

HB 77

(FILE 5)

<TARGET><BILL>HB 77</BILL><SUBJECT>HB 77 (FILE
5)</SUBJECT><COMM>SRES28</COMM></TARGET>

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Passed Out to Committee Members on 3/13/14

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From: Mikse Willoya-Marx

Sent: Thursday, March 13, 2014 11:52 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

This bill and it's intent to restrict the voices of land owners, in regard to land use projects is absurd. It is obvious to the constituents the lawmakers have been convinced by political desire to give full access to outside industry interests, at the cost of Alaskan livelihood. This shows the true nature and disregard of this body of government of Alaskans needs and desires for a sustainable future.

Mikse Willoya-Marx

3513 N Fortune Cir

Wasilla, AK 99654

From: Alan Munro

Sent: Wednesday, March 12, 2014 4:06 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. Utterly unbelievable. Can the authors and co-sponsors of this HB77 nonsense be serious?

Alan R. Munro

Alan Munro

Juneau

From: Angela Ferrari

Sent: Wednesday, March 12, 2014 3:52 PM

To: senator.click.bishop.@akleg.gov; Sen. Cathy Giessel; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Fred Dyson; senator.peter.mecciche@akleg.gov; Sen. Hollis French

Cc: senate.resource.committe@akleg.gov

Subject: Please include this in the public record and distribute to the Senate Resource Committee for HB77

I continue to oppose HB77 even with the changes presented Monday. Tribes and Alaskans deserve a say in what happens in Alaska's resources. Closed door decision making is not good for anyone.

Sincerely,

Angela Ferrari

From: Barbara Carlson

Sent: Wednesday, March 12, 2014 3:14 PM

To: Sen. Lesil McGuire; Sen. Cathy Giessel; Sen. Anna Fairclough; Sen. Fred Dyson; Sen. Click Bishop

Cc: Sen. Berta Gardner; Sen. Bill Wielechowski; Sen. Hollis French; Rep. Andy Josephson; Rep. Harriet Drummond; Rep. Les Gara; Rep. Mia Costello; Rep. Paul Seaton

Subject: Testimony against HB77

Importance: High

Dear Senators McGuire, Giessel, Bishop, Fairclough, and Dyson:

I am unable to make it to the hearing in person, so I write to ask that you reject the poorly conceived and hastily and secretly amended HB77.

I agree with Rick Halford who wrote that 'Section One authority given to the Commissioner to issue general permits for an activity on State land while allowing him to override DNR's own laws and statutes is an overreach of power and authority.' This is inappropriate and it is unconscionable to consider it.

This bill fails to address the right of the affected public to appeal. This is an egregious fault and the Senate should recognize that fact and not support it.

The changing of how it messes with water rights is still not a good thing. Again, this was poorly conceived and hastily revised.

The loss of the Alaska Coastal Management Program to this state was deplorable. It has removed from many processes the very critical voice of local knowledge and collaboration. To pass HB77 would be another enormous step in that wrong direction which would leave future generations at our mercy. The changes proposed in tAs Rick Halford wrote, " The amended House Bill 77 turn a blind eye to all of the lessons of the western United States. Such shortsightedness ignores our obligation to protect future generations of Alaskans from the potential greed of the present.

Read more here: <http://www.adn.com/2014/03/11/3369622/point-counterpoint-an-amended.html#storylink=cpy>

As Byron Mallot wrote, "...we can responsibly develop our natural resources and grow our economy for generations to come."

Again, I ask that you reject HB77 which would not serve Alaskans well.

Thank you for your consideration.

Barbara

Barbara Carlson

6050 W Dimond Blvd.

Anchorage, AK 99502

From: Kirsten Park

Sent: Thursday, March 13, 2014 8:54 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

This bill is unconstitutional and takes rights away from Alaskans when it comes to who can use what waterways. Do not take control out of Alaskans hands and give it to big business. Keep Alaska in the hands of Alaskans.

Kirsten Park

eagle river, AK 99577

From: MICHAEL WISNEWSKI
Sent: Thursday, March 13, 2014 9:41 AM
To: Sen. Cathy Giessel
Cc: Senator.Bert.Stedman@skleg.gov
Subject: HB 77

Dear Senator Stedman and Senator Giessel,

Please vote no on HB 77.

It gives too much power to the DNR commissioner, an unelected official. It takes decisions out of the public eye. And it could cause a lot of harm to Alaskan streams and waters.

And, I'm afraid it will limit the legal rights of Alaskans to challenge the DNR.

No on HB 77!!

Thank you,

Mike Wisnewski
201 W. Mattle Rd.
Ketchikan, AK
99901

From: Josie's Earthlink
Sent: Thursday, March 13, 2014 1:42 PM
To: Sen. Cathy Giessel
Cc: 71josie@earthlink.net
Subject: Comment on HB77 on 3/13/14.

March 13, 2014

Dear Senator Giessel and the committee members,

Re: Comment on HB77. Please include this in public record and distribute to Natural Resources committee members.

Please accept my opposition to HB77. I am an Alaska resident and small business owner. I oppose HB77 because it takes away the rights of every Alaskan to know, through public notice and comment periods, the details of proposed developments on our land and waterways. These development decisions can and will likely affect not only state, or public lands, but may also impact private land and the downstream water quality and flow volume through Alaskan's private properties. Currently, Alaskans have the right to receive public notice, public comment periods and due process, and HB77 strips the public of these rights as well as expanding the executive powers of the DNR.

I oppose HB77 as it will allow DNR to grant general permits for up to 5-years duration providing for broad stroke development with no ongoing public notification and no public input, oversight or accountability, along the incremental path of development for up to a 5-year stretch of time. The provision of granting general permits for such lengthy time frames is risky for the public and the state, providing for unwarranted exposure.

I oppose HB77 as it lowers the standards of excellence to do business in Alaska. As a small business owner, I can appreciate the rigors of making the mark to perform quality business in this great state, and I firmly believe that the bar should not be lowered or made less rigorous. I want quality businesses and development companies, those which follow our process and meet or exceed our standards, and only those, to do business in Alaska.

However, if a development company cannot make the rigors of permitting, as currently outlined and practiced, then that company does not deserve to do business and development in Alaska. Currently, you and I know that there are companies that have historically participated in the DNR permitting process and have either met or exceeded our current DNR standards and these folks do business in Alaska; there are others that are making continual growth and progress with permitting and development, utilizing the current process (e.g., Red Dog mine, Donlin Project, amongst others).

Finally, I oppose HB77 due to the language in the bill which is not well defined to protect the public when possibly impacted or needing to appeal a DNR decision. The qualitative language such as, "substantially adversely impacted" or "irreparable harm", lack quantitative definition or substance for legitimate due process proceedings, thereby potentially leaving the public and state exposed to ongoing messy lawsuits.

I request that you please offer more public testimony opportunities for HB77. To my knowledge the amended HB77 was just made publicly available on Monday, 10th of March 2014, two days prior to the announced public testimony session at the Anchorage LIO. I heard about the short notice LIO testimony session the day after the amended HB77 became public, then planned to take time from work the following day to attend the session, listen and possibly speak. However, it was apparent that there were more people waiting to testify than what could be handled in a single, 1.5 hour session! It was clearly not enough time for the public to weigh in on such a serious and impacting bill as HB77.

I would estimate that hundreds of Alaskans, predominantly Native Alaskan constituents, residing in ROADLESS areas, with unreliable mail, communication infrastructure and air service, may not have gotten notice of yesterday's meeting. Our rural Alaskan constituents were thereby prevented from testifying. In light of the fact that the amended HB77 undermines tribes and individual Alaskans' ability to keep water in streams, and seriously undermines their ability to participate in natural resource decisions on state land in other ways, it is advisable to have more testimony from our rural and Native Alaskan constituents.

In conclusion, as a member of the public, I ask that you, our public leaders, stand up for the public's rights and oppose HB77. While I appreciate the attempts to fix this HB77. The recent proposed amendments to the bill do not address my concerns or those raised by the public at statewide public forums and in petitions and letters. In fact, some changes make the bill even worse.

Again, I ask that you please allow Alaska residents additional opportunities to testify regarding HB77. In addition, I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

Respectfully submitted,

Josanne Breeding-Owen
7141 Montagne Circle
Anchorage, AK 99507

From: Cathy Flanagan
Sent: Thursday, March 13, 2014 12:50 PM
To: Sen. Cathy Giessel
Subject: HB 77

I hope you will consider these facts and the rights of Alaskans to hold a water right that can provide for future benefits of water to all Alaskans before you vote for House Bill 77.

My name is Cathy Flanagan, I am a hydrologist. I work with water bodies around Alaska and know that these water bodies can provide multiple uses (development and conservation purposes) to Alaskans when a reservation of water is held as a water right.

AS 46.15.145 provides of means for establishing a water right called a "reservation of water". This type of water right does not "lock up" all the water in a river or lake; it allows for an amount of flow or level of water determined by DNR and the applicant, and leaves the rest of the water for other uses. AS 46.15.145 currently enables "a person" to apply for a reservation of water that is intended to keep a specified flow or level of water in a stream or lake for the protection of fish and wildlife habitat, migration, and propagation; recreation and park purposes; navigation and transportation purposes; and/or sanitary and water quality purposes. In other words, it provides a quantity of flow (rivers) or level of water (lakes) to protect a system while allowing for other uses such development.

Under HB 77, AS 46.15.145 would be amended in a way that removes the ability of a water reservation to meet the purpose that is intended to achieve (protection of fish and wildlife habitat, migration, and propagation; recreation and park purposes; navigation and transportation purposes; and/or sanitary and water quality purposes). And what protection is gained if the State can review reservations with an economic development bias at any point they determine appropriate? Conservation and development can occur in conjunction with one and other but not if they are looked at by the State as two objectives that are in direct conflict.

The same questions may be posed with regard to the changes associated with AS 46.15.155 (TWUP). How much protection does a reservation provide to a river reach or lake if the State can enable temporary water use permits (TUWPs) without considering water reservation (unadjudicated)? If unadjudicated water reservations with a designated purpose to "protect fish and wildlife" is not considered above a TUWP, the purpose of that reservation is ignored, the value of that reservation is diminished, and the right of the applicant to these protections is disregarded. This portion of the amendment also allows the commissioner to issue new TWUPs for the same project without review, once the original TWUP is allowed; this just compounds the problem by ignoring the purposes and intent of the original reservation to water for instream flow.

It is very important to remember that AS 46.15.145 is part of the water code for a reason. It is intended to allow for multiple uses (development and conservation) of natural waters without destroying the beneficial uses associated with those waters. Not all the water is "locked up" in the river or lake, but the amount left is enough to protect the thing that makes Alaska so unique, free and clean water that support the wildlife and landscapes that are Alaska.

Best regards,
Cathy Flanagan, Anchorage, AK

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Cathy

Cathy Flanagan
1518 Airport Height Drive
Anchorage, AK 99508

From: On Behalf Of Gary Newman

Sent: Thursday, March 13, 2014 1:48 PM

To: Sen. Cathy Giessel

Subject: HB 77 - please distribute to Resources Committee and insert into record

Members of the Senate Resources Committee:

Even with the recent CS to HB 77, I remain concerned that the bill removes enough public process and input with too much unchecked power to the DNR for permitting. Just defining 'significant and irreparable harm' as the barrier to permitting approval isn't adequate. Alaskan resources are supposed to be managed for all Alaskans. The added barrier of Alaskans having to be "substantially and adversely affected" rather than simply "aggrieved" is also a big change not in the interest of what should be a public process for the use of resources of Alaskans.

Joining the many who object to HB 77, I urge you to hold this bill in committee so that it can expire with this session.

Thank you for your consideration.

Gary Newman

Fairbanks, Alaska

From: Nina Faust

Sent: Thursday, March 13, 2014 12:40 PM

To: Sen. Cathy Giessel; Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French

Subject: HB 77

P.O. Box 2994

Homer AK 99603

March 13, 2014

Dear Senate Resources Committee Members:

It is very sad that many folks turned out to comment on HB 77 yesterday, but only 3 were permitted time to speak. I suggest that a mechanism needs to be determined to provide time for those who turn out. Maybe an early sign up will help in determining amount of time for a hearing.

I strongly support removing language that bans in-stream flow applications and removes the untenable, over-reaching authority granted to the DNR Commissioner, and places limits on the application of general permits.

The temporary water permits need to be acted upon in a timely fashion and there should be public notice of an in-stream flow permit application. These reservations can affect adjacent users or the general public so notice is important.

Any resident of the state of Alaska should have standing on issues affecting water resources. We all have a public interest in our streams and rivers, whether for drinking water or protection of fish habitat.

As this bill evolves to its final form, Legislators need to remember their responsibility to protect the rights of all Alaskans and maintain a natural resource permitting system that provides for meaningful citizen participation. We are partners in these decisions, and whatever form the bill takes, that must be reflected. This bill will affect water quality and salmon habitat, concerns of all Alaskans and future generations. Let's do what will best protect these resources.

Thank you for your consideration.

Sincerely,

Nina Faust

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

From: John Jensen

Sent: Thursday, March 13, 2014 2:09 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

In re: HB 77. For general permits, powers are too broad for "any activity." A given administration, now or later, could take this to an extreme if it so chose. We can only hope that that would not happen but we must consider that DNR lost a court case over holding permits back. General permit powers are especially troubling considering that "any activity" would not be noticed to the public.

Alaskans should not have to be "significantly adversely affected" before they can challenge decisions. This sets the bar too high, especially for individuals or small groups who simply do not have the money or other power to challenge the State government.

In re: water reservations, DNR should be required to consider and act on applications (which cost applicants their own money) and give a logical, non evasive reason for any refusal. DNR should be required to act on them within a reasonable length of time. Corporations, for example, should not get a higher priority than Alaskans in this regard.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

John Jensen
12900 Patrick Rd
Anchorage, AK 99516

Testimony to Alaska Senate Resources Committee on HB 77, as Amended 3/10/2014
from Judy Brakel, Box 94, Gustavus, Alaska 99826

Chair Cathy Giessel and Senate Resources Committee Members:

Having already lost the Coastal Zone Management program, a demise instigated by Gov. Parnell, Alaskans now face a remarkable power grab by the Administration in the form of HB 77. Our Alaska Constitution already made the Governor, hence the Administration, exceptionally powerful, so this bill would go far to consolidate power in the Administration. As someone testified yesterday, one sees the Third Worlding of Alaska.

I have studied the latest CS for HB 77. That's not easy to do, since the revised 25 page bill only became public on the night of March 10, less than three days ago. I attended a webinar on March 11 designed to explain the new version in which the presenter was unable to answer many of the questions we posed - not surprising given the short notice and the complexity of the bill and its implications.

Notably, parts of the bill, e.g. the General Permits, have been described by the Dept. of Natural Resources as applying to relatively minor matters such as siting of mooring bouys, but the actual language of the bill provide no sideboards; General Permits could just as well apply to millions of acres. The Commissioner of the Dept. of Natural Resources can issue a permit if he makes a finding that the use under the permit will not cause "significant or irreparable damage." That standard is not defined. Apparently if the Commissioner believes that the damage can be repaired 30 years from now, he can issue a permit.

Again re General Permits, a limited public comment process is provided before the issuance of a permit, but as activities proceed under the permit, it states that there will be no further public process and no administrative appeals. For administrative appeals a new high bar for "standing" is instituted: the appellant must be "substantially and adversely affected" and have participated in the earlier comment period. Only once is "substantially and adversely affected" defined: they must be directly affected by a decision "either by a physical or financial detriment to the person's interests." At the hearing someone asked whether impacts on subsistence uses would qualify, especially since economic evaluation of them is difficult.

I'll discuss Temporary Water Use permits later, but under both those and General Permits it can be difficult for citizens to foresee all the consequences of a permit. An example could be fracking and its effects on, say, water quality. But too late - people already had their one-and-only chance to have a say. The bill explicitly says that they cannot appeal the subsequent activities.

Temporary Water Permits can be issued for 5 years, and now in one of the revisions to HB 77, "the Commissioner may issue one or more new temporary water use authorizations for the same project." Incredibly, for both the initial issuance and succeeding Tempory Water permits, there is no requirement for public notice and no

requirement for a public comment period! I heard this but could not believe it. However, take a look at p. 24 of the bill.

Concerning Water Reservations, applications to keep water *in a river or other water body*, for fish or other public purposes, the bill does allow individuals, tribes, etc. can apply for these, but if granted the reservations will be held by the state. The Administration says this is to guard against hypothetical “frivolous” applications by outside organizations opposed to development projects. However, water reservation applications can hardly be frivolous, for “the applicant must have submitted not less than five years of nonproprietary public domain hydrologic data or hydrologic data collected by or for the applicant” (I think that’s an appropriate requirement). First-in-line applications will no longer have priority for consideration, a change, I believe, in state water law. These provisions would sound innocuous, but apparently are not, seeing that tribal organizations are so concerned, and remembering the recent application for water rights in the Chuitna by people worried about a proposed coal mine, an application that went unconsidered while the Administration instead took up the application of Pac-Rim Coal for that water.

Certainly there is value in making permits for some matters easier and more efficient. That can be done in the future, but please withdraw this bill that is so hastily being foisted upon us with false claims that its problems are fixed. In HB 77 we are faced with a huge power over-reach by the Administration at the expense of the people of Alaska, and at the expense of salmon and other resources.

Thank you,

Judy Brakel (a life-long Alaskan)
Box 94, Gustavus, Alaska 99826

From: Victoria Kotongan
Sent: Thursday, March 13, 2014 9:50 AM
To: Sen. Donny Olson
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Victoria Kotongan
Box. 246
Unalakleet, AK 99684

From: Elsa M Sebastian
Sent: Thursday, March 13, 2014 9:26 AM
To: Sen. Cathy Giessel
Subject: HB 77 Public Comment

Hello, I was not able to speak yesterday at the hearing. Please include my comments in the public record.

HB 77 should be discarded. There are too many issues with this bill that Alaskans are uncomfortable with, and if this bill passes it would demonstrate just how out of touch the legislature is with the needs and concerns of real Alaskans. I believe that barring Alaskans who are not "significantly adversely affected" from weighing in on permitting decisions is undemocratic. The Department of Natural Resources should recognize that the needs of Alaskans are not simply economic. I'm also upset that the DNR is not required to evaluate water reservation applications as they are filed. If an Alaskan, any Alaskan, takes the time and trouble to file for a water reservation, their application should be considered in the order in which it was received. Why should the DNR be allowed to prioritize some applications over others? Are there special interests at play? Are certain parties favored over others in these processes? No agency should be allowed to operate in this way.

Thank you for your time and consideration.

Elsa Sebastian
Lifelong Alaskan and Juneau resident

TESTIMONY OF COOK INLETKEEPER
BEFORE THE ALASKA SENATE RESOURCES COMMITTEE
ON HOUSE BILL 77
MARCH 12, 2014

Thank you for the opportunity to testify. My name is Bob Shavelson and I represent Cook Inletkeeper, an Alaskan organization focused on protecting clean water and healthy salmon habitat throughout the Cook Inlet watershed.

Others have made strong points why the revisions to HB 77 still leave gaping holes in Alaskans' ability to participate in meaningful ways in decisions affecting our public resources, so I'll just touch on three quick points.

First, section 1 remains overly broad, because it allows DNR to issue general permits for a whole host of activities across large geographic areas, and individual projects authorized by general permits do not get public notice. For example, the state could issue a general permit for log transfer facilities across all of Cook Inlet, and shellfish farmers and fishermen would never get notice when an actual project would impact their businesses. I have attached a list of other activities that could also be authorized under general permits. Without some reasonable sideboards, section 1 remains overly broad and cuts Alaskans from important resource decisions.

Second, section 42 renders the state's water reservation system meaningless, because it gives DNR unfettered discretion to ignore or refuse to process water reservation applications. Alaskans should have the right to ensure their state government will keep water in our salmon streams. A simple, reasonable fix would be to require DNR to process water reservation applications within a specific timeframe.

Finally, section 43 will allow the government to extend so-called "temporary" water uses indefinitely. These uses can consume significant volumes of water in local streams and lakes – impacting drinking water supplies and fish streams - and they do not get public notice.

From a public policy standpoint, it makes little sense to make it easier for an Outside corporation to take water from a salmon stream than it is for Alaskans to keep water in those streams to protect fish. HB 77 needs to keep some balance in our water management policies.

But taking a step back, it's important not to look at HB 77 in a vacuum. Over the past several years, we've seen a disturbing trend to cut Alaskans out of fish and game and water resource decisions, and to grant more and more power to state bureaucrats.

For example, we lost our Coastal Management Program, which was the best permitting efficiency tool we had, because it allowed agencies, project applicants and the general public to see information about a project in one place. But we tossed that away because it gave local Alaskans a voice in the decision making process.

Furthermore, there's no public notice for important permits – such as Title 16 permits for filling or impacting fish habitat. I've attached some statistics on how fast fish habitat permits get issued, because it's impossible at current staffing levels to protect habitat when the state is pushing through thousands of fish habitat permits a year. And the public never sees them.

Now, the state is moving to rollback still more opportunities for public participation around our state critical habitat areas, refuges and sanctuaries. I've enclosed an article that discusses those rollbacks.

HB 77 reinforces the trend to remove Alaskans from decisions that impact our fish and game and water resources. As the owners of these resources, Alaskans have a right to participate. Our democracy is not always a neat and clean process, but it's the best government have.

We have some of the last viable salmon runs in the world. But we're repeating the mistakes made in the Lower 48. I urge this Committee to take a hard look at Alaska's permitting system as a whole, and to work to put Alaskans back into their rightful role for natural resource decisions in HB 77.

Attachment A

DNR General Permitting Authorities Under HB 77(H)

While removing “notwithstanding any other provision of law” does not allow DNR to override permitting by other agencies, it still allows for any permits issued by DNR for particular activities to be made “general permits” with rote conditions and standards that are not tailored to the particular geographic area. That means no public process for individual activities, only an opportunity to comment on the rote conditions, and no ability to appeal any individual activity falling under a “general permit.” Permits that could be made “general permits” include but are not limited to:

- a. Land use permits for mining exploration activities;
- b. Millsite permits for use of the state's surface estate for a millsite, tailings disposal, or another use necessary for mineral development (up to mineral lease term of 55 years);
- c. Land use permits for explosives and explosive devices, except firearms;
- d. Land use permits for drilling to a depth in excess of 300 feet, including exploratory drilling or stratigraphic test wells on state land not under oil or gas lease;
- e. Land use permits for geophysical exploration for minerals subject to lease or an oil and gas exploration license;
- f. Land use permits for an activity on land subject to a mineral or land estate property interest if the parties cannot agree on what constitutes reasonable concurrent use;
- g. Permits for log storage and transfer facilities;
- h. Permits for oil well drilling sites and production facilities for the purposes of recovering minerals from adjacent land under lease;
- i. Prospecting permits for deposits of minerals on tide and submerged lands (up to ten years);
- j. Coal prospecting permits (up to three years with two three-year extensions);
- k. Placer mining applications (five year max).

Performance Details

Department of Fish and Game - Habitat

- Return to Departments
- Habitat website

Mission

Properly protect Alaska's valuable fish and wildlife resources and their habitats as Alaska's population and economy continue to expand.

Core Services

- Conduct pre-project field work, review applications, and issue Fish Habitat and Special Area permits for activities in fish bearing waters and legislatively designated Special Areas, conditioning permits to properly protect resources.
- Actively and timely participate in project reviews to ensure proper protection of important habitats.

Mission Results >>>	Core Services
<p>A: Properly protect Alaska's valuable fish and wildlife resources and their habitats during resource development activities. Details ></p>	<p>A1: Conduct pre-project field work, review applications, and issue Fish Habitat and Special Area permits for activities in fish bearing waters and legislatively designated Special Areas, conditioning permits to properly protect resources. Details ></p> <ul style="list-style-type: none"> • TARGET #1: 100% of resource developers meet agency requirements for protection of fish, wildlife, and their habitats. <p>A2: Actively and timely participate in project reviews to ensure proper protection of important habitats. Details ></p> <ul style="list-style-type: none"> • TARGET #1: Eight day average permit review timeframe for Fish Habitat permits and fifteen day average review timeframe for Special Area permits

Performance Detail

A: Result - Properly protect Alaska's valuable fish and wildlife resources and their habitats during resource development activities.

A1: Core Service - Conduct pre-project field work, review applications, and issue Fish Habitat and Special Area permits for activities in fish bearing waters and legislatively designated Special Areas, conditioning permits to properly protect resources.

Target #1: 100% of resource developers meet agency requirements for protection of fish, wildlife, and their habitats.

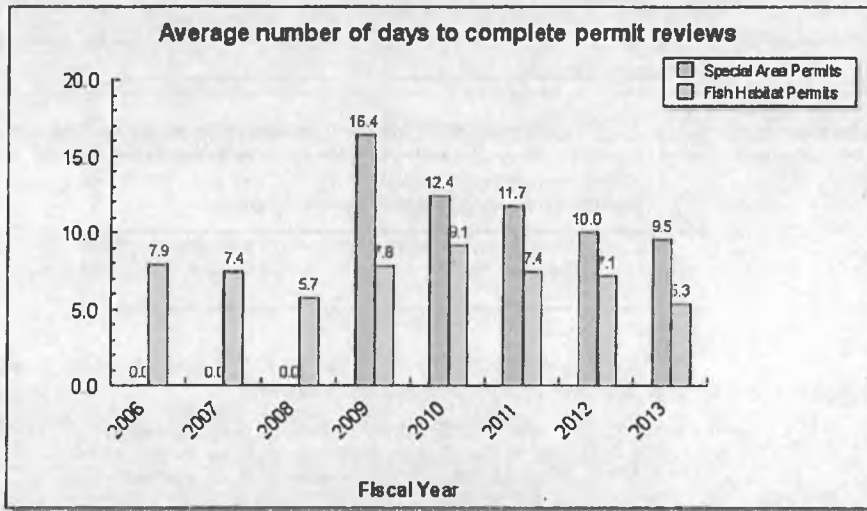


Methodology: Total numbers of permits in compliance compared to total number of permits.

Analysis of results and challenges: In FY2013, 99.78% of all developers were in compliance with Fish Habitat and Special Area permits (Note: Habitat assumed responsibility for Special Area permits in FY2009; prior years reflect Fish Habitat permits only). The above percentage reflects projects where permits have been successfully issued and the developer is in compliance with their approved permit conditions. This percentage is an indication of Habitat's success in protecting fish, wildlife, and their habitats, while allowing approvable development activities to proceed. The number of permit applications reviewed has remained high. Trend-wise, these data indicate that Division of Habitat continues to consistently achieve a high level of habitat protection simultaneous with a high level of permit activity.

A2: Core Service - Actively and timely participate in project reviews to ensure proper protection of important habitats.

Target #1: Eight day average permit review timeframe for Fish Habitat permits and fifteen day average review timeframe for Special Area permits



Methodology: Average permit review time, statewide.

Average number of days to complete permit reviews

Fiscal Year	Special Area Permits	Fish Habitat Permits
FY 2013	9.5 -5%	5.3 -25.35%
FY 2012	10.0 -14.53%	7.1 -4.05%
FY 2011	11.7 -5.65%	7.4 -18.68%
FY 2010	12.4 -24.39%	9.1 +16.67%
FY 2009	16.4 0%	7.8 +36.84%
FY 2008	0 0%	5.7 -22.97%
FY 2007	0 0%	7.4 -6.33%
FY 2006	0	7.9

Analysis of results and challenges: The Habitat Division quickly processes permit applications where average review timeframe continues to meet or exceed the target. This statistic indicates that permits are timely issued, and development activities are not delayed by our permit decision.

The Habitat Division moved back to ADF&G in FY2009 and assumed Special Area permitting responsibilities. The Habitat Division now has five fiscal year's data which shows that the average review time has decreased and is below our target benchmark.

ATTACHMENT C ADFG SPECIAL AREAS ROLLBACKS

The Battle of Dude Creek

By Alexandra Gutierrez, APRN - Juneau | October 25, 2013 - 10:30 pm
<http://www.alaskapublic.org/2013/10/25/the-battle-of-dude-creek/>

Morgan DeBoer walks out on the crane flats on a Sunday morning. A lifelong Gustavus resident, DeBoer is one of the public members on the Dude Creek planning team. (Alexandra Gutierrez/APRN)

Morgan DeBoer walks out on the crane flats on a Sunday morning. A lifelong Gustavus resident, DeBoer is one of the public members on the Dude Creek planning team. (Alexandra Gutierrez/APRN)

If you take a walk through the wetlands around Gustavus in the fall, it's hard to hear yourself over this noise of thousands of sandhill cranes. The Dude Creek Critical Habitat Area is an important resting place on their migration route. The rest of the year, the reserve doesn't look like much. It's a soggy parcel of land just outside of town. But it's special to the small community, which asked the state to protect the area 25 years ago.



Now, the cranes aren't the only thing causing a fuss at Dude Creek. The wetlands have become an unlikely battleground in a fight that could decide how millions of acres of sensitive land in the state are managed. APRN's Alexandra Gutierrez has this story.

In the same way that pet owners start to resemble their dogs, Hank Lentfer kind of looks like a sandhill crane. He's a bit gangly and angular, with sharp eyes. For most of his adult life, Lentfer has been in love with the bird population and its habitat in Gustavus.

"I first came here as a high school student with a biology class from Juneau," says Lentfer.

That was in 1983. Now, Lentfer lives in Gustavus year-round. He's a steward for the Nature Conservancy and has a spot on an advisory group for some state habitat in Gustavus. The team's job is to give input on how to manage the Dude Creek Critical Habitat Area to best protect the sandhill cranes that feed there during their migration.

Here's how the planning process is supposed to go: The Department of Fish and Game's Habitat Division sits down with stakeholders, and they go back and forth on what rules should apply to the land. Once division staff, state biologists, the Fish and Game commissioner, and — ideally — local residents are satisfied with what comes out of the meetings, the rules are then turned into state regulations.

Lentfer says it had been a collaborative process until this year.

"It was amazingly non-controversial," says Lentfer.

The Habitat Division issued their first draft in 2011, and it was pretty standard. In tone, and level of strictness, it didn't deviate much from the state's other management plans. The new version that was issued this May did. A lot.

"It was totally out of the blue," says Lentfer. "It was just — it just came in e-mail, saying 'This is it. This is the new draft,' radically different from the one that not only the planning team had signed off on, but all the members of the community that had been given a formal opportunity to comment. All those comments had been very thoughtfully summarized and included in that plan. And that's all been gutted."

Hank Lentfer represents the Nature Conservancy on the planning team. The conservation group had been planning to let the state manage their reserve in Gustavus, but that deal has been put into question by changes to the special areas planning process. (Alexandra Gutierrez/APRN)

Hank Lentfer represents the Nature Conservancy on the planning team. The conservation group had been planning to let the state manage their reserve in Gustavus, but that deal has been put into question by changes to the special areas planning process. (Alexandra Gutierrez/APRN)

The management plan had been cut in half and was covered in red edits. Whole sections on scientific research and local knowledge had been stripped. When it came to things like geological exploration or hazardous waste disposal, phrases like “will not allow” were replaced with “may allow.” Everything that was prohibited before could now be permitted on a case-by-case basis and without public notice.

Dude Creek is not desirable land for development. The ground beneath it is made of clay, and it’s hard to imagine any resource extraction or even building construction happening there. The most high stake issue the planning team had been dealing with was whether to allow four-wheelers. Alaska is full of controversial protected areas — Susitna Flats where there’s a nearby mining project, Kachemak Bay where there are jackup drill rigs, Bristol Bay where there are productive salmon streams. But Dude Creek’s just not one of them.

Lentfer says it felt like the state went from working with the community to working against it.

“It seems ironic that a plan developed in such strong collaboration with local people is being taken apart by the very state government that is trying to wiggle free from federal control.”

‘THERE’S A LOT OF RED INK’

To find out why these changes were made, I talked to Randy Bates, director of Fish and Game’s Habitat Division.

Bates has plenty of experience in land management issues. He spent more than a dozen years in the Department of Natural Resources working on coastal zone management, and he directed that program until it was dismantled. So it’s not a surprise to him now that this new plan from Habitat has put Gustavus residents on edge.

“There’s a lot of red ink in this draft, and I think it’s created a lot of public angst over what we’re doing,” says Bates.

Over the course of two hours, Bates walks me through the draft. During our conversation, he distances himself from the process.

“I didn’t have a hand in the redlining of this.”

Bates’ explanation for what happened is he gave staff his vision, and they went overboard. Still, there’s one principle he stands by when it comes to any sort of human activity.

“The idea is can we get to yes instead of can we justify no,” says Bates.

Bates says that because technology — and even the land itself — can change, he wants to move away from hard restrictions on land use that could block development decades from now. Instead of denying activity outright, he wants biologists to look at a permit application and ask:

“Is that oil and gas exploration activity or placer mining operation or gravel extraction operation, is that going to prohibit the use of that area by the cranes or the moose or the fish, the reason for its designation? If it is, Habitat’s first desire is to modify the project.”

The changes made to the Dude Creek plan aren’t just about Dude Creek. Habitat manages 32 special areas that stretch from the Bristol Bay region up to the Interior and then down to Southeast. That’s 3 million acres of land that the state set aside for ecological reasons. Only about half of the management plans for these areas have been completed.

Dude Creek happened to be the one that Habitat staff was working on when Bates called for a new approach to management. And he says that yes, some of this language is “precedent setting.”

The Dude Creek Critical Habitat Area covers 4,000 acres of land. (Alaska Department of Fish and Game)
“The concept of these changes was unfairly foisted upon Dude Creek. Dude Creek is ... I mean even talked to our regional sup[ervisor], and said, ‘What kind of activities do you expect to occur out there?’ ‘Randy, I don’t expect to see much in the next 20 years. There’s probably not a lot going on. We’re going to see four wheelers. We’re going to see tree stands or wildlife viewing platforms — that’s what we’re going to see.’ We’re not going to see oil and gas operations. We’re not going to see miners out there. So, the concept of these changes has really affected a really small-focused plan, and it’s really raised a stir. If we were to implement this on the Susitna Flats, or the Redoubt Bay, or Kachemak Bay, it would have been the same sort of blow up, but this is much ado about nothing in this plan in many ways. It affects these other plans to a much greater extent.”

Part of why Lentfer and other Gustavus residents are troubled by this new approach is that it’s coming at the same time the Parnell administration is making an aggressive push to reform permitting. One of the governor’s big priorities is a bill that sets a higher bar for appealing a permitting decision and makes it easier for the state to issue general permits that don’t need public notice. The idea is to shrink a permitting backlog while encouraging development. But conservation groups describe the policy as an effort to limit public involvement on management decisions.

Bates says Habitat’s new permitting strategy has nothing to do with that.

“We’re not changing the planning process to exclude the public and just notify them. We still have every intention to run the process the way it was, soliciting input, sitting down, understanding the concerns. We’re not cutting anybody out of this process.”

‘UPHEAVAL’ AT HABITAT

But internal Fish and Game documents obtained by APRN contradict that statement and show even more drastic changes ahead.

As of this month, work on all new management plans, including Dude Creek, has been put on hold. Instead, Habitat has been directed to revise all completed management plans in the Dude Creek style. Rather than go through the old process — which involved public scoping meetings, collaborative interagency planning teams, and a series of comment periods — Habitat will put multiple plans into one big regulatory review packet that will go out for comment once a year.

According to an e-mail Bates sent to the division, staff cannot discuss the management changes with the public without getting his approval. Even when talking with other Fish and Game workers, they are required to report that communication and there are restrictions on what they can say. Sources within the department characterize it as a “gag order.”

The documents also show internal strife within the division. During a meeting this summer, Bates talks about staff “upheaval” and how things have gotten “relatively out of control” with the special areas planning process. During that same meeting, a staff member notes that the overhaul to the management plan process doesn’t just cut out public input — it overrides language agreed to by state biologists.

During a May meeting, a regional supervisor asks if the new planning approach is putting federal funding for two staff positions at risk, since they aren’t fully complying with requirements about public and agency engagement. That concern was again addressed during an October 22 meeting:

Mike [Daigneault, Anchorage regional supervisor] asked Randy [Bates] about funding issue, noting that the State Wildlife Grant (SWG) funding for special areas planning has specific restrictions and cannot be used to pay for the development of State regulations ... He noted that SWG funding had never been used to pay for staff time devoted to adopting plans into regulation, only the collaborative inter-agency development of those plans.

Randy requested that Mike send him the SWG requirements, stating that "it may just be a creative writing exercise where we have to justify how what we're doing now will improve communications with federal agencies down the road" ...

Mike stated: "to be completely honest, Randy, given the fact that we'd be the ones charging our time, I'd have an ethical problem with that."

Randy stated: "if I decide to go forward with it, then that's my issue, but if you choose not to do the work, then that's an issue you and I will have to deal with."

In e-mails, staff question the direction to mark any document that isn't explicitly public as "privileged and confidential," which means someone would have to sue to get them released. (While APRN originally filed a public records request in an effort to obtain these documents, they were ultimately submitted by a source within the Department. APRN was told that the fee would exceed \$2,000 and that many of the requested files would either be redacted or denied because of attorney-client privilege.)

Fish and Game Commissioner Cora Campbell says the friction between Habitat staff and its leadership may be due to an internal misunderstanding of the new policies. The changes are in response to an order from the governor to make regulations more efficient, and that there's no attempt to limit public involvement. She says the move away from prohibitions is meant to give more discretion to state biologists.

"When you have special area plans that are not flexible at all, that can become problematic," says Campbell. "There is nothing deeper than that here. This is not anything sinister."

With no connection to the road system, no DMV office, and no law enforcement presence, many of the vehicles in Gustavus lack license plates. But some do have bumper stickers. (Alexandra Gutierrez/APRN)

With no connection to the road system, no DMV office, and no law enforcement presence, many of the vehicles in Gustavus lack license plates. But some do have bumper stickers. (Alexandra Gutierrez/APRN)

'YOU WANT TO DETERMINE YOUR OWN DESTINY'

It's hard to think of Dude Creek as some politically fraught place when you're actually standing in the crane flats. I'm with Morgan DeBoer, who represented the City of Gustavus on the planning team.

DeBoer helped work through some of the original questions on snow machines and hunting accessibility. He jokes that their original plan wasn't terribly strict, even with the cranes themselves.

"You can still shoot them over there," says DeBoer. "It's just their habitat we're protecting."

DeBoer's got more of a claim on the land than most. In the history of Gustavus, only a couple of families tried to homestead in those meadows, and they didn't have any success.

"The first party back in the '30s was an aunt of mine, and her nickname was 'Dude,'" says DeBoer. "That's why it was called Dude Creek."

DeBoer's kind of a dude himself. He comes from a line of prospectors, and he makes his living by operating a sawmill, a few cabins, and a nine-hole golf course that is fertilized with goose droppings.

While we're out on the crane flats, we talk about the planning process. The changes make him nervous. DeBoer's not worried about the near-term, because the land is so inhospitable to development. There haven't been many user conflicts over the years, even without a formal management plan in place.

"But if there isn't one and it's not a real solid one with good teeth to it, you're opened up to problems down the line is the way I see it," says DeBoer.

Plus, he thinks it's important for locals to shape whatever document comes out, since they're the ones who have to live with the outcome.

As he's telling me about the crane flats, I realize DeBoer's kind of a funny advocate for them. The sort of things his ancestors did — homesteading, mining for gold — are exactly the kinds of activity that would be prohibited with a stricter management approach.

But at the same time, DeBoer's position makes sense. His family ended up settling in Alaska to establish a life under their own rules.

"Yeah, you want to determine your own destiny," says DeBoer. "You bet."

(Alexandra Gutierrez/APRN)

Signs of state presence are minimal at Dude Creek. (Alexandra Gutierrez/APRN)

We finish talking and spend a few minutes listening to the wind. When we leave the flats, I nearly trip on something that's covered in grass. It turns out to be a small sign that reads "Dude Creek Critical Habitat Area" — the only indicator you're anywhere special.

"It needs some trimming," says DeBoer as he starts clearing the weeds. "I hope this isn't symbolic like I'm cleaning the headstone in the cemetery, and this is the cemetery."

After he finishes, DeBoer smiles. He's not ready to go into mourning yet. He thinks — he hopes — this habitat should be around for a long time. He would just like a guarantee on that.

From: Nick Cassara

Sent: Wednesday, March 12, 2014 3:07 PM

To: Sen. Cathy Giessel

Subject: Please Vote HB 77 Down!

Hello Senator Giessel,

Why are we trying to fix something that is not broken? HB 77 was dreamed up to limit Alaskan citizens participation in their government. This administration does not seem to want to deal with the people of Alaska. Remove public participation from water rights, and allow industry unfettered access to our resources.

Whatever happened to the OWNER STATE?

Walter Hickel would be very upset with this administration, if he was still with us! Please do not let the right of all Alaskans be deluded by HB 77!

Thank you for your help protecting the rights of the people who live in this state!

Sincerely yours,

Nick Cassara

2895 N Robin Lane

Palmer, Alaska 99645

PS Please share my comments with your fellow committee members!

From: **Robert Claus** <rclaus@aptalaska.net>

Date: Wednesday, March 12, 2014

Subject: HB77

To: senator.cathy.giessel@akleg.gov

Cc: Jonathan Kreiss-Tomkins <jonathan.s.kt@gmail.com>, Senator.Bert.Stedman@akleg.gov

Please include this in the public record and distribute to committee members.

I am opposed to HB 77 in its entirety. The public process that has successfully protected the land, waters, and animals of Alaska for decades has been under attack. The one-time consumptive use of resources for the immediate profit of large, mostly non-Alaskan entities has been placed above sustainable use for Alaskans.

HB 77 is a legislative effort to keep Alaskan citizens out of the permitting process, and is counter to the best ideas of our Constitution: joint ownership of the resources of the state, encouragement of citizen participation in governmental process, and transparency of governmental action.

Please do not let this bad bill out of your committee.

Bob Claus

PO Box 986, Craig, AK 99921

(907) 401-0270

rclaus@aptalaska.net

From: Alyson Stogsdill

Sent: Wednesday, March 12, 2014 5:23 PM

To: Sen. Cathy Giessel

Subject: HB77

Senator Giessel, Bill Warren, Nikiski asked me to email you with his opposition of HB77. His contact information is bwarren99611@gmail.com and his phone is 776-8551.

Also of the participants at the Kenai LIO for the hearing on 31314, 14 people were against HB77 and 1 person was in favor.

Thank you.

Alyson Stogsdill

Kenai Legislative Information Officer

907-283-2030

1-855-583-2030 toll free

Click [HERE](#) to visit the Alaska State Legislature Website

Click [HERE](#) to watch live streaming of the Alaska State Legislature

Click [HERE](#) to send your legislator a Public Opinion Message during session

From: Bob McCard

Sent: Wednesday, March 12, 2014 2:56 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Natural Resource committee members"

Dear Senator Giessel:

Please include this in public record and distribute to Natural Resource committee members"

HB 77 does a disservice to Alaskans:

By NOT allowing them to question the actions of government

By limiting public meetings and public input.

By giving too much power to the Commissioner of Natural Resources

By taking laws off the books that safeguard the environment and fisheries

Thank you.

Bob McCard

Kasilof, AK, 99610

From: Merrill Lake

Sent: Wednesday, March 12, 2014 2:53 PM

To: Sen. Cathy Giessel

Cc: kylee@akcenter.org

Subject: Please include this in public record and distribute to Resource committee members

Please include this in public record and distribute to Resource committee members

There are many Alaskans among the crowd following House Bill 77 that are the "Result" of the lands you threaten to compromise and we will continue to fight to protect our rights to speak on behalf of Mother Nature. Despite your adjustments you will not be able to present this bill to which the public would accept. We understand that you are trying to build the Alaskan Economy, but with this bill the overall risk and damage is far too unpredictable. The value of our Last Frontier is far too great to make attempts to quicken the permitting process. So far there have been over 30 resolutions from tribal leaders who best directly represent the public that subsist and survive because of these lands. Our state representatives are set into place because we believe you will do what best represents us. You have seen and heard the testimonies about this bill, now please do what is right by the public voice and remove this bill for the sake of our future generations.

Merrill Lake

Chevak, AK

From: Familie Veh

Sent: Wednesday, March 12, 2014 5:22 PM

To: Sen. Cathy Giessel; Sen. Cathy Giessel; Sen. Peter Micciche

Subject: Testimony

Senator Giessel & Senator Micciche;

This is Kate Veh from Soldotna. I am disappointed that I was unable to testify today in opposition to House Bill 77. Please re-open the testimony on this important bill. I am sending you my written testimony here.

Thank you for taking my testimony!

The revised HB 77 bill issues too much power to the DNR Commissioner.

It makes it difficult for Alaskans to challenge DNR decisions.

The language about irreparable harm is ambiguous.

The bill was released for public viewing only 2 days ago.

My questions to you are:

1. Due to the increase in power granted to one person, will you write into the bill a mandate that the DNR Commissioner is to be elected directly by Alaskans?
2. Are you aware that keeping Alaskans out of the decision-making process is a direct violation to our US Constitution

If the answers to the 2 above questions are "no", then I'd recommend terminating this bill.

Thank you for reading though my testimony!

Sincerely,

Kate Veh

Soldotna, AK

Paul Frost
P.O. Box 229
Togiak, Alaska 99678
907-727-5265 cell

Re: House Bill 77

Hello, my name is Paul Frost, a first Nations, Yupik alloidal title land owner, from Togiak, Alaska who is thankful to the Senate Resource Committee, to speak AGAINST HB 77, Land Use and Water Rights.

I come before this committee representing myself and family under Common Law. I strongly object to Alaska's corporate citizen, Governor Pharisee Parnell, who works for Big Oil and Mining before, during and after his political "service" to the State of Alaska. My hope is that there are Statesmen who are elected Representatives, that will vote against House Bill 77.

I strongly oppose HB 77. There will come a time, and is already here in my opinion, where clean drinking water is more valuable than all the oil, gas and minerals to be mined here in Alaska. Late Governor Wally Hickel was ahead of his time in wanting to build a water pipeline to the lower 48. With all the fracking and reckless development going on in the contiguous United States, they will need clean water. Thank you for considering my testimony and I urge all to VOTE AGAINST HB 77. Thank you very much.

Very Truly Yours,

Paul Frost

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

From: Carol Tyler

Sent: Wednesday, March 12, 2014 3:09 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Carol Tyler

Box 521362-1880 Smyth Dr

Big Lake, AK 99652

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

From: Brian Fay

Sent: Wednesday, March 12, 2014 3:09 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I am writing in opposition to HB77. The changes presented on Monday don't change the fact that this is a bad bill. I have lived in Alaska since 1961 and am confident that this legislation does nothing to help Alaskans and is very detrimental to public process.

Sincerely,

Brian Fay

Brian Fay

17135 Santa Maria

Chugiak, AK 99577

From: Keith Nyitray

Sent: Wednesday, March 12, 2014 2:58 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

As Legislators you are supposed to represent the public and insure that our voices are heard and that we can participate in the public process! It's not without reason that this bill is known as the "Silencing Alaskans Act."

Shame on any Senator who votes for this!

Sincerely;

Keith Nyitray

PO Box 6531

Sitka, AK 99835

From: Sara Jackinsky

Sent: Wednesday, March 12, 2014 2:54 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

This bill does not address my concerns including expanded DNR powers, eroding Alaskans rights to appeal DNR decisions and gutting the public's right to reserve water in streams for fish and other public uses.

The process to create and amend this bill was done in secret, closed-door meetings. Any legislation and especially legislation of this magnitude must be open to the public.

I urge you to oppose this proposed legislation.

Thank you.

Sara Jackinsky

Sara Jackinsky

PO Box 1044

Homer, AK 99603

From: Hannah Ragland

Sent: Wednesday, March 12, 2014 3:02 PM

To: Sen. Cathy Giessel

Cc: Sen. Fred Dyson; Sen. Peter Micciche; Sen. Lesil McGuire; Sen. Anna Fairclough; Sen. Hollis French; Sