

HB

83

# ALASKA STATE LEGISLATURE



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Representative Gabrielle LeDoux *GL*

## MEMO

**DATE:** 4/14/2005  
**TO:** SENATE STATE AFFAIRS  
SENATOR GENE THERRIAULT, CHAIRMAN  
**FROM:** REPRESENTATIVE GABRIELLE LEDOUX  
**RE:** HEARING REQUEST FOR HB 83, AN ACT RELATING TO THE ALASKA  
HAZARDS SAFETY COMMISSION

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I respectfully request that House Bill 83 be scheduled for a hearing in the Senate State Affairs Committee.

Attached you will find:

- Current version of the CS for House Bill 83 (24-LS0372M)
- Sponsor Statement
- Additional documentation relating to the bill
- The Kodiak Legislative Information Office (907) 486-8116 would like to be online for the teleconference; Dr. Gary Carver, if available, will be testifying.
- There will be at least one representative from DNR present and Pat Davidson from Audit and Budget will be notified and try to be available.
- My staff member assigned to this legislation is Suzanne Hancock, direct line 465-4230.

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: CSHB 83(MLV)  
 (H) Publish Date: 2/4/05

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Natural Resources  
 Title: An Act relating to the Alaska Seismic Hazards Safety Commission RDU: Resource Development  
 Component: Geological Development  
 Sponsor: Rep. LeDoux, Rep. Guttenberg  
 Requester: (H) MLV Component No.: 1031

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: \_\_\_\_\_  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

There is no fiscal impact to DNR associated with implementation of this legislation.

Prepared by: Rod Combellick Phone 907-451-5007  
 Division: Geological & Geophysical Surveys Date/Time 2/1/2005  
 Approved by: Tom Irwin, Commissioner Date 2/1/2005  
 Agency: Natural Resources

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## Representative Gabrielle LeDoux

### SPONSOR STATEMENT

#### CS for HB 83 (24-LS0372I)

**“An Act relating to the Alaska Seismic Hazards Safety Commission; and providing for an effective date”**

The CS for HB 83 extends the termination date for the Alaska Seismic Hazards Safety Commission until June 30, 2008 and adds the word “tsunami” to all of the sections addressing the scope of the work of the Alaska Seismic Hazards Safety Commission. This will increase the focus of that Commission to include tsunamis.

This CS for HB 83 is conditional on the governor making the appointments to the Alaska Seismic Hazards Safety Commission before June 30, 2006 or the commission will sunset on that date.

With more than 33,000 miles of shoreline, Alaska has been and can be devastated by earthquakes and tsunamis. Since about 1900, Alaska has had 80 magnitude 7 or larger earthquakes. This includes the second- and third- largest worldwide earthquakes, which were larger than the recent earthquake in Indonesia.

Tsunamis can and will greatly affect the fishing industry in coastal Alaska as was evidenced in the 1964 Alaska earthquake, which greatly impacted the coastal communities of Prince William Sound and has caused immense damage recently in the fisheries and aquaculture sectors of the affected countries in the Indian Ocean.

Alaska accounts for more than half of all the earthquakes that occur in the U.S. and about ten percent of all earthquakes worldwide. One of the roles of a Seismic Hazards Safety Commission would be to provide a proactive resource for state and local government officials and Alaskan communities that want assistance in acquiring information and guidance necessary to help mitigate earthquake and tsunami hazards.

Alaska’s population is growing and the state’s infrastructure is developing. The Alaska Seismic Hazards Safety Commission can play a vital role in reducing earthquake related losses. The Alaska Seismic Hazards Safety Commission is an invaluable asset in promoting the earthquake preparation essential to reducing our earthquake threat and future losses to the state that, without effective mitigation measures, are inevitable.

Representative\_Gabrielle\_LeDoux@legis.state.ak.us

*from Dr. Gary Carver*

Honorable Gabrielle LeDoux  
Representative  
State of Alaska

Gabrielle

Thanks for the call concerning the State of Alaska Seismic Hazards Safety Commission. I am particularly concerned that the Commission has never been filled and is facing expiration soon unless commissioners are appointed in the near future. Of all the states, none has a greater need for such a group.

Here are several contacts that may be very helpful. I suggest you contact them.

Representative Dave Guttenberg, House District 8 – Fairbanks. Rep. Guttenberg is also interested in the Seismic Hazards Safety Commission and has both information and expertise.

Commissioner Tom Irwin, Department of Natural Resources. I have been told he has reports and documents related to the Seismic Hazard Safety Commission that have not been released to the public but probably could be made available to members of the state legislature. Ph. 907-465-2400, email: <tom\_irwin@dnr.state.ak.us>

Dr. Rod Combellick, Acting Director of the Division of Geological & Geophysical Surveys. Rod is very knowledgeable regarding the Seismic Hazards Safety Commission, the history of its formation, and a lot more. Ph. 907-451-5007, email <rod@dnr.state.ak.us>

Consider the following:

#### ALASKA IS EARTHQUAKE COUNTRY

Alaska is the most seismically active state in the union. For comparison, California, widely regarded as the benchmark state for earthquake hazards nationally, has experienced 16 magnitude 7 or larger earthquakes historically (since about 1900). A magnitude 7 or larger earthquake is very powerful and if such an earthquake occurs in a populated region will cause widespread and severe damage and may result in casualties. During the same period Alaska has had 80 magnitude 7 or larger earthquakes, including the second- and third-largest worldwide, the 1964 magnitude 9.2 (Prince William Sound - Kodiak) and 1957 magnitude 9.1 (eastern Aleutian Islands) earthquakes. Both of these were larger than the recent earthquake in Indonesia that generated the catastrophic tsunami in the Indian Ocean, and both generated killer Pacific-wide tsunamis. Indeed, Alaska accounts for more than half of all the earthquakes that occur in the United States and about ten percent of all earthquakes worldwide.

#### MOST ALASKANS LIVE NEAR BIG ACTIVE FAULTS

Alaska's population is largely concentrated in the seismically active regions of the state. The largest and most active faults in Alaska (and North America) are the Aleutian subduction zone and the Queen Charlotte-Fairweather fault. The Aleutian subduction zone extends from northern Prince William Sound near Cordova and Seward southwest to Kodiak and further

west along the Pacific side of the Alaskan Peninsula and Aleutian chain. This is one of the largest faults in the world and one of the most active. It produced both the 1957 and 1964 earthquakes. The Queen Charolette–Fairweather fault system extends through southeast Alaska from the Yakutat-Sitka area south past Juneau, Ketchikan and the other communities in the panhandle. The Queen Charolette–Fairweather fault is the Alaska equivalent of California's San Andreas Fault, just as large, just as active, and for southeast Alaska communities, just as dangerous. Anchorage faces exposure to the Aleutian subduction zone, as illustrated by the damage it caused there in 1964. Anchorage and the Mat-Su valley are in close proximity to the large and highly active Castle Mountain fault and a host of potentially dangerous faults in northern Cook Inlet. Fairbanks also is located in an area of significantly high seismicity from buried active faults that lie beneath the Tanana lowlands.

#### **ALASKANS HAVE BEEN "LUCKY" SINCE 1964**

Although a number of strong earthquakes have occurred in Alaska since the devastating 1964 earthquake, all have fortunately been located far away from populated areas. This is somewhat remarkable considering the close correlation between population centers and our largest and most active faults. It is only a matter of time before we experience another serious earthquake that centers on one of our cities. Preparedness is the only antidote we have to mitigate our seismic exposure. The Seismic Hazards Safety Commission is a potentially invaluable asset in promoting the earthquake preparation essential to reduce our earthquake threat and reduce future losses to the state that, without effective mitigation measures, are inevitable.

#### **RECENT LESSONS LEARNED (OR NOT LEARNED)**

On Nov. 3, 2002 the Denali fault in the central Alaska Range ruptured and generated a magnitude 7.9 earthquake, the largest "continental" earthquake in North America in the past 150 years. Fortunately the Denali fault is located in a sparsely populated part of the state. However, the fault rupture intersected the Trans-Alaska Oil Pipeline and offset the pipeline about 18 feet. Much to the credit of Alyeska Pipeline Service Company, a thorough study of earthquake hazards to the pipeline was conducted prior to its construction. Where the pipeline crossed the Denali fault special engineering design was incorporated, which allowed the pipe to withstand the 18 feet of offset and strong shaking without failure. The pipeline was only briefly shut down and no oil was spilled. Without the special seismic design considerations the pipeline most certainly would have sustained significant damage and been off line for a much longer period at great cost to the state and the petroleum industry. Since the Denali fault-pipeline crossing is adjacent to the Delta River and the river was thawed and flowing at the time of the earthquake, a large oil spill could have been catastrophic, with oil entering the Delta River, the Tanana and Yukon rivers, and possibly the Bering Sea. The state of Alaska dodged that bullet only because of earthquake preparation in the form of knowledge and engineering design to accommodate the Denali fault hazard. Did we learn anything from this experience? Failure to establish a state Seismic Hazards Safety Commission would suggest we did not.

