005 6:09 AM

To: Rep. Jay Ramras

Subject: University Lands Bill

Dear Members of House Resources Committee, I understand that today you are again taking up HB 130. This is a very thinly disguised piece of legislation designed to remove public oversight from the process of transferring our public lands to private developers. I understand that you are no doubt being strongly lobbied by our Governor and by University personnel to pass this legislation pretty much as is. However, your responsibility is to us, the citizens of Alaska, not to give our lands away without our permission, and not to undermine the public process. This bill if passed will become as potent an issue as the coalbed methane issue was last year, which even resulted in one legislator having to resign. The individual parcels are most of them very controversial, and the overall intent to "streamline" the University's funding stream is an attempt to remove our basic right to determine the fate of our own lands. This bill must be rejected. Thank you, Sally McGuire

Brandon Maitlen

From: Alaska Passages [info@alaskapassages.com]
Sent: Thursday, March 03, 2005 7:08 PM
To: Rep. Jay Ramras
Cc: Rep. Ralph Samuels
Subject: House Bill 130, when will it go away??

Dear Representative Ramras;

Yesterday in the hearing for House Bill 130 you reiterated your concern that part of your mission was to get public lands into private hands. I understand that this is important to you. I understand how little private land is available in Alaska.

House Bill 130 is not a homesite bill however. It is about realizing a profit for lands that at this time are being held in trust by the State for all Alaskans, and giving that money to the University.

Joe Beedle has told me that even if most of the land is sold after about 20 years, the profit would only represent about 1% of the annual budget for the University. It seems like that small profit does not offset all the concerns that have been expressed about the disposal of these lands, particularly in Southeast Alaska.

In particular, I am concerned about the remote sites that are designated in the Southeast Area Plan as "Ru" or meant for undeveloped recreation. I spoke with Bob Loeffler today, and he indicated that the land use designations in the Area Plans represent several years worth of extensive research at some expense to the State. It seems arbitrary and irresponsible to overturn the land use designations to develop those lands. That is exactly what will happen if House Bill 130 goes through. The land then becomes private, and the public has no legal recourse over how that land is developed.

You said that there was "No Walmart going up" on the land in Kodiak, but there also would be nothing stopping that from happening. Once the University sells the land, it loses control over it too. The university is not going to want to hang on to the land and manage it. They need to realize a profit from the sales.

Some of the lands designated "Ru" include Warm Springs Bay, part of Port Alexander's Back Lagoon, Sanford Cove in Endicott Arm, Whitney Island near Cape Fanshaw, and Read Island near Farragut Bay. Most of those names may be unfamiliar to you. They are remote parcels used mostly by local residents and visitors who use these places for hunting, subsistence, and recreation. According to Bob Loeffler, these "Ru" lands represent about 2088 acres. Perhaps one way to mitigate the opposition to House Bill 130 would be to remove those lands from consideration.

I appreciate the time that House Resources is giving to House Bill 130. I hope that the Bill can be modified to address the considerable opposition that has been voiced.

Thank You,
Julie Hursey
Petersburg, Alaska

Brandon Maitlen

From: Dave Lacey [dlacey@mosquitonet.com]
Sent: Thursday, March 03, 2005 5:08 PM
To: Rep. Jay Ramras
Subject: HB 130

Rep. Ramras,

Re: HB 130

This is bad legislation in that it takes public land out of the public process. The University does not need to be in the land management business as that is not its forte or focus. DNR is better prepared to manage land. There is no logical reason to give the University land to manage except to force it into some boomer type moves to generate fast cash that will not be best for things in the long run. The legislature needs to address the University funding out of the general funds of the state. Education is important and we do not need to be playing these kinds of games with it.

Thanks,

Dave Lacey
PO Box 81765
Fairbanks, AK 99708-1765

Brandon Maitlen

From: Rick Fleischman [Capt-Rick@soundsailing.com]

Sent: Thursday, March 03, 2005 4:46 PM

To: Rep. Jay Ramras; Rep. Ralph Samuels; Rep. Jim Elkins; Rep. Carl Gatto; Rep. Gabrielle LeDoux; Rep. Kurt Olson; Rep. Paul Seaton; Rep. Harry Crawford; Rep. Mary Kapsner; Rep. Peggy Wilson; Sen. Bert Stedman

Subject: Insightfull, New look at HB 130

Kill Bill 130

Co-chairs Ramras and Samuels and Committee Members,

I hope to testify at your hearing tomorrow on HB 130 but suspect there will be a long line and our cell coverage here in the bay is sometimes weak. To ensure that you don't have to suffer the indignity of not hearing my testimony I will email this as well.

Movie producer Quentin Tarantino should film his next sequel here in Alaska—"Kill Bill 130".

During Wednesday's House Resource meeting Chairman Ramras characterized opposition to the bill as complaints by "people who don't want to pay for it but don't want others to have it". This is simply not true. The public concern is that several inappropriate parcels of land will be transferred to the University of Alaska in this bill. The community of Baranof is not anti-development. Lots are available for sale in the townsite and new property owners have building plans for the near future.

There was no opportunity for public input into the selection of lands to be transferred. The governor did not consult the affected communities when he put this bill together. Discussions between DNR and the University were not open to the public. I commend your committee for taking the only public testimony on the bill. I calculate the total time allotted for public comments as 23/1000 of a second per acre (and that includes time for potty breaks).

Chairman Ramras has taken pains to describe the University as a kind, understanding landlord and steward for the public good. The time for the warm and fuzzy university property managers to discuss their plans for our communities is now—before the state transfers ownership to them and they become the 800-pound hairy gorilla (with bad breath). The 276-acre parcel here in Baranof will engulf the 20-acre townsite. There has been no opportunity for community concerns to be heard and answered regarding water quality, damage to our fragile hotspots, and development around the salt chuck.

In 2002 DNR spent time and money developing its Area Land Plan. The land to be transferred in Warm Springs Bay is classified as "RU". "RU" (not to be confused with FUBAR) is defined by DNR as "Public Recreation and Tourism Undeveloped". The management intent, as the plan states for the land in question, is "to be retained by the state and managed to protect the warm springs, maintain the natural resources/scenic value of the parcel, and ensure continuation of its use for dispersed recreation".

DNR spokesman Bob Loeffler testified to the committee that all lands in SE selected for the transfer are classified for development. This is not the case in Baranof. The state did a

multi-year Area Land Plan utilizing public input and concluded in 2002 that this property should be preserved by the state for undeveloped public recreation. Three years into the 20-year plan the governor announces, with no advance warning or public input, that the same land is now a perfect piece to grant to the University for "development". Loeffler further testified that the carefully studied intents and classification of the 2002 Area Land Plan will no longer apply upon the land's transfer to the University.

The process by which this land-grab bill has evolved is shameful. It evokes images of shady wheelers and dealers in dark, smoke-filled rooms, drawing and redrawing lines on maps with no regard to established communities, public opinion, and in the case of Baranof, contradicting the state's own management intent.

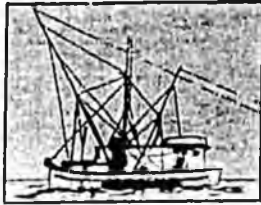
The Sitka Assembly voted unanimously to oppose HB 130, which transfers large areas within the borough of Sitka to the University. The public testimony heard by the House Resource Committee has been unanimously opposed to the bill. Other citizens are protesting just as vigorously about problems this bill will cause in their communities and recreational areas. I urge the House Resources Committee to seriously consider the public opposition to this bill. House Bill 130 must be modified extensively so that the public maintains some control of the public land in their communities. At a minimum, the parcels of land classed as RU should not be included with the transfer.

Thank you for your time!

Rick Fleischman
1802 B Alder Way
Sitka, AK 99835
(907) 747-7473

Capt-Rick@soundsailing.com

Note: I am currently caretaking at the Baranof Wilderness Lodge in Warm Springs bay and can be reached by cell phone at (206) 605-8363.



Alaska Trollers Association

130 Seward St., No. 211
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

February 20, 2005

Chairman Jay Ramras
Chairman Ralph Samuels
House Resources Committee
State Capitol Building
Juneau, AK 99801

Dear Representative Ramras and Representative Samuels:

The Alaska Trollers Association strongly opposes the transfer of the Neets Creek parcel, KT.1004, from Alaska Department of Natural Resources to the University of Alaska Board of Regents under HB 130.

Development of the lands at Neets Creek, which have been nominated for transfer to the University of Alaska, could negatively impact hatchery operations that are dependent on this watershed for incubation and rearing of salmon. Our fear is a degradation of water quality and quantity, both which are essential to maintaining a healthy hatchery program.

Southern Southeast Alaska Aquaculture Association (SSRAA) is a regional aquaculture corporation funded through a 3% enhancement tax paid by commercial salmon fishermen. SSRAA currently operates the Neets Bay Hatchery, which has a long and distinguished record of producing high value salmon returns for both commercial and sport salmon fishermen throughout the Southeast region. The commercial troll fleet, from Yakutat to Ketchikan, derives significant benefit from the salmon produced at Neets Bay hatchery.

ATA feels strongly that the benefits accrued from the salmon produced at the Neets Bay Hatchery far outweigh the risks that could be associated with new development in the vital Neets Creek watershed. We would appreciate your support to retain Neets Creek parcel KT.1004 under state ownership.

Sincerely,

A handwritten signature in cursive script that reads "Dale Kelley". The signature is written in black ink and is positioned above the typed name.

Dale Kelley
Executive Director

John H. Littlefield
POB 2212
4102 Halibut Point Road
Sitka, AK 99835
907-747-6866 voice
907-738-6866 cell

Co-Chair Representative Ramras
House Resources Committee

Re: HB130

Dear Representative Ramras,

I will be traveling tomorrow, and will be unable to testify on House bill 130 however, I do want my remarks noted for the record.

The Littlefield family is the owner of a certified 160 acre native allotment on Lisianski Peninsula near Sitka. It seems certain that developing the Lisianski Peninsula will increase our property value. While that seems like good news, it is at best a mixed blessing. As have many, many residents testified against this bill, I think I need to add my voice to the committee process as well. City and Borough of Sitka Assembly member, Doris Bailey, has adequately expressed my concerns with the land transfers around Lisianski Peninsula and Sitka from a personal basis. I submit these additional comments more as a matter of process. I have expressed some of these thoughts to my legislators, Peggy Wilson, and Bert Stedman.

1. I support the University of Alaska, and believe most Alaskans share that opinion.
2. I support the State of Alaska's efforts to make land available to the public.
3. I believe in a transparent public process, to accomplish both of these items as well as other work of the people.

House Bill 130 has combined two distinct items into a single action. I believe the actions should be debated on their merits separately. I believe that most Alaskans support the University and if they don't they should. If long-term funding for the University is our goal, then we should investigate ALL funding options. House Bill 130 has identified a problem, long-term funding of the University, and selected granting highly questionable parcels of land to the University as the only solution. The problem and solution in this case are not necessarily compatible or desirable to many.

All Alaskans should share in the burden of funding the University. I have several suggestions on how they could do that and I'm sure there are others.

1. We don't have to look much farther than the permanent fund for a long-term funding solution to many of the University's needs. My last information indicated there was about \$30 billion in the permanent fund. I am not an accountant, but I would suggest that an endowment to the University of approximately \$500 million would go a long ways toward ensuring economic stability for the University. The University's annual income would of course, vary by the amount of the endowment, but this amount would dwarf the existing endowment fund and generate real dollars immediately for the University. The exact amount of the necessary endowment could easily be calculated by an accountant. I realize that many other Universities have several billions of dollars in their endowments. We'll get there one of these days and much faster if we jump start the endowment with a large cash infusion.

2. Secondly, I would recommend that lands granted to the University should be selected from the North Slope or other areas where the likelihood of getting long-term returns from gas, oil, or minerals is very likely. The University needs annual income. Returns from gas, oil, and minerals can provide that for many years. All Alaskans together owned the State lands. But there's a great difference between lands that are valuable for mineral, gas, and oil development and remotely located and lands that are similar, but close to existing communities. Land selections near existing communities, disproportionately affect the local citizens more so than the rest of the State residents. Much of the lands that have been selected in Southeast have little value to the University other than the income that would be derived from a sale. The sales would generate a onetime deposit to the University's endowment fund and will not generate annual income. It will also generate a great amount of dissatisfaction from the local residents.

3. There is a process already in place to get land to the University. These programs are subject to public scrutiny at this time. This is the preferred method to dispose of public lands. It may take a little longer, but the public is better served when everyone has their input in the final decisions are made. If the University owns these lands they will not have to answer to the public when they dispose of these lands. In fact, as a private owner, the University could completely pave over all of these lands if they wished. Sound preposterous? Probably so, but we have no guaranty they won't. Remember that the solutions to the long term funding of the University are just that, long-term. They do not need to be solved today. Further the legislature could direct the DNR to speed up the existing process while still honoring the public process.

What would I like you to do? I would like you to simply kill or table this bill. It is not so timely, that the funding issues cannot be fully debated and the full range of alternatives presented for discussion. A new bill (or several) could easily address these issues.

Thank you for your consideration,

John H. Littlefield
907-738-6866

Brandon Maitlen

From: Tom Paul / Jan Caulfield [tomjan@gci.net]
Sent: Wednesday, March 02, 2005 9:52 PM
To: Rep. Jay Ramras
Subject: HB 130 Univ. Lands bill

Dear Representative Ramras,

I am writing to ask you to oppose House Bill 130, "University Land Grant/State Forest" and the companion SB 96 in their current form. I am a former city clerk, city council member, and mayor of Port Alexander and although I live in Juneau now, I have owned property in Port Alexander for 30 years.

This bill could have been a very positive solution to the funding needs of the University, and one that may have been well-received throughout the state. But the current version only creates animosity toward the University and the State and does not achieve its purpose.

I will address the bill's problems specifically in regard to Port Alexander, but from the breadth of opposition this bill has generated, I am sure these points apply to other communities as well. The bill suffers from:

- 1) Undemocratic public process with little or no public notice and a "fast track" approach to legislation. Even though you (the Legislature) have been conducting open public hearings on this legislation, a few days or weeks of legislative hearings in Juneau does not substitute for full public notice and debate, and the involvement of communities. I fear small communities especially, may not get consideration equal to the larger communities like Kodiak or Ketchikan who have legislators who live in the community.
- 2) Shoddy preliminary work, if any, by DNR and the University of Alaska to determine if the lands designated by the bill actually meet the university's needs - For example: including a portion of Port Alexander's community watershed in designated lands, as well as low-value, poorly accessible muskeg, and land extremely important to local citizen's recreation and subsistence use. DNR's designation of land in a "development" category is no guarantee that it is suitable for development, and does not mean that the community agreed with DNR's classification during the area plan process. Port Alexander's waterline and other water supply structures were in place long before DNR selected the land from the Forest Service for "community expansion". This is simply poor planning on the part of DNR.
- 3) A seeming disregard for the effect of the lands transfer on individual communities and the compatibility of the ultimate uses of the University land to the communities' Comprehensive Plans - For example: the 250+ acres designated for transfer in Port Alexander are double the size of the existing community footprint. Other communities like Thoms Place would be even more subsumed by the transfer of thousands of acres of surrounding land to the University. One can only imagine the hard-hearted cynicism that those in the administration must have in designing this bill, knowing that many of the timbered lands proposed for transfer in Southeast Alaska adjacent to communities (whole hillsides surrounding Thoms Place, Pelican, Baranof Warm Springs, and possibly Tenakee Springs) will likely be logged by the University or its surrogates to generate income.

While it is no secret, or sin, that this administration and many other Alaskans champion exploitation of more resources, it seems that in a state this size that could be achieved without purposely trashing someone's viewshed or transforming a community's character against the will of its citizens. I wonder, would you welcome clearcuts around your remote residence? Port Alexander and other remote communities are inhabited by people who purpose.y choose to live in minimally developed areas. Undoubtedly there are some communities, founded and still existing on logging and other resource exploitation, that may indeed welcome such activity. If so, then those are the ones where University land disposals should be concentrated.

- 4) Few protections for the communities - Despite assurances, the University has no obligation to work with the communities when developing or disposing of these lands. Like the Mental Health Trust lands, University lands are intended to provide income. With profit paramount, all other considerations and good intentions typically fall by the wayside. Towns or unincorporated communities without zoning authority are particularly vulnerable.

I believe that a similar bill could be designed that does not threaten the character or environment of communities, and that does not make the University and the citizens of much of the state, immediate (and possibly permanent) adversaries. But such a bill would require time and dedication to a thorough, open, and inclusive process. HB 130 and SB 96 were not developed with that process, but by the administration behind closed doors.

The proper way to develop this bill and engage the public in an open and democratic process would have been for the Dept. of Natural Resources and the University to first approach communities with lands being considered for transfer and ask if they supported the transfer of all or part of those lands. Not all communities in Alaska are alike. Some like Coffman Cove (and many Southcentral Alaska communities) are supportive of University land ownership in their community, whereas some, like Port Alexander, Thoms Place, Tenakee Springs, Warm Springs and Pelican, are against it. Oftentimes a simple review of a community's Comprehensive Plan would indicate whether or not there is compatibility. Why not concentrate University land selections in and around those communities that are supportive? For instance, why not switch contentious lands in Southeast Alaska for those in Southcentral Alaska which would likely be more welcomed by the populace? Or allow selection of current State Forest lands where logging is already approved. It seems to me that if you force citizens of communities into a relationship they do not want to have and on terms that offend them, you sow the seeds of long-lived antagonism and create a potential for lawsuits and other opposition.

The Legislature needs to be more open to changing this bill to improve it. In the face of overwhelming opposition by many communities who are affected, the Legislature should not simply be satisfied to "shine the light" on a bad bill and pass it anyway without substantive changes. I ask you to work for the people and not simply for the administration and University. Please remove from this bill the lands in Port Alexander, Baranof Warm Springs, Tenakee, Pelican, Thoms Place, and other communities where there is overwhelming objection and substitute other lands elsewhere for them.

Thank you for your public service and for the opportunity to comment.

Sincerely,

Tom Paul, 525 W 9th St., Juneau, Alaska 99801
And: 2 Rue de Bearhunter, Port Alexander, AK 99836

Melinda Hofstad
PO Box 1030
Petersburg, Alaska 99833

907-772-3880

Facimile

To: Rep. Jim Elkins
From: Melinda Hofstad
Date: February 27, 2005
Re: HB 130
Pages: 12 including cover

**PLEASE MAKE SURE REP. ELKINS HAS THIS BEFORE THE
WEDNESDAY RESOURCES COMMITTEE MEETING ON HB 130**

Jim, This was given to my by Paul Anderson of the Petersburg City Council today. This is from Paul Schonenbach, who just retired as the 5 year SE Regional Land Manager of DNR. He was the one in charge of the DNR's Area Plans. This is really the heart of the problem with HB 130, very good information. Please help us get Baranof out of this legislation. Thanks, Melinda

Jim - I also included some
other excellent points.
My understanding is Baranof
is still in - please help us get
it out before it leaves Resources.
Melinda Peggy will be
there too!

MAR-01-2005 TUE 02:36 PM

City of Sitka
CITY COUNCIL

Stacy Rittama

From: Ron and Nan Schonenbach [ronnan@gcl.net]
Sent: Wednesday, February 23, 2005 4:40 PM
To: clerk@gustavus-ak.gov; mayor@gustavus-ak.gov; jcozzi@haines.ak.us; jmedina@hoonah.net;
 city_clerk@cl.juneau.ak.us; mgr@borough.ketchikan.ak.us; clerk@cl.petersburg.ak.us;
 saxcity@ptalaska.net; saxman_city_clerk@yahoo.com; colleen@cityofsitka.com;
 daryakdd@aolcom.gcl.net; cityclerk@aptalaska.net; cbyman@starband.net; yakclerk@starband.net;
 mayor@city.ketchikan.ak.us; m.harris@skagway.org; cityofitb@aptalaska.net
Subject: SB 86/HB 130 University Land Bill

Hello,

Based on the testimony which this bill has received there are certainly some land ownership issues for SE communities to consider. The last 25 years I worked for DNR and the last five years I served as the SE Regional Land Manager for the Div. of Mining, Land and Water so I am very familiar with land boundaries and DNR Area Plans. I am pleased to have worked with many individuals from all the communities over the years.

The legislation which the governor introduced has high impacts on SE and I clearly do not believe the communities are served by this bill. I have attached the letter I recently sent to Rep. Jay Ramras which states my viewpoints. The governor, DNR and the U of A are working on a revision based on testimony. The bill will be back for testimony on March 2. If your community is involved then please contact the gov. office or your representative. The maps are available for viewing on the DNR website. Proposed land is within or near the communities of Haines, Juneau, Pelican, Tenakee, Sitka, Petersburg, Wrangell, Coffman, Thome Bay, and Ketchikan.

Any support you can give to change the bill and reduce land in SE, particularly land classified Settlement, Public Recreation or Wildlife Habitat would be appreciate. Please email or call (789-2028) if you have any questions.

Thanks, Ron Schonenbach

copy

February 19, 2005

Representative Jay Ramras
State Capitol, Room 104
Juneau, Alaska 99811

Re: SB 96/HB 130 University Land Bill

Dear Representative Ramras,

After reviewing the maps contained in the University of Alaska Land Grant List of 2005 I'm not surprised to see why there is so much controversy from individuals and communities. Last year I retired from DNR after working as a land manager for 25 years within the SE Regional Office. Having been involved with the selection of these lands from the Tongass National Forest I have an intimate knowledge of DNR's land base in Southeast. I wish to point out some issues for your consideration.

DNR and the University have worked very closely to come up with a statewide list of parcels at the Governor's request. SB 7 from 2000 is clearly flawed and SB96/HB 130 is an attempt to fix the legislation by generating a specific list of parcels. This approach is reasonable but the parcel list must be altered to serve the public's need.

The current list contains 44 southeast properties (40,114 acres) scattered from Ketchikan to Juneau that from a geographic standpoint will be costly to manage. The list encompasses land for settlement, general use and public recreation as identified in DNR's Area Plans

Observations

- > The assumption that land will generate substantial money to fund University programs is flawed. DNR has already sold the most desirable land in southeast and the land pool has also been further reduced by land conveyances to the municipalities, the first settlement agreement to the University and to the Mental Health Trust Land Office. An endowment fund or appropriation is a more sensible way to achieve financial stability along with legislation that conveys a smaller land base.
- > DNR's Area Plans undergo intense public scrutiny during a two-year development process. The commissioner's approval of these plans provides classification and management intent for state land. DNR should focus on selling Settlement land for their land disposal programs that have received additional legislative funding in recent years. Additionally, Public Recreation lands should not be part of the land package as these lands have unique public values. Once conveyed to the University the Public Recreation classification becomes meaningless and the public who was assured by DNR that the land would be used for public recreation purposes is betrayed and public trust and confidence in DNR is eroded. One example is the 1,358 acres at Lynn Canal, more commonly called Lynn Sisters. This parcel is classified as

R. Baranof Lynn Springs is one of these. It's land use classification is "RU"-recreation-undeveloped - 2002 S.F. area plan

Public Recreation and is identified as a future State Marine Park. This land would complement St. James Bay State Marine Park a few miles to the north that is heavily used and has a great public use cabin. There are also several parcels that have a Wildlife Habitat classification along with either Settlement or General Use. DNR should continue to hold all Wildlife Habitat lands.

By regulation DNR can only sell land classified as Settlement whereas the classifications have no relevance upon conveyance to the University. Less than 5% of the land is classified Settlement and even a smaller percentage is truly developable after accounting for steep terrain, muskeg and anadromous streams. While DNR has not included any Settlement lands proposed for sale within the next five years, they can ill afford the loss of any Settlement land if the legislature desires DNR to continue with a long-term land disposal program.

- Removal of Selected Land Harris River Junction (320 acres) should not be under consideration as the Commissioner's approval of the Prince of Wales Island Area Plan concurred with the relinquishment of this selection. This selection as well as several others are only selected and have not been conveyed from the federal government.
- Maps in the Land Grant List In some cases the parcel encompasses all of the state land in a specific area. In over 50% of the cases, the parcel represents only that land in the pool and gives no recognition to adjacent private or remaining state land. The legislature and the public cannot evaluate or visualize these fragmented ownership patterns without seeing adjacent private and state lands. A look at these maps leads one to believe that all surrounding land is Tongass National Forest, that is not the case. A good example is Thorne Bay containing four separate tracts of 2,557 acres. This map does not aid in understanding fractured ownership boundaries that will occur. The problem is compounded by the fact that DNR will issue a quitclaim deed for the land; this action does not require a land survey on the ground.
- Acreage The 250-260,000 acre figure has been tossed around for years. While the University obviously wants the maximum acreage possible there is no reason that the Governor cannot reduce this acreage and remove from the pool the controversial parcels or select additional parcels if parcels must be dropped and the 260,000 acre figure maintained. Due to controversy surrounding this legislation there is no compelling reason to fast track this bill.

Recommendations

- Remove from the pool all land classified Settlement, Public Recreation and Wildlife Habitat. Settlement lands are essential for DNR to continue with their land disposal program. Public Recreation and Wildlife Habitat lands are identified for specific, unique values and must continue to be managed by DNR. Elimination of these lands will aid the University by having fewer scattered parcels to manage.

*Bananob
Warm Springs*

- Remove from the pool land approved for relinquishment and land selected but not yet conveyed.
- Request that DNR produce a corrected set of maps showing state and private land surrounding the selected parcels.

I would appreciate your efforts to consider these revisions and to share my letter with other committee members. Please contact me if you wish to discuss any of the issues.

Sincerely,

Ron Schonenbach

16435A Pt. Lena Loop Road, Juneau 99801

789-2028

cc: Governor Murkowski
Commissioner Tom Irwin

Matthew Gruening
716 N Nordic Drive
Petersburg, Alaska 88933

March 1, 2005

Re: HB 130

Dear House Resources Committee:

The proposed land transfer in Baranof Warm Springs Bay directly undermines the existing DNR 2002 Northern SE Area Land Plan. This plan was the result of years of public planning, hearings, scientific studies, on-site visits to areas throughout SE Alaska, as well as hundred's of thousand's of precious state dollars. This comprehensive plan states that it shall be in effect for 20 years (until 2022). In this plan, the Baranof transfer in HB 130 is classified as "RU".

"RU" classification is "Public Recreation and Tourism Undeveloped: May be conveyed to Municipalities depending on the units management intent and the relative value of the recreation resources for which the unit was designated. These lands cannot be sold to individuals"

Management Intent:

Parcel B-32: "to be retained by the state and managed to protect the Warm Springs, maintain the natural resources/scenic value of the parcel, and ensure continuation of it's use for dispersed recreation."

DNR parcel B-33: "to be retained by the state and managed to protect the Salt lagoon, maintain the natural resources/scenic values of the parcel, and ensure continuation of it's use for dispersed recreation"

These 2 parcels are the majority of the proposed land transfer in Baranof Warm Springs included in HB 130. The remainder of the transfer is our public drinking water shed.

All bolded quotes, Northern SE Area Land Plan 2002

Please members of the Resource Committee, remove Baranof Warm Springs from this bill. It should have never been in this legislation in the first place. This makes a mockery out of DNR Land Use Plans which you, the Legislature, have funded and supported. Thank you.

Respectfully,


Matthew Gruening

Copy

NATHAN GRUENING
PO BOX 1030
PETERSBURG, ALASKA 99833

February 18, 2005

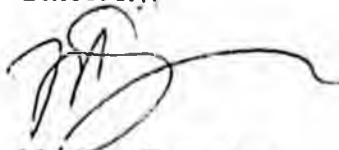
Dear Rep Elkins

I have lived for half of the year for my entire life (26 years) in Baranof Warm Springs Bay. I request that you remove Baranof from HB 130.

You have heard from others many reasons why and I will not repeat them. But you have not heard that the proposed land exchange at the top of Baranof River and Baranof Lake is our community drinking source. I for one do not want to drink water that has been gathered from below human sewage.

Please do not allow our water shed to be polluted. Remove the Baranof selection from HB 130.

Sincerely,



Nathan Gruening



March 1, 2005

Christine Lundstedt
479 Katlian Street
Sitka, Alaska

Baranof@general@yahoo.com

<<mailto:Baranof@general@yahoo.com>>

Copy

Representative Gabrielle LeDoux
State Capitol Building
Juneau, Alaska

Dear Representative LeDoux,

This letter is to urge you to drop Baranof -Warm Springs Bay from HB130.

There are pressing and concrete reasons why Baranof Warm Springs should be excluded .

Tourism:

Baranof presently is already a very high use area, and a regular full day stop on the itinerary of all cruisers and commercial tour vessels in Southeast. No matter how glutted visitors are on Southeast beauty they always comment Warm Springs Bay is a jewel in a class of its own. At the Baranof General Store (I own it, my daughters run it) which is the de facto tourist information office, we hear this all day every day and began keeping a log of the commercial cruise boats last summer and discovered we are a very high use destination indeed with thousands of visitors every season. Of our state,s top three

industries, tourism today is the one with the most nearly unlimited potential. Visitors are thrilled by the pristine nature of Warm Springs Bay. Development, roads, buildings, ferry terminals in this wonderful bay would be a grim anachronism and a death knell for the bay as a destination and we certainly seem to have value in the Southeast tourism picture. This pristine beauty, the very reason people come to Alaska, is something you cannot create but it certainly is something easily destroyed and impossible to get back ever again. The lands bill is written in defiance of a lengthy and thoroughly researched conclusion DNR came to in their extensive report only two years ago that the precise lands included in the proposed University Grant should never be developed but preserved for the existing and continued high level of public recreational use. And DNR noted the great majority of the parcel in question is impossible to build on. Some ears have evidently been boxed at DNR to produce the lands bill with a straight face.

The no strings development the University land grant opens us up means the destruction of the very real and rich culture of a century old Alaskan townsite and its well demonstrated strong appeal for visitors. If they, and we, see paved roads, ferry terminals, all the development that is suddenly proposed for this bay and town visitors and homeowners hearts will sink and we surely will be dropped from tourism itineraries like a hot rock.

Baranof Water Supply:

Baranof depends completely on Baranof Lake and River for its fresh water. It is the present undisturbed natural terrain

that assures us of the clean and pure water we now have. As the selected lands are non-percolating the massive disturbance caused by construction along the east end and south shore of Baranof Lake and River will create filthy water as sediments and pollutants wash directly into the river and our drinking water. In fact it is impossible to redirect waste water and everything it will carry anywhere else but the lake and river. Fish and Game will tell you the river and lake are superb cut throat trout habitat highly prized by fishermen, and it is a world class destination for fly fishermen the bay,s wonderful Baranof Wilderness Lodge in particular caters to. Disturbance of muskeg creates a quagmire that will never resolve with ongoing use of these fragile areas. The fouling of the water will increase exponentially with additional construction of buildings and their use. We ask the House Resources Committee to exclude the Baranof-Warm Springs Bay lands from the selection to protect our only source of safe and clean water and the high levels of use of our lake and river provide. Please consult a map and notice how very close together these resources are grouped. Destroy one, destroy them all.

Baranof Hot Springs:

The hot springs between Baranof Lake and townsite are a legend in themselves, and supply hot water to homeowners and to the thousands of visitors to Warm Springs Bay. The City and Borough of Sitka has participated in the construction of a public bath house in Baranof that is enjoyed by thousands every year. Also there is a very substantial complex of natural hot mineral water pools in

the rain forest right alongside the Baranof River that is utterly spectacular. These pools have long been and continue to be described in superlatives in countless travel books, periodicals, current and ancient cruising atlases, and commercial cruise ships themselves include pictures and text in their advertising literature to tell potential clients they are in for something very special indeed when they arrive at Baranof in Warm Springs Bay for a soak in their famous hot springs. These hot springs come from deep beneath the earth, s mantle to the surface in extensive serpentine fissures that in the case of Tenakee are intelligently protected by blasting prohibitions. Tenakee has an ordinance prohibiting blasting anywhere within a 20 mile radius of the townsite in order to protect their one small spring. Baranof has nine primary fissures and springs in quite a close grouping used by many times more people than in Tenakee that richly deserve protection.

Certain of our springs are clearly quite unstable, delivering a substantial flow for a period (of months) and only a trickle the next. Our Sitka Assembly is presently working on an ordinance that will prohibit blasting within the most reasonable radius in order to preserve these wonderful springs that are a treasure for so many people.

Seismic Activity:

The 267 acres selected for the lands bill are identical with the land identified for most costly, and one of the most popularly reviled preliminary ferry terminal SATP plans. With specific regard to the cross-island road to Baranof,, a major east-west fault runs directly alongside and just to

the north of the proposed road bed. Furthermore, the fault is in an area of Baranof Island itself categorized as being at particularly high risk of seismic activity. For one, I feel pretty convinced that spending more than 100-million dollars to build such a road could instead buy a fleet of good smaller ferries with a turn of speed, as well as a little dredging and widening in Sergius Narrows. Then we will truly have a highly effective, flexible and vastly more affordable system that will realistically incorporate Sitka into the Southeast transportation grid.

Thank you for your attention in a matter that carries such broad and long term consequences for the financial, commercial, and cultural health of our state. Again we urge you to drop the 267 acres in Warm Springs Bay from any form of HB130.

Best regards,

Christine Lundstedt
Sarah Lundstedt
Dana Lundstedt
(registered Alaska voters all)

March 1, 2005

Christine Lundstedt
479 Katlian Street
Sitka, Alaska

Copy

<

>

Representative Gabrielle LeDoux
State Capitol Building
Juneau, Alaska

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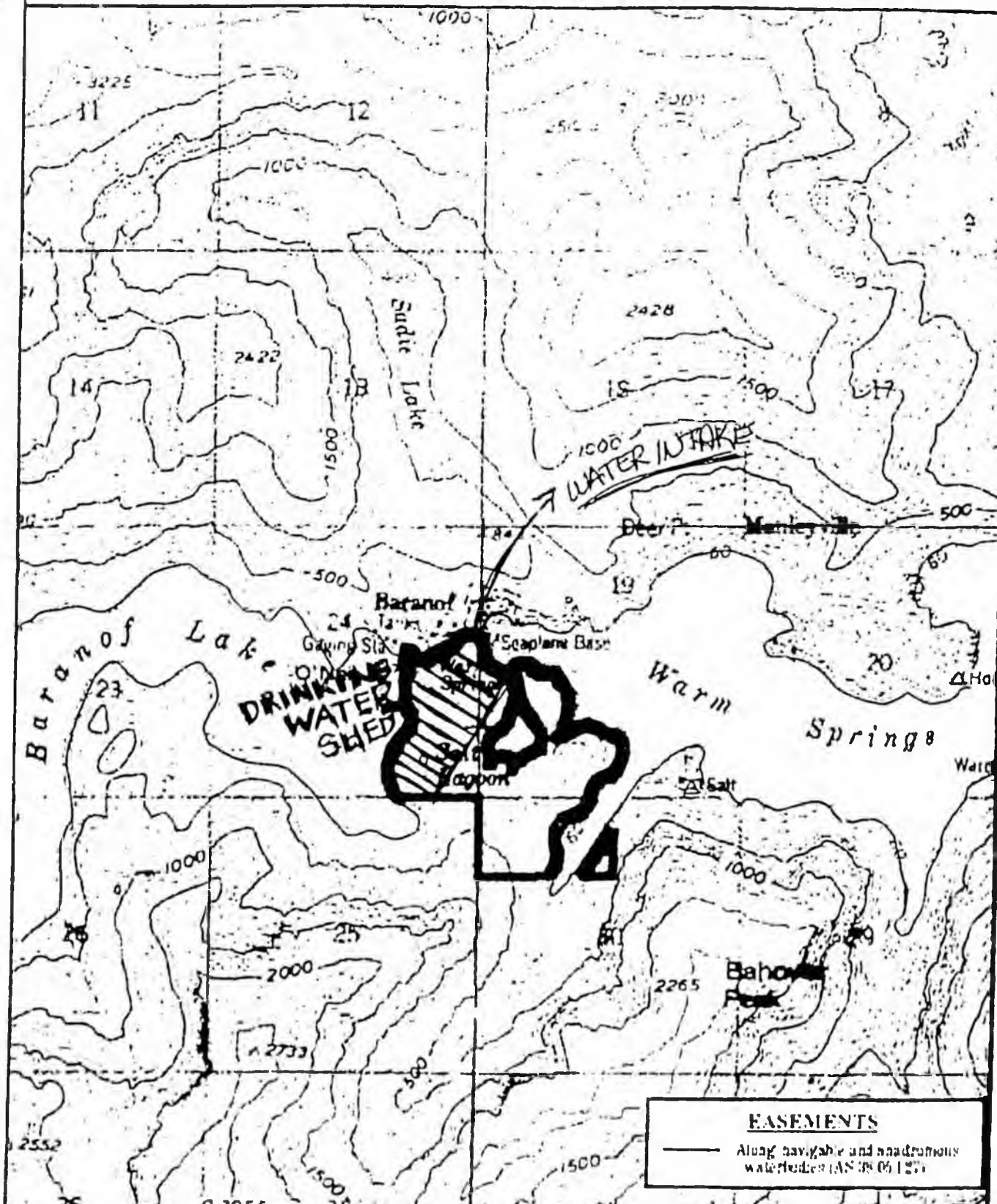
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Sarah Lundstedt
Dana Lundstedt
(registered Alaska voters all)

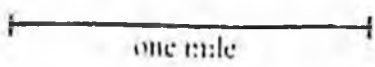
Warm Springs Bay

ST.1002



EASEMENTS
— Along navigable and anadromous water bodies (AS 09.127)

Prepared by: DNR
Source: USGS M.L. Sitka A 3
Date: 12 2004



Meridian: CRM
Township: 55S
Range: 66-67E

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: Rep. Jay Rampeas

FAX: 465-2070

DATE: 3/1/05 ~~4/15~~

MESSAGE: 12 pgs to follow

Letters from public on HB130

Thank you -

Matthew Gruening
716 N Nordic Drive
Petersburg, Alaska 88933

March 1, 2005

Re: HB 130

Dear House Resources Committee:

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All bolded quotes, Northern SE Area Land Plan 2002

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Respectfully,


Matthew Gruening

Copy



217 Second Street, Suite 200 • Juneau, Alaska 99801
Tel (907) 586-1325 • Fax (907) 463-5480 • www.akml.org

February 28, 2005

House Resources
Representative Jay Ramras
State Capitol
Room 104
Juneau, Alaska 99801

RE: University Land Bill (HB130)

Dear Representative Ramras,

As Co-Chairs of the Alaska Municipal League Land Use Subcommittee, we are concerned with some aspects of HB130, the impacts it may have on communities and the short time allowed to review land selections.

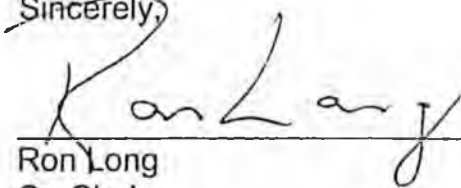
We have questions, posed by some of our members, that we feel need to be addressed before movement is seen on this bill.

- Does the University have staff with expertise to "encourage the development of in-state, value-added industries?" Who will define what constitutes a "value-added" industry or project? Would communities adjacent to these lands have input on these industries, as they might substantially impact local private business? Would these industries or other development on the selected lands be exempt from current area use plans and zoning regulations?
- What criteria were used for the land selection process? If this land is the "best" available in the area, is this not a "disincentive" for borough formation?
- What kind of process will be in place regarding leases and permits and will this process differ from DNR's?
- As the list of site selections was arrived at on January 12th of 2005, was there a reason why notice was not given until February 7th, 2005? When DNR and/or CZM have permits pending in an area, a notice and map is sent to affected municipalities. Could the same process not have been followed in this case?
- How will lease/permit renewals be handled? Will they even be possible? Will there be fees and how will they be set?
- In the ten years between conveyance and reconveyance of sites with archaeological and/or historic sites, how will those sites be protected in compliance with federal law?
- Who will be paying the selection, platting, surveying and conveyance costs of these transactions?


- Will current guidelines required through the Forest Practices Act be applicable to land set aside for timber research purposes?

There may be instances where some of these site selections are beneficial to communities. However, we would ask that ample time be given to communities to address these selections and how they fit in with current community plans. We thank you for the opportunity to comment.

Sincerely,



Ron Long
Co-Chair
AML Land Use Subcommittee



Mike Catsi
Co-Chair
AML Land Use Subcommittee

cc:

Representative Peggy Wilson
Representative Bill Thomas
Representative Gabrielle LeDoux
Representative Jim Elkins
Representative Paul Seaton
Representative Ralph Samuels
Representative Carl Gatto
Representative Kurt Olson
Representative Harry Crawford
Representative Mary Kapsner