### A REAL AND PRESENT NEED

One of the roles of a Seismic Hazards Safety Commission would be to provide a resource for state and local government officials and Alaskan communities that want assistance in acquiring information and guidance necessary to help mitigate earthquake hazards. For example, presently our community (Kodiak) has determined that there is significant cause to believe some of our schools may not be life-safe in the event of a strong local earthquake. To this end, the Kodiak Island Borough has raised funds through a voter-approved bond issued to investigate the earthquake safety of our schools. Inherent in this process is the need to follow complex FEMA guidelines and understand specialized technical information regarding earthquakes and engineering. Compliance with the FEMA regulations is necessary if we are to qualify for federal funds to accomplish mitigation goals. For almost a year our local government has been struggling with these issues without the necessary expertise and little in the way of sources for advice and guidance. Failure to meet strict FEMA requirements jeopardizes the possibility of federal financial support to mitigate our hazards. The Kodiak community has discovered first-hand how useful a Seismic Hazards Safety Commission would be and how difficult it is for small local governments in the state to dealing with the earthquake mitigation issue.

### THE CLOCK IS TICKING

As Alaska grows and our state's infrastructure develops time is passing and the next severe earthquake is drawing closer. Meanwhile, no coherent statewide program is in place to specifically to promote and support earthquake preparedness, and no official group is available to assist Alaska's communities with the mitigation measures needed to reduce our exposure to this threat. Do we need to experience the potentially huge financial losses and casualties a large earthquake in an urban area will bring to our state before we take action to reduce the earthquake hazard? Mitigation pays great dividends and costs very little compared to such losses. However, it is effective only if the mitigation action is done before the earthquake. Alaska cannot afford to stand idly by and wait for the inevitable, the consequences are too great. Establishment of the Seismic Hazards Safety Commission is a powerful first step in saving Alaskan lives, property, and financial well-being. Failure to complete the process by appointing the commission is unconscionable.

Finally, what role could the Commission play in reducing earthquake related losses in the state? According to the Alaska Division of Legislative Audit, Audit Digest #10-20038-05 as posted on the State of Alaska Web Site:

<http://www.legaudit.state.ak.us/pages/digests/2005/20038dig.htm>

- The mitigation of seismic hazards refers to studying, identifying, and prioritizing actions that could be taken to reduce the impact of earthquakes. The most cited tangible mitigation measure has been modification of zoning and building codes. Accordingly, the actual implementation of many of the commission's earthquake mitigation recommendations would have to be done by local governments. Having local representatives as part of the commission may facilitate the implementation of the commission's recommendations.
- Many local governments adopted the International Building Code (IBC) and have, therefore, already been involved in deciding if they believe it is in the public's interest to

update local codes in conformity with IBC changes. Having more local government members would bring, to the commission, a sense of the local concerns about adding or modifying existing local ordinances for improved earthquake mitigation factors.”

Local jurisdiction representation on the commission is very important, but I think it is unfortunate that the legislative audit report's emphasis is placed on the use of building codes and zoning to mitigate seismic hazards. Code and zoning regulation is only a small part of a wide range of possible approaches the commission might take to reduce our exposure to seismic hazards. Some critics of the Commission construe such regulation negatively. Other more important and potentially more useful commission approaches could include coordination of state wide education and awareness, development of links with local, state, and federal agencies including FEMA, the US Geological Survey, Association of Structural Engineers, and a host of private and government agencies that could provide a range of assistance to local officials, private industry, and Alaska citizens.

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Anchorage Daily News

[Print Page](#)[Close Window](#)**Tsunami warning system won't end threat to Alaska****BUOYS: Purpose of devices is to warn rest of Pacific of waves from earthquakes here.**

By TOM KIZZIA

Anchorage Daily News

*(Published: January 15, 2005)*

Alaskans shouldn't be lulled by the existence of high-seas buoys in the Pacific Ocean into thinking they are much better protected from danger than residents of Banda Aceh in Indonesia, according to earthquake and tsunami experts here.

 [Photo gallery](#)

The buoys that detect passing waves are subject to breakdown -- as evidenced by the fact that three of the six currently deployed have been out of service for a year.

More significantly, earthquake and tsunami experts said in recent interviews, those buoys are deployed to warn the rest of the Pacific Rim about tsunamis generated by earthquakes in unstable Alaska. An Alaska-generated wave would probably hit the shore here before it reaches the first buoy heading south.

"By the time it gets to the buoy, you better have everybody evacuated," said Paul Whitmore, the scientist-in-charge at the West Coast/Alaska Tsunami Warning Center in Palmer.

The situation is the same in the Indian Ocean. A buoy warning system there might have provided advance warning to Sri Lanka, which was hit several hours after the triggering earthquake Dec. 26. But it would not have alerted the coast of Sumatra, adjacent to the rift zone in the Andaman Sea.

An expanded buoy system in the Pacific, such as the one proposed Friday by the Bush administration, would provide more notice to Alaska of tsunamis coming from other places. But it would be unlikely to help with Alaska's own waves, whether generated by shifting subsea faults or landslides. Both kinds of waves proved devastating here during the 1964 earthquake.

What Alaska does have going for it, compared with the Indian Ocean nations, is a much more extensive deployment of seismometers and a notification system ready to put out alerts of a possible tsunami in a matter of minutes. Alaska also has a series of tidal gauges in coastal communities, helpful to some extent in confirming the existence of a wave as it passes, and a civil defense system drilled in the potential dangers to coastal towns. People have been told not to wait for a siren to evacuate.

"If the ground is shaking hard enough so that you have trouble standing, it's close," state seismologist Roger Hansen said. "I would say go to higher ground."

How high is high enough? Alaska is now mapping its tsunami danger zones. In Homer, for example, state and University of Alaska experts just released last month a new map showing the



( )

[Click on photo to enlarge](#)

expected high-water mark of waves generated by the two likeliest subsea earthquake hazards. The result was surprisingly good news, with only a small segment of the low-lying Homer Spit likely to get washed over. Even so, city officials said, they would evacuate the Spit if the Palmer center reported a wave heading into Cook Inlet.

"We're in the prevention business," Homer fire chief Bob Painter said.

The new "inundation map" is based on mathematical formulas -- accounting for such things as fault lines and sea bottom contours -- first worked out for Kodiak and calibrated against the actual waves that killed six people there after the 1964 Alaska earthquake. The numbers are run through a supercomputer at the University of Alaska Fairbanks. Similar hazard maps are being prepared for Seward and Sitka, Hansen said.

Anchorage is believed to have virtually no danger from long-distance tsunamis because it is at the end of Cook Inlet, whose long shallow straits would dissipate any wave's energy, Hansen said.

The new Homer map doesn't account for what has long been thought the most serious tsunami threat in the area, an eruption and landslide at Augustine Volcano about 60 miles away. Scientists have grown sharply divided over whether the island volcano presents a major tsunami threat.

Apart from Augustine, subsea landslides often trigger local tsunamis with little warning. Chris Waythomas, a hydrologist with the Alaska Volcano Observatory, said five of the seven fatal tsunamis in Alaska history were probably landslide-induced, including the most recent one, in Skagway in 1994.

The Pacific alert system for long-distance waves began to take shape after a 1946 earthquake in the Aleutians produced a wave that surprised Hawaii, killing 159 people along the waterfront in Hilo. Major waves from that quake hit Chile 12 hours later.

Prediction efforts took another big step forward after the magnitude-9.2 earthquake in Alaska in 1964, with establishment of a central information gathering point in Palmer. Most of the deaths caused by the 1964 quake were due to waves, including 10 as far away as Crescent City, Calif.

Today, the Palmer facility is hooked into 150 seismic sites around the world, including 50 outside the Pacific region. When these sites send information of a serious shake, employees notified by beepers are expected on the scene in five minutes. They assess the data and decide whether the quake may have generated a wave. An automatic warning system sends alarms to the National Weather Service, the Coast Guard and various emergency response agencies.

They won't know whether the subsea rumble really created a tsunami until they start to pick up information from tidal gauges at docks in a scattering of coastal towns. Some of those gauges feed information to Palmer via satellite steadily, while others beam data only every half hour, Hansen said.

The deep-sea buoys in the Pacific can pass along more precise measures of a wave's size. But their most important role may be in calling off false alarms. Presumably a tsunami alert has already been issued by the time the wave passes the so-called DART buoys (for "Deep-ocean Assessment and Reporting of Tsunamis"), which are set in water several miles deep. The DART buoys have sensors on the ocean floor capable of gauging the pressure change of waves only half an inch tall as they pass. If no wave is detected, the alarms are called off, saving coastal evacuations that may cost tens of millions of dollars, officials say.

Indeed, the buoy system won kudos in November 2003 when they allowed Hawaii to cancel an evacuation after an ominous 7.5-magnitude quake in the western Aleutians.

"They're better for canceling warnings than issuing them," said Whitmore, at the Palmer center.

Unfortunately, the western Aleutian DART buoy that gave the all-clear in 2003 is currently out of service, as is the buoy off Unalaska and one other off the Oregon coast.

"Some of us on the steering committee are concerned that half the system is down now," state seismologist Hansen said, referring to a national tsunami hazard group made up of five Pacific rim states and three federal agencies.

One of the three broken DART buoys has already been pulled and repaired and is ready for redeployment when winter sailing weather allows, according to National Weather Service spokesman Greg Romano.

"We are taking steps to make it a more rugged system," Romano said.

Increasing the number of deep-sea buoys would provide faster information and would also help triangulate the source and direction of waves, Whitmore said. The wave off Sumatra was over a 600-mile zone, not simply from the quake's epicenter, he said.

For Alaskans near the source of a wave, though, more buoys may not be much help. The first seismographic report of a potential tsunami may be the only useful warning Alaska gets.

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# LESSMEIER & WINTERS

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January 27, 2005

Representative Gabrielle LeDoux  
State Capitol, Room 412  
Juneau, Alaska 99801

Re: House Bill 84

Dear Representative LeDoux:

I am writing to you on behalf of State Farm Insurance Companies with respect to House Bill 84. State Farm supported the creation of the Alaska Seismic Hazards Safety Commission and supports your proposal to extend the Commission through another five years. If there is any assistance or information we can provide to you, please feel free to call.

Sincerely,



Sheldon E. Winters

SEW/caf  
RepLeDoux01SEW.wpd

**SEAFOOD.COM NEWS [FAO Press statement] 13 January 2005, Washington and Rome -- The tsunami waves have had a devastating impact on the fisheries sector in many countries of the Indian Ocean, FAO said today.**

In Sri Lanka, more than 7 500 fishers have been killed by the tsunami and over 5 600 are still missing. More than 5 000 Sri Lankan fishing families have been displaced and 80 percent of coastal fishing vessels have been completely destroyed or very seriously damaged, including around 19 000 boats. Ten out of the 12 main fishing harbours in the country have been completely devastated including infrastructure such as ice plants, cold rooms, workshops and slipways.

FAO has already sent fisheries experts to Sri Lanka to advise the government on the repair and rehabilitation of fishing harbours and infrastructure, fishing boats and fishing gear.

In the Nanggroe Aceh Darussalam Province of Indonesia, where 42 000 fishers and their families live, 70 percent of the small-scale fishing fleet have been destroyed. In Nias Island, about 800 fishing canoes have been destroyed. Two thirds of local fisherfolk from the capital Banda Aceh were killed by the waves.

Fish farming was severely affected in northern Sumatra with about 1 000 fish cage farms having been completely destroyed.

'FAO is currently assessing the damage and will help the government and local authorities to repair and replace fishing boats and gear and start with the initial repair of water fishponds and infrastructure so that fish production can be resumed as soon as possible,' said Jeremy Turner, Chief of the Fishery Technology Service.

In the affected coastal areas of Thailand, 386 fishing villages with a population of around 120 000 people have lost about 4 500 fishing boats, or their fishing gear has been seriously damaged. Most fishing boats are owned by small-scale, traditional fishers. The total damage to marine capture fisheries alone is estimated at around \$16.6 million.

Eight fishing harbours and their infrastructure have been seriously damaged. The affected aquaculture industry has suffered a serious setback. A total of around 15 800 fishing cages have been damaged, this has caused losses of about \$33 million. In some areas, seafood supplies have dropped by 90 percent since the tsunami.

FAO is preparing support measures for fisherfolk in six southern Provinces of Thailand providing essential fisheries inputs and assisting in the repair of damaged fishing vessels and damaged fishery infrastructure.

In the Maldives, where a very large part of the population depends on fishing for their livelihood, more than one third of all inhabited islands were severely damaged and hundreds of boats and harbours were destroyed. FAO is planning to assist the country with the repair and replacement of fishing boats, engines and fishing gear as well as with

the repair and rehabilitation of fisheries infrastructure.

In the state of Andhra Pradesh in India, fishers along the 1 000 km coastline were the worst hit by the tsunamis. Around 2 000 fishing boats and about 48 000 fishing gears were lost, about 300 000 fishers have lost their jobs. In the state of Tamil Nadu, 591 fishing villages and 30 islands of the Andaman and Nicobar islands have been badly affected by the tsunamis. India's seafood exports may decline by around 30 percent as a result of the tsunami.

In Myanmar, some 200 villages spread along the southern coast and heavily relying on fishing have been hit by tsunamis and lost fishing vessels, fishing gear and infrastructure. Some 17 seaside fishing villages have been reported as destroyed and at least 53 people as killed by the tsunamis. FAO is preparing for a long-term participation in relief and rehabilitation measures for the affected fishing communities.

In Malaysia, the livelihoods of about 6 000 fishers have been affected by the disaster.

In Somalia, around 2 600 fishing boats have been destroyed. FAO is assisting in damage and needs assessments and making preparations for the repair of damaged fishing vessels and for the provision of essential fishing inputs in six southern provinces of the country. FAO will also provide short-term financial aid and training in improved fishing techniques and boatbuilding to about 2 000 fishers.

In the Seychelles, coastal fish farms and the artisanal fisheries sector suffered extensively. A great number of fishing vessels were damaged or lost. The two fish processing plants and cold storage facilities located at the fishing port in Victoria were also affected by the tsunamis. FAO is preparing assistance programmes for the repair and replacement of fishing vessels and landing facilities and for the restoration of sustainable livelihoods in the fisheries sector.

The damage caused by the recent tsunamis in the fisheries and aquaculture sectors of the affected countries is worse and more complex than expected, Turner said.

FAO's Fisheries Department has embarked on a concerted effort to assist the fisheries and aquaculture sectors of the tsunami effected countries through relief and rehabilitation measures and projects.

**Written Testimony by Dr. John L. Aho  
In Support of the State of Alaska HB 83  
Establishing the Alaska Seismic Hazards  
Safety Commission**

I thank you for the opportunity to submit written testimony in support of HB 83, an act establishing the Alaska Seismic Hazards Safety Commission (ASHSC).

My name is Dr. John Aho and I reside at 2015 Shepherdia Drive in Anchorage, Alaska. I have over 30 years of engineering experience in Alaska having recently retired as a vice president and principal project manager with CH2M HILL. I have been involved as a designer and/or project manager in over 300 projects throughout the State and, during my career, have had the privilege of being actively involved in earthquake risk mitigation activities in Alaska. I currently serve on the Board of Directors of the Earthquake Engineering Research Institute.

As you know, Alaska is unique for having the highest earthquake hazard in the nation. Because of the high probabilities of strong ground motion, the high tsunami hazard, and the presence of very high risk infrastructure there is an increasing need for a Commission that has the goal to reduce earthquake risk by supporting the advancement of the science and practice of earthquake engineering, improving understanding of the impact of earthquakes, and promoting measures to reduce the harmful effects of earthquakes.

The ASHSC will be able to harness the expertise of committed earthquake professionals and interested individuals with opportunities to provide advice in the generation of valuable guidance documents, identify areas of seismic vulnerability that need attention by other agencies or the legislature, and evaluate seismic programs throughout State government. The ASHSC will provide an effective means of integrating public, private, local and state government input into important seismic decisions.

As the population of Alaska grows and the supporting infrastructure expands we have an increasing risk of loss of life and property due to damaging earthquakes. We have been extremely fortunate not to have suffered a devastating earthquake since 1964 but were certainly reminded of the potential for disaster by the 2002 Denali Earthquake. However, it is just a matter of time before a significant earthquake will cause damage and loss of life in one or more of Alaska's urban centers. We need the ASHSC now to provide leadership, and to ensure that as much as possible is done to reduce those damages. After an earthquake, we will need the ASHSC to provide wisdom and guidance for a rapid and full recovery.

For all these reasons, I urge you to recommend the establishment of the ASHSC through HB 83 and that you stand solidly behind this important piece of legislation. This legislation will have a positive effect on the safety of generations of Alaskans.

Dr. John L. Aho  
2015 Shepherdia Drive  
Anchorage, Alaska 99508

**STATE EMERGENCY RESPONSE COMMISSION  
RESOLUTION NUMBER 06-01**

**A RESOLUTION OF THE STATE EMERGENCY RESPONSE COMMISSION  
SUPPORTING HOUSE BILL 83, RETAINING THE ALASKA SEISMIC HAZARDS  
SAFETY COMMISSION**

WHEREAS, the State Emergency Response Commission (SERC) has determined there is no duplication of responsibility between its duties and that of the Alaska Seismic Hazards Safety Commission (ASHSC); and

WHEREAS, earthquakes and tsunamis continue to present hazards worldwide; and

WHEREAS, Alaska is located in one of the world's most active seismic zones; and

WHEREAS, the ASHSC, composed of knowledgeable professionals, was created primarily to:

- (1) Recommend goals and priorities for seismic and tsunami hazard risk mitigation to the public and private sectors;
- (2) Recommend policies to the Governor and the legislature, including needed research, mapping, and monitoring programs;
- (3) Offer advice on coordinating disaster preparedness and seismic and tsunami hazard risk mitigation activities of government at all levels, review the practices for recovery and reconstruction after a major earthquake or tsunami, and recommend improvements to mitigate losses from similar future events;
- (4) Gather, analyze, and disseminate information of general interest on seismic and tsunami hazard risk mitigation;
- (5) Establish and maintain necessary working relationships with other public and private agencies;
- (6) Review predictions and warnings issued by the Federal government, research institutions, and other organizations and persons and suggest appropriate responses at the State and local levels; and
- (7) Review proposed seismic and tsunami hazard notifications and supporting information from State agencies, evaluate possible socioeconomic consequences, recommend the Governor issue formal seismic and tsunami hazard notifications when appropriate, and advise State and local agencies of appropriate responses.

NOW, THEREFORE, be it resolved that the Alaska State Emergency Response Commission, hereby supports retention of the Alaska Seismic Hazards Safety Commission with the passage of House Bill 83.

ATTEST:

Michelle Nunn  
COORDINATOR

J. E. Cole  
CHAIRPERSON

Adopted: January 19, 2006

**A Resolution of the Local Emergency Planning Committee Association (LEPCA) Urging the Alaska State Senate to pass HB 83, an Act extending the sunset date for the Alaska Seismic Hazards Safety Commission**

WHEREAS, with more than 33,000 miles of shoreline, Alaska has been, in the past and will be in the future, devastated by earthquakes and tsunamis. Since about 1900, Alaska has had 80 magnitude 7 or larger earthquakes. This includes the second- and third- largest earthquakes worldwide, which were larger than the December 2004 earthquake in Indonesia; and

WHEREAS, Alaska accounts for more than half of all the earthquakes that occur in the U.S. and about ten percent of all earthquakes worldwide; and

WHEREAS, Alaska's population is growing and the state's infrastructure is developing; and

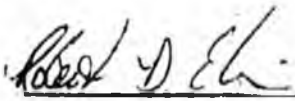
WHEREAS, the Alaska Seismic Hazards Safety Commission can play a vital role in reducing earthquake and tsunami related losses; and

WHEREAS, the Alaska Seismic Hazards Safety Commission can be a valuable asset in promoting earthquake preparation, which is essential to reducing Alaska's earthquake threat and future losses that without effective mitigation measures, are inevitable; and

WHEREAS, one of the roles of the Alaska Seismic Hazards Safety Commission is to provide a proactive resource for state and local government officials and Alaskan communities that want assistance in acquiring information and guidance necessary to help mitigate earthquake hazards; and

WHEREAS, House Bill 83 extends the sunset date for the Alaska Seismic Hazards Safety Commission to June 30, 2008.

NOW, THEREFORE BE IT RESOLVED that the Local Emergency Planning Committee Association (LEPCA) respectfully urges the Alaska State Senate to move HB 83 through the committee process and vote to extend the sunset date for the Alaska Seismic Hazards Commission to June 30, 2008 with the adoption of HB 83.



LEPCA Co-Chair

Sept 15 2005  
Date



LEPCA Co-Chair

9/15/05  
Date

# Audit Report



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DEPARTMENT OF NATURAL RESOURCES  
ALASKA SEISMIC HAZARDS  
SAFETY COMMISSION  
SUNSET REVIEW

October 22, 2004

---



Audit Control Number:

10-20038-05

Division of Legislative Audit  
P.O. Box 113300, Juneau, Alaska 99811-3300

# LEGISLATIVE BUDGET AND AUDIT COMMITTEE

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## DIVISION OF LEGISLATIVE AUDIT

The Legislative Budget and Audit Committee is a permanent interim committee of the Alaska Legislature. The committee is made up of five senators and five representatives, with one alternate from the Senate and two from the House. The chairmanship of the committee alternates between the two chambers every legislature.

The committee is responsible for providing the legislature with audits of state government agencies. The programs and activities of state government now cost more than \$6 billion a year. As legislators and administrators try increasingly to allocate state revenues effectively and make government work more efficiently, they need information to evaluate the work of governmental agencies. The audit work performed by the Division of Legislative Audit helps provide that information.

As a guide to all their work, the Division of Legislative Audit complies with generally accepted auditing standards established by the American Institute of Certified Public Accountants and with government auditing standards established by the U.S. General Accounting Office.

Audits are performed as mandated by Alaska Statutes or at the direction of the Legislative Budget and Audit Committee. Individual legislators or committees can submit requests for audits of specific programs or agencies to the committee for consideration. Copies of all completed audits are available from the Division of Legislative Audit's offices in Juneau, Anchorage, or at our web site <http://www.legaudit.state.ak.us>

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**Senator Lyda Green (alternate)**

### DIVISION OF LEGISLATIVE AUDIT

**Pat Davidson, CPA**  
**Legislative Auditor**

**P.O. Box 113300**  
**Juneau, AK 99811-3300**

**(907)465-3830, Juneau**  
**(907)561-1445, Anchorage**  
**(907)465-2347, Juneau Fax**  
**(907)561-1452 Anchorage Fax**

# ALASKA STATE LEGISLATURE

## LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit



P.O. Box 113300  
Juneau, AK 99811-3300  
(907) 465-3830  
FAX (907) 465-2347  
Internet e-mail address:  
legaudit@legis.state.ak.us

November 10, 2004

Members of the Legislative Budget  
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes, the attached report is submitted for your review.

### DEPARTMENT OF NATURAL RESOURCES ALASKA SEISMIC HAZARDS SAFETY COMMISSION

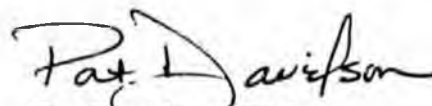
October 22, 2004

Audit Control Number

10-20038-05

This audit was conducted as required by AS 44.60.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently under AS 44.66.010(a)(21), the Alaska Seismic Hazards Safety Commission is scheduled to terminate on June 30, 2005. If the legislature takes no action to extend the termination date, the commission would be allowed one year in which to conclude its administrative operations. Because the commission has been inactive since it was created in 2002, we recommend its termination date not be extended.

The sunset review was conducted in accordance with generally accepted government audit standards. Fieldwork procedures utilized in the course of developing this report are set out in the Objectives, Scope, and Methodology section.

  
Pat Davidson, CPA  
Legislative Auditor

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## OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Title 24 and Title 44 of the Alaska Statutes, we have reviewed the activities of, and circumstances surrounding, the Alaska Seismic Hazards Safety Commission (ASHSC). As required by AS 44.66.050(a), the legislative committees of reference are to consider this report during the legislative oversight process involved in determining if the commission should be reestablished. Currently, AS 44.66.010(a)(21) states that the commission will expire on June 30, 2005. If the legislature does not extend the termination date for the commission, ASHSC will have one year to conclude its administrative operations.

### Objectives

There are two central, interrelated objectives of our report are:

1. To determine if the termination date of ASHSC should be extended.
2. To determine if ASHSC is operating in the public interest.

### Scope and Methodology

The assessment of the operations and performance of the commission is to be based on criteria set out in AS 44.66.050(c). Criteria set out in this statute relates to the determination of a demonstrated public need for the commission. However, since the Alaska Seismic Hazard Safety Commission was never actually constituted, we are unable to provide an evaluation of the commission's activities in accordance with AS 44.66.050(c).

Therefore, the major areas of our review were legislative committee minutes and various documentation developed and presented in the course of deliberations involved in the passage of legislation establishing ASHSC. Additionally, we:

- Reviewed applicable statutes related to ASHSC.
- Reviewed minutes of legislative committee hearings related to the legislation that established ASHSC.
- Reviewed Executive Order 105, issued by Governor Murkowski in January 2003.
- Reviewed the activities and publications of state organizations in the western United States with missions and objectives similar to that of ASHSC.

- Interviewed the Department of Natural Resources' commissioner and the manager responsible for activities related to the mission and objectives of ASHSC.
- Interviewed local government building officials regarding how various communities in the states deal with seismic issues through adoption and enforcement of building codes.
- Reviewed correspondence of Commissioner Irwin of the Department of Natural Resources regarding his position and comments on the public policy objectives related to both the past and the future of ASHSC.

## ORGANIZATION AND FUNCTION

In 2002, the legislature established the Alaska Seismic Hazards Safety Commission (ASHSC). In committee testimony, the primary sponsor of the legislation characterized the commission as having an "umbrella status" over various state agencies that would permit it to coordinate a seismic hazard mitigation policy for the state.

To better promote intergovernmental coordination, the commission was originally established in the Office of the Governor. ASHSC was transferred to the Department of Natural Resources by Executive Order Number 105, issued by Governor Murkowski in January 2003.

ASHSC is comprised of a cross section of members from government, business, and academia

The Seismic Hazards Safety Commission was designed to be made up of individuals from a wide cross section of government and private sector representatives. The nine commission members were to be representatives from:

1. the University of Alaska;
2. local government;
3. Department of Natural Resources;
4. Department of Military and Veterans' Affairs;
5. an appropriate federal agency;
6. the insurance industry; and,
7. three members from the general public "*who are expert in the fields of*"
  - a) geology,
  - b) seismology,
  - c) hydrology,
  - d) geotechnical engineering,
  - e) structural engineering,
  - f) emergency services, or
  - g) planning.

ASHSC was structured in such a way to address what the legislature saw as a "*pressing need to provide consistent policy framework and a means for continuing coordination of programs and public safety practices related to seismic hazards at all governmental levels and in the private sector.*"

The legislature mandated that the commission recommend goals and priorities for seismic hazard mitigation to both governmental agencies and the private sector. ASHSC was also to

recommend policies to the governor and legislature related to such things as research, mapping, and monitoring programs necessary for effective seismic mitigation.

Department of Natural Resources, Division of Geological and Geophysical Surveys

Alaska Statute 41.08.010 establishes in the Department of Natural Resources (DNR), a division of geological and geophysical surveys under the direction of the state geologist. The state geologist is appointed by the commissioner of DNR, and responsible for conducting geological and geophysical surveys to determine the potential of Alaskan land for:

1. production of metals, minerals, fuels, and geothermal resources;
2. the locations and supplies of groundwater and construction materials; and,
3. the potential geologic hazards to buildings, roads, bridges, and other installations and structures.

The state geologist is also responsible for conducting other surveys and investigations necessary to advance the geology of the State. With the approval of the commissioner, the state geologist may acquire, by gift or purchase, geological and geophysical reports, surveys, and similar information.

State law further specifies that the Division of Geological and Geophysical Surveys shall:

1. *collect, record, evaluate, and distribute data on the quantity, quality, and location of underground, surface, and coastal water of the state;*
2. *publish or have published data on the water of the state;*
3. *require the filing with it of the results and findings of surveys of water quality, quantity, and location;*
4. *require of water well contractors, the filing with it of basic water and aquifer data normally obtained, including but not limited to well location, estimated elevation, well driller's logs, pumping tests and flow measurements, and water quality determinations;*
5. *accept and spend funds for the purposes of this section, AS 41.08.017, and 41.08.035 and enter into agreements with individuals, public or private agencies, communities, private industry, state agencies, and agencies of the federal government;*
6. *collect, evaluate, and distribute geologic data on seismic events and engineering geology of the state;*
7. *identify potential seismic hazards that might affect development in the state;*
8. *inform public officials and industry about potential seismic hazards that might affect development in the state.*

## BACKGROUND INFORMATION

Mitigation of seismic hazards refers to studying, identifying, and prioritizing actions that could be taken to reduce the impact of earthquakes. Accordingly, seismic hazards mitigation can involve everything from considering where earthquakes are most likely to strike to how buildings, bridges, other infrastructure, and even topography can be built or modified to reduce damage.

### Mitigation involves studying seismic risks and coordinating action to minimize damage

Similar organizations in other states have taken such actions as studying earthquake-prone areas and evaluating infrastructure and topography in regions that have been identified as being at highest risk. These other state commissions work with local, state, and federal governments in addition to private sector interests to construct or modify buildings, bridges, highways, and power lines to reduce the damage earthquakes may cause. Such commissions also coordinate activities such as the evaluation of the topography of high risk areas. From such evaluations the organization considers what measures could be taken to avoid such things as flood damage from rivers and lakes or other damage from landslides or avalanches that may be precipitated by an earthquake.

Mitigation is distinguished from response because it involves trying to anticipate earthquake damage and taking steps to reduce or avoid damage and loss of human life. Response, in contrast, involves actions taken after an earthquake strike, which are necessary to restore and protect public health and safety. Response stems from preparedness, and the legislature made a formal finding in the enabling legislation that

*[A]lthough the state has made significant improvements in disaster preparedness since the great earthquake of 1964, there has been little corresponding improvement in measures to reduce the disaster potential of major earthquakes and, consequently, to reduce the dependence on disaster relief.*

### Legislation establishing the Alaska Seismic Hazards Safety Commission (ASHSC) had extensive legislative support

The legislation setting up ASHSC passed with overwhelming support. In April 2001 the bill, HB 53, was adopted by the House of Representatives by a vote of 36-2. In May 2002 the legislation was adopted by the Senate by a vote of 17-3. The measure was signed into law by Governor Knowles in August 2002 – with an effective date of September 29, 2002. The 2002 legislature also made an FY 03 appropriation of \$33,500 for commission operations.

Outgoing Governor Knowles did not make any appointments to the commission prior to the November 2002 elections. In March 2003, Governor Murkowski issued an executive order transferring ASHSC from the Office of the Governor to the Department of Natural Resources (DNR). Governor Murkowski, however, made no appointments and, at the end of FY 03, the

commission's entire appropriation lapsed unspent and was swept into the state's Insurance Catastrophe Reserve Fund.<sup>1</sup>

In FY 04, the \$28,900 in funding for ASHSC was transferred to DNR and included in the general fund base budget for the Geological Development allocation. While there was no financial activity related to ASHSC, the Geological Development general fund allocation is lapsing just under \$10,000 which is less than \$28,900 intended for ASHSC. In FY 05, there were no budgetary transactions specifically related to the commission that either increased or decreased the portion of the Geological Development allocation related to ASHSC.

It is likely no appointments were made because DNR Commissioner Irwin recommended ASHSC statutes be repealed. The commissioner's recommendation was based on his belief that the cost of ASHSC was too high. In correspondence with Legislative Audit, the commissioner stated that after receiving further information regarding ASHSC – and satisfying himself that the annual operating costs could be kept to \$10,000 rather than a previous budget projection of \$28,000 – he had changed his opinion and recommendation with regard to continuance of the commission.

Accordingly, he recommended that the Boards and Commission staff in the Office of the Governor proceed with appointments. In the view of the commissioner, there is a need for active coordination of earthquake-hazard mitigation activities between all levels of government and the private sector in the state. Having ASHSC in place to advise the governor, legislature, local governments, and the private sector on ways to reduce future economic losses and casualties from earthquakes is a valuable and necessary function. As of mid-October 2004, Governor Murkowski has yet to make an appointment to the commission.

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<sup>1</sup>State law, AS 37.05.289 (b), allows a sweeping of certain funds at the end of each fiscal year under the following provision:

*If the amount necessary to satisfy claims or judgments for which payment may be due under the state insurance program in a fiscal year exceed the unexpended balance of the amounts allocated to the account, the department may charge an additional amount from the unencumbered balance of any appropriation that is determined by the commissioner of administration to be available for lapse at the end of the fiscal year.*

## REPORT CONCLUSIONS

Under state law, the burden of demonstrating a continuing public need for a given board, commission, or agency that is subject to termination rests with the entity subject to sunset review.<sup>2</sup> Accordingly, since the commission has not been active since it was created in 2002, it is difficult to make the argument there is a demonstrated public need for the commission's termination date to be extended.

Since there is no functioning commission, we recommend that the legislature not extend the termination date of the commission. By not extending the termination date the Commission will have one year to administratively conclude its operations, and will cease to exist at June 30, 2006.

We recognize when the commission was created it received overwhelming support from the legislature. Additionally, other western states that are prone to earthquakes have created boards and commissions with duties similar to that of the Alaska Seismic Hazards Safety Commission. If there is legislative interest in continuing the commission, we offer a recommendation regarding the composition of the commission that would enhance its operational effectiveness.

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<sup>2</sup> AS 44.66.050(b) states

*During a public hearing, the board, commission or agency shall have the burden of demonstrating a public need for its continued existence or the continuation of the program, and the extent to which any change in the manner of exercise of its functions or activities may increase efficiency of administration or operation consistent with the public interest. [emphasis added]*

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## FINDINGS AND RECOMMENDATION

### Recommendation No. 1

The legislature should consider, if it extends the termination date of the Alaska Seismic Hazards Safety Commission, altering the composition of the commission to provide more representation of local government.

Much of the testimony heard in support of the commission's enabling legislation (HB 53) stressed the importance of communicating policy and possible mitigation measures that could be taken by all levels of government. A major area of concern involved the development of local community zoning ordinances and building code requirements to minimize the impact that the seismic shock would have on residential, government, and commercial buildings. Staff working with similar seismic mitigation agencies, in other western states we surveyed, often cited improvements to local planning requirements and building code restrictions as a major, if not primary, tangible benefit of their organization's accomplishments.

As mentioned in the Background Information section, it was the finding of the 2002 legislature that there had been little *"improvement in measures to reduce the disaster potential of major earthquakes..."* since the great earthquake of 1964. In many respects, at both the state and local government level this may be the case. However, the evolution of building codes as reflected in the recently developed 2003 International Building Code (IBC) has resulted in increasingly stronger seismic-related construction requirements – primarily in response to the devastating destruction of earthquakes outside of the United States in recent years.

At the present time the standard code that is increasingly being recognized and adopted by local governments is the 2003 IBC. All building officials we spoke to commented that extensive seismic-related requirements were already incorporated into the IBC and that they varied depending on a region's seismic risk rating. One local building official adamantly maintained that the IBC seismic requirements were already too stringent for his region, and any statewide policy group that would want more extensive requirements would not be welcomed.

We contacted numerous local government building officials in the State regarding how the recommendations of the Alaska Seismic Hazard Safety Commission could be put in place through local building codes. Most communities have a building code advisory commission that makes recommendations about local construction codes. A modification of the code generally involves making local exception to the "standard" code, which most communities have adopted by reference.

The commission would benefit from additional representation by local government for two primary reasons:

- As discussed above, the mitigation of seismic hazards refers to studying, identifying, and prioritizing actions that could be taken to reduce the impact of earthquakes. The most cited tangible mitigation measure has been modification of zoning and building codes. Accordingly, the actual implementation of many of the commission's earthquake mitigation recommendations would have to be done by local governments. Having local representatives as part of the commission may facilitate the implementation of the commission's recommendations
- Many local governments adopted the IBC and have, therefore, already been involved in deciding if they believe it is in the public's interest to update local codes in conformity with IBC changes. Having more local government members would bring, to the commission, a sense of the local concerns about adding or modifying existing local ordinances for improved earthquake mitigation factors.

The commission membership is currently defined as a nine-member commission with one representative of local government. If the legislature is considering continuation of the commission, we believe that a statutory revision or expansion to the commission membership should include at least three local government representatives from seismically different geographic areas of the state.

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

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

December 27, 2004

RECEIVED  
DEC 27 2004  
LEGISLATIVE AUDIT

Ms. Pat Davidson  
Legislative Auditor  
Legislative Budget and Audit Committee  
P.O. Box 113300  
Juneau, AK 99811-3300

Re: Seismic Hazards Safety Commission Report  
10-20038-05

Dear Ms. Davidson:

Thank you for the opportunity to review the Alaska Seismic Hazards Safety Commission (ASHSC) Preliminary Report to the Legislative Budget and Audit Committee. As I stated in my prior letter to Mr. Griffen the draft report is very thorough and actually emphasizes the need for the ASHSC. I disagree with the conclusion that the ASHSC has not been active and it is therefore difficult to argue that there is not a demonstrated public need. I support the ASHSC and I urge the Legislature to extend the sunset date.

Alaska is the most seismically active state in the country. The legislature approved the ASHSC because they listened to the concrete arguments provided by professionals for the need for the commission. They recognized the success of similar commissions in other states for reducing earthquake losses and they took assertive action to address the issues in Alaska.

The risk of earthquake losses is steadily increasing and it should be clear as we witness the devastation caused by the earthquake in Asia that we need to minimize the state's risk as Alaska's population and infrastructure expand. Reducing losses at reasonable cost requires public commitment at the highest level. To earthquake-conscious siting, design, and construction. I believe that the ASHSC will provide the focus for this commitment. Governor Murkowski is currently reviewing nominees for appointments.

I concur with the Report's Recommendation No. 1 to increase representation of local government. Hazard mitigation occurs primarily at the local level and I agree that local governments in diverse regions of the state should be represented on the commission. This will ensure that proposed mitigation measures are appropriate, reasonable, and effective.

The report states that it is likely that no appointments were made to the commission because I initially recommended that the enabling statutes be repealed. As recognized in the report that initial recommendation was due to the cost of the Commission. It is a sad

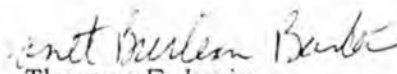
*"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."*

Ms. Davidson  
December 27, 2004  
Page 2 of 2

state of affairs if a commission of this type is not extended because of my intent to be fiscally responsible. I take my job as Commissioner seriously and I weigh the benefits of an issue in light of the budget and my stewardship responsibilities. To act otherwise would be irresponsible. Once I was assured that the commission could be supported with a reduced budget I fully supported the commission and I recommend that the sunset date be extended. I expect the ASHSC's future recommendations to enhance public safety in our seismically active state.

Please contact me, Rod Combellick (451-5007; rod@dnr.state.ak.us) or Janet Burleson Baxter, 465-4730, if you would like further clarification on the department's recommendation on this issue.

Sincerely,

  
Thomas E. Irwin  
for Commissioner

cc: Rod Combellick  
Janet Burleson Baxter  
Marty Rutherford  
Lorraine Derr  
Linda Hay

## State of Alaska

### Office of Boards and Commissions Roster

#### SEISMIC HAZARDS SAFETY COMMISSION (208)

Member	Date Appointed	Reappointed	Term Expires
John L. Aho, Ph.D. Public/Restricted -- Chair CH2M HILL 2015 Shepherdia Drive Anchorage, AK 99508	5/26/2005		6/30/2005
Gary A. Carver, Ph.D. Public/Restricted -- Vice-Chair P.O. Box 52 Kodiak, AK 99615	5/26/2005		6/30/2005
Rod Combellick Designated DNR Representative Department of Natural Resources P.O. Box 82422 Fairbanks, AK 99708	5/26/2005		6/30/2005
Linda L. Freed Local Governments Representative City of Kodiak 710 Mill Bay Road Kodiak, AK 99615	5/26/2005		6/30/2005
Roger A. Hansen, Ph.D. Designated University of Alaska Representative UAF, Geophysical Institute P.O. Box 757320 Fairbanks, AK 99709	10/13/2005		6/30/2005
Laura W. Kelly Designated Federal Agency 2020 Beaver Lake Drive Kodiak, AK 99615	5/26/2005		6/30/2005
Dennis Nottingham, P.E. Public/Restricted 1506 West 36th Avenue Anchorage, AK 99503	5/26/2005		6/30/2005
Roger Schnell Designated DMVA Representative	5/26/2005		6/30/2005

Department of Military and Veterans Affairs  
P.O. Box 5800  
Fort Richardson, AK 99505-0800

Michael R Wilkinson  
Designated Insurance Industry Rep  
2810 Devin Circle  
Anchorage, AK 99516

5/26/2005

6/30/2005

Return to the fact sheet

## Boards & Commissions

State of Alaska > Governor > Boards and Commissions

### Seismic Hazards Safety Commission

**Board:** Alaska Seismic Hazards Safety Commission

**Board identification number:** 208

**Department:** DEPARTMENT OF NATURAL RESOURCES

**Authority:** 44.19.635

**Status:** Active

**Sunset date:** 6/30/2005

**Requirements:** No Legislative Confirmation or Financial Disclosure required

**Prohibitions:** None

**Term:** 3 years

**Description:** Nine members appointed by the Governor for 3-year terms each. Members include: a representative from the University of Alaska, a representative from local government; a representative from the Department of Natural Resources; a representative of the Department of Military and Veterans' Affairs; a representative from the appropriate federal agency; a representative of the insurance industry; and 3 members of the public who are experts in the fields of geology, seismology, hydrology, geotechnical engineering, structural engineering, emergency services, or planning. Six members constitute a quorum.

**Function:** The commission shall recommend goals and priorities for seismic hazard mitigation to the public and private sectors; recommend policies to the Governor and Legislature, including needed research, mapping, and monitoring programs; offer advice on coordinating disaster preparedness and seismic hazard mitigation activities of government at all levels, review the practices for recovery and reconstruction after a major earthquake, and recommend improvements to mitigate losses from similar future events; gather and disseminate information on seismic hazard mitigation; establish and maintain necessary working relationships with public and private agencies; review predictions and warnings issued by the federal government and appropriate organizations and suggest appropriate responses; review proposed seismic hazard notifications and information from state agencies and evaluate possible socioeconomic consequences and recommend that the Governor issue formal seismic hazard notifications when appropriate and advise state and local agencies of appropriate responses.

**Chair:** Commission elects

**Special facts:**

**Compensation:** Standard Travel and Per Diem.

**Meetings:**



The governor holds state operating bud the assembled rep public officials and public some of the vetoed from the bur Wednesday



The governor signs the Knik Arm Bridge flanked (from left) b sponsor Sen. John Anchorage Mayor C former Gov. (and c Anchorage director

### Quick Links

Office Contact  
First Lady of A  
Office of the L  
Management  
Governor's Ne  
Governor's Ra  
Topic: Tellin  
(Updated J

### Of Interest

NEW - Status  
The Alaska Ga  
2005 Accompl  
FY'06 Enacted  
2004 Export F  
Human Rights  
Boards and C

**For further information contact:**

**Vickie Butherus**

Administrative Assistant

Geological and Geophysical Surveys

3354 College Road

Fairbanks, AK 99709-3707

Phone: (907) 451-5002, FAX: (907) 451-5223

Governor's News



**Seismic Hazards Safety Commission Roster**

We appreciate your interest in boards and commissions. For further information contact the boards and commissions staff at (907) 465-3500 or at [B&C@gov.state.ak.us](mailto:B&C@gov.state.ak.us).

[State of Alaska](#) - [Governor](#) - [First Lady](#) - [Office Locations](#) - [Email Governor](#)



## Alaska Division of Legislative Audit Audit Report #10-20038-05



November 10, 2004

Members of the Legislative Budget  
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes, the attached report is submitted for your review.

### DEPARTMENT OF NATURAL RESOURCES ALASKA SEISMIC HAZARDS SAFETY COMMISSION

October 22, 2004

Audit Control Number

10-20038-05

This audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently under AS 44.66.010(a)(21), the Alaska Seismic Hazards Safety Commission is scheduled to terminate on June 30, 2005. If the legislature takes no action to extend the termination date, the commission would be allowed one year in which to conclude its administrative operations. Because the commission has been inactive since it was created in 2002, we recommend its termination date not be extended.

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Pat Davidson, CPA  
Legislative Auditor

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#### OBJECTIVES, SCOPE, AND METHODOLOGY

ORGANIZATION AND FUNCTIONBACKGROUND INFORMATIONREPORT CONCLUSIONSFINDINGS AND RECOMMENDATIONAGENCY RESPONSE

Department of Natural Resources

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OBJECTIVES, SCOPE, AND METHODOLOGY

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- Reviewed minutes of legislative committee hearings related to the legislation that established ASHSC.
- Reviewed Executive Order 105, issued by Governor Murkowski in January 2003.

- Reviewed the activities and publications of state organizations in the western United States with missions and objectives similar to that of ASHSC.
- Interviewed the Department of Natural Resources' commissioner and the manager responsible for activities related to the mission and objectives of ASHSC.
- Interviewed local government building officials regarding how various communities in the states deal with seismic issues through adoption and enforcement of building codes.
- Reviewed correspondence of Commissioner Irwin of the Department of Natural Resources regarding his position and comments on the public policy objectives related to both the past and the future of ASHSC.

### ORGANIZATION AND FUNCTION

In 2002, the legislature established the Alaska Seismic Hazards Safety Commission (ASHSC). In committee testimony, the primary sponsor of the legislation characterized the commission as having an "umbrella status" over various state agencies that would permit it to coordinate a seismic hazard mitigation policy for the state.

To better promote intergovernmental coordination, the commission was originally established in the Office of the Governor. ASHSC was transferred to the Department of Natural Resources by Executive Order Number 105, issued by Governor Murkowski in January 2003.

ASHSC is comprised of a cross section of members from government, business, and academia

The Seismic Hazards Safety Commission was designed to be made up of individuals from a wide cross section of government and private sector representatives. The nine commission members were to be representatives from:

1. the University of Alaska;
2. local government;
3. Department of Natural Resources;
4. Department of Military and Veterans' Affairs;
5. an appropriate federal agency;
6. the insurance industry; and,
7. three members from the general public *"who are expert in the fields of"*
  - a) geology,
  - b) seismology,
  - c) hydrology,
  - d) geotechnical engineering,
  - e) structural engineering,
  - f) emergency services, or
  - g) planning.

ASHSC was structured in such a way to address what the legislature saw as a *"pressing need to provide consistent policy framework and a means for continuing coordination of programs and public safety practices related to seismic hazards at all governmental levels and in the private sector."*

The legislature mandated that the commission recommend goals and priorities for seismic hazard mitigation to both governmental agencies and the private sector. ASHSC was also to recommend policies to the governor and legislature related to such things as research, mapping, and monitoring programs necessary for effective seismic

mitigation.

Department of Natural Resources, Division of Geological and Geophysical Surveys

Alaska Statute 41.08.010 establishes in the Department of Natural Resources (DNR), a division of geological and geophysical surveys under the direction of the state geologist. The state geologist is appointed by the commissioner of DNR, and responsible for conducting geological and geophysical surveys to determine the potential of Alaskan land for:

1. production of metals, minerals, fuels, and geothermal resources;
2. the locations and supplies of groundwater and construction materials; and,
3. the potential geologic hazards to buildings, roads, bridges, and other installations and structures.

The state geologist is also responsible for conducting other surveys and investigations necessary to advance the geology of the State. With the approval of the commissioner, the state geologist may acquire, by gift or purchase, geological and geophysical reports, surveys, and similar information.

State law further specifies that the Division of Geological and Geophysical Surveys shall:

1. *collect, record, evaluate, and distribute data on the quantity, quality, and location of underground, surface, and coastal water of the state;*
2. *publish or have published data on the water of the state;*
3. *require the filing with it of the results and findings of surveys of water quality, quantity, and location;*
4. *require of water well contractors, the filing with it of basic water and aquifer data normally obtained, including but not limited to well location, estimated elevation, well driller's logs, pumping tests and flow measurements, and water quality determinations;*
5. *accept and spend funds for the purposes of this section, AS 41.08.017, and 41.08.035 and enter into agreements with individuals, public or private agencies, communities, private industry, state agencies, and agencies of the federal government;*
6. *collect, evaluate, and distribute geologic data on seismic events and engineering geology of the state;*
7. *identify potential seismic hazards that might affect development in the state;*
8. *inform public officials and industry about potential seismic hazards that might affect development in the state.*

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**BACKGROUND INFORMATION**

Mitigation of seismic hazards refers to studying, identifying, and prioritizing actions that could be taken to reduce the impact of earthquakes. Accordingly, seismic hazards mitigation can involve everything from considering where earthquakes are most likely to strike to how buildings, bridges, other infrastructure, and even topography can be built or modified to reduce damage.

Mitigation involves studying seismic risks and coordinating action to minimize damage

Similar organizations in other states have taken such actions as studying earthquake-prone areas and evaluating infrastructure and topography in regions that have been identified as being at highest risk. These other state commissions work with local, state, and federal governments in addition to private sector interests to construct or modify buildings, bridges, highways, and power lines to reduce the damage earthquakes may cause. Such commissions also coordinate activities such as the evaluation of the topography of high risk areas. From such evaluations the organization considers what measures could be taken to avoid such things as flood damage from rivers and lakes or other damage from landslides or avalanches that may be precipitated by an earthquake.

Mitigation is distinguished from response because it involves trying to anticipate earthquake damage and taking steps to reduce or avoid damage and loss of human life. Response, in contrast, involves actions taken after an earthquake strike, which are necessary to restore and protect public health and safety. Response stems from preparedness, and the legislature made a formal finding in the enabling legislation that

*[A]lthough the state has made significant improvements in disaster preparedness since the great earthquake of 1964, there has been little corresponding improvement in measures to reduce the disaster potential of major earthquakes and, consequently, to reduce the dependence on disaster relief.*

Legislation establishing the Alaska Seismic Hazards Safety Commission (ASHSC) had extensive legislative support

The legislation setting up ASHSC passed with overwhelming support. In April 2001 the bill, HB 53, was adopted by the House of Representatives by a vote of 36-2. In May 2002 the legislation was adopted by the Senate by a vote of 17-3. The measure was signed into law by Governor Knowles in August 2002 – with an effective date of September 29, 2002. The 2002 legislature also made an FY 03 appropriation of \$33,500 for commission operations.

Outgoing Governor Knowles did not make any appointments to the commission prior to the November 2002 elections. In March 2003, Governor Murkowski issued an executive order transferring ASHSC from the Office of the Governor to the Department of Natural Resources (DNR). Governor Murkowski, however, made no appointments and, at the end of FY 03, the commission's entire appropriation lapsed unspent and was swept into the state's

[1]

Insurance Catastrophe Reserve Fund.

In FY 04, the \$28,900 in funding for ASHSC was transferred to DNR and included in the general fund base budget for the Geological Development allocation. While there was no financial activity related to ASHSC, the Geological Development general fund allocation is lapsing just under \$10,000 which is less than \$28,900 intended for ASHSC. In FY 05, there were no budgetary transactions specifically related to the commission that either increased or decreased the portion of the Geological Development allocation related to ASHSC.

It is likely no appointments were made because DNR Commissioner Irwin recommended ASHSC statutes be repealed. The commissioner's recommendation was based on his belief that the cost of ASHSC was too high. In correspondence with Legislative Audit, the commissioner stated that after receiving further information regarding ASHSC – and satisfying himself that the annual operating costs could be kept to \$10,000 rather than a previous budget projection of \$28,000 – he had changed his opinion and recommendation with regard to continuance of the commission.

Accordingly, he recommended that the Boards and Commission staff in the Office of the Governor proceed with appointments. In the view of the commissioner, there is a need for active coordination of earthquake-hazard mitigation activities between all levels of government and the private sector in the state. Having ASHSC in place to advise the governor, legislature, local governments, and the private sector on ways to reduce future economic losses

and casualties from earthquakes is a valuable and necessary function. As of mid-October 2004, Governor Murkowski has yet to make an appointment to the commission.

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### REPORT CONCLUSIONS

Under state law, the burden of demonstrating a continuing public need for a given board, commission, or agency that is subject to termination rests with the entity subject to sunset review. [2] Accordingly, since the commission has not been active since it was created in 2002, it is difficult to make the argument there is a demonstrated public need for the commission's termination date to be extended.

Since there is no functioning commission, we recommend that the legislature not extend the termination date of the commission. By not extending the termination date the Commission will have one year to administratively conclude its operations, and will cease to exist at June 30, 2006.

We recognize when the commission was created it received overwhelming support from the legislature. Additionally, other western states that are prone to earthquakes have created boards and commissions with duties similar to that of the Alaska Seismic Hazards Safety Commission. If there is legislative interest in continuing the commission, we offer a recommendation regarding the composition of the commission that would enhance its operational effectiveness.

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### FINDINGS AND RECOMMENDATION

#### Recommendation No. 1

The legislature should consider, if it extends the termination date of the Alaska Seismic Hazards Safety Commission, altering the composition of the commission to provide more representation of local government.

Much of the testimony heard in support of the commission's enabling legislation (HB 53) stressed the importance of communicating policy and possible mitigation measures that could be taken by all levels of government. A major area of concern involved the development of local community zoning ordinances and building code requirements to minimize the impact that the seismic shock would have on residential, government, and commercial buildings. Staff working with similar seismic mitigation agencies, in other western states we surveyed, often cited improvements to local planning requirements and building code restrictions as a major, if not primary, tangible benefit of their organization's accomplishments.

As mentioned in the Background Information section, it was the finding of the 2002 legislature that there had been little *"improvement in measures to reduce the disaster potential of major earthquakes..."* since the great earthquake of 1964. In many respects, at both the state and local government level this may be the case. However, the evolution of building codes as reflected in the recently developed 2003 International Building Code (IBC) has resulted in increasingly stronger seismic-related construction requirements – primarily in response to the devastating destruction of earthquakes outside of the United States in recent years.

At the present time the standard code that is increasingly being recognized and adopted by local governments is the 2003 IBC. All building officials we spoke to commented that extensive seismic-related requirements were already incorporated into the IBC and that they varied depending on a region's seismic risk rating. One local building official adamantly maintained that the IBC seismic requirements were already too stringent for his region, and any statewide

policy group that would want more extensive requirements would not be welcomed.

We contacted numerous local government building officials in the State regarding how the recommendations of the Alaska Seismic Hazard Safety Commission could be put in place through local building codes. Most communities have a building code advisory commission that makes recommendations about local construction codes. Modification of the code generally involves making local exception to the "standard" code, which most communities have adopted by reference.

The commission would benefit from additional representation by local government for two primary reasons:

- As discussed above, the mitigation of seismic hazards refers to studying, identifying, and prioritizing actions that could be taken to reduce the impact of earthquakes. The most cited tangible mitigation measure has been modification of zoning and building codes. Accordingly, the actual implementation of many of the commission's earthquake mitigation recommendations would have to be done by local governments. Having local representatives as part of the commission may facilitate the implementation of the commission's recommendations.
- Many local governments adopted the IBC and have, therefore, already been involved in deciding if they believe it is in the public's interest to update local codes in conformity with IBC changes. Having more local government members would bring, to the commission, a sense of the local concerns about adding or modifying existing local ordinances for improved earthquake mitigation factors.

The commission membership is currently defined as a nine-member commission with one representative of local government. If the legislature is considering continuation of the commission, we believe that a statutory revision or expansion to the commission membership should include at least three local government representatives from seismically different geographic areas of the state.

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### AGENCY RESPONSES

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#### Department of Natural Resources

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF THE COMMISSIONER

FRANK H. MURKOWSKI, GOVERNOR

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December 27, 2004

Ms. Pat Davidson  
Legislative Auditor  
Legislative Budget and Audit Committee  
P.O. Box 113300  
Juneau, AK 99811-3300

Re: Seismic Hazards Safety Commission Report  
10-20038-05

Dear Ms. Davidson:

Thank you for the opportunity to review the Alaska Seismic Hazards Safety Commission (ASHSC) Preliminary Report to the Legislative Budget and Audit Committee. As I stated in my prior letter to Mr. Griffen the draft report is very thorough and actually emphasizes the need for the ASHSC. I disagree with the conclusion that the ASHSC has not been active and it is therefore difficult to argue that there is not a demonstrated public need. I support the ASHSC and I urge the Legislature to extend the sunset date.

Alaska is the most seismically active state in the country. The legislature approved the ASHSC because they listened to the concrete arguments provided by professionals for the need for the commission. They recognized the success of similar commissions in other states for reducing earthquake losses and they took assertive action to address the issues in Alaska.

The risk of earthquake losses is steadily increasing and it should be clear as we witness the devastation caused by the earthquake in Asia that we need to minimize the state's risk as Alaska's population and infrastructure expand. Reducing losses at reasonable cost requires public commitment at the highest levels to earthquake-conscious siting, design, and construction. I believe that the ASHSC will provide the focus for this commitment. Governor Murkowski is currently reviewing nominees for appointments.

I concur with the Report's Recommendation No. 1 to increase representation of local government. Hazard mitigation occurs primarily at the local level and I agree that local governments in diverse regions of the state should be represented on the commission. This will ensure that proposed mitigation measures are appropriate, reasonable, and effective.

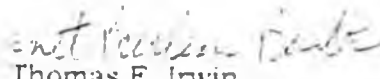
The report states that it is likely that no appointments were made to the commission because I initially recommended that the enabling statutes be repealed. As recognized in the report that initial recommendation was due to the cost of the Commission. It is a sad

Ms. Davidson  
December 27, 2004  
Page 2 of 2

state of affairs if a commission of this type is not extended because of my intent to be fiscally responsible. I take my job as Commissioner seriously and I weigh the benefits of an issue in light of the budget and my stewardship responsibilities. To act otherwise would be irresponsible. Once I was assured that the commission could be supported with a reduced budget I fully supported the commission and I recommend that the sunset date be extended. I expect the ASHSC's future recommendations to enhance public safety in our seismically active state.

Please contact me, Rod Combellick (451-5007; rod@dnr.state.ak.us) or Janet Burleson Baxter, 465-4730, if you would like further clarification on the department's recommendation on this issue.

Sincerely,

  
Thomas E. Irwin  
Commissioner

cc: Rod Combellick  
Janet Burleson Baxter  
Marty Rutherford  
Lorraine Derr  
Linda Hay

---

[1] State law, AS 37.05.289 (b), allows a sweeping of certain funds at the end of each fiscal year under the following provision:

*If the amount necessary to satisfy claims or judgments for which payment may be due under the state insurance program in a fiscal year exceed the unexpended balance of the amounts allocated to the account, the department may charge an additional amount from the unencumbered balance of any appropriation that is determined by the commissioner of administration to be available for lapse at the end of the fiscal year.*

[2] AS 44.66.050(b) states

*During a public hearing, the board, commission or agency shall have the burden of demonstrating a public need for its continued existence or the continuation of the program, and the extent to which any change in the manner of exercise of its functions or activities may increase efficiency of administration or operation consistent with the public interest. [emphasis added]*

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**Regional Citizens' Advisory Council / "Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."**

In Anchorage: 3709 Spenard Road / Anchorage, Alaska 99503 / (907) 277-7222 / FAX (907) 277-4523

In Valdez: P.O. Box 3089 / 339 Hazelet Avenue / Valdez, Alaska 99686 / (907) 835-5957 / FAX (907) 835-5926

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Tuttle

Cordova District  
Fishermen United

Kenai Peninsula  
Borough

Kodiak Island  
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Kodiak Village Mayors  
Association

Oil Spill Region  
Environmental  
Coalition

Prince William Sound  
Aquaculture  
Corporation

**Resolution 06-02**

**Supporting Passage of House Bill 83  
in the Legislature of the State of Alaska  
Twenty-Fourth Legislature - Second Session**

**WHEREAS**, Section 500<sup>2</sup> (a)(D) of the Oil Pollution Act of 1990 finds that a mechanism should be established which fosters the long-term partnership of industry, government, and local communities in overseeing compliance with environmental concerns in the operation of crude oil terminals;

**WHEREAS**, the Prince William Sound Regional Citizens' Advisory Council, an independent non-profit corporation whose mission, as mandated by the Oil Pollution Act of 1990, is to promote environmentally safe operation of the Valdez Marine Terminal and associated tankers;

**WHEREAS**, Alaska is located in one of the most seismically active areas of the world;

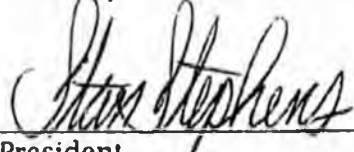
**WHEREAS**, the most severe seismic event ever recorded in North America occurred in 1964 in the vicinity of the Valdez Marine Terminal;

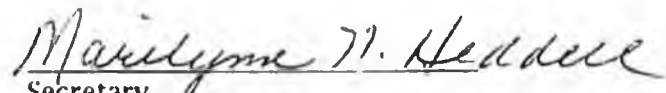
**WHEREAS**, the Alaska Seismic Hazards Safety Commission was formed to "recommend goals and priorities for seismic hazard mitigation to the public and private sectors" and to "gather, analyze and disseminate information on seismic hazard mitigation," and to "establish and maintain necessary working relationships with public and private agencies;" and

**WHEREAS**, a severe seismic event has the potential to cause catastrophic oil spills;

**NOW, THEREFORE, BE IT RESOLVED**, that because of the potentially catastrophic impacts of major seismic events on crude oil transportation in Prince William Sound, the Prince William Sound Regional Citizens' Advisory Council hereby supports the retention of the Alaska Seismic Hazards Safety Commission with the passage of House Bill 83.

**PASSED AND APPROVED** by the Prince William Sound Regional Citizens' Advisory Council on the 26 day of January, 2006.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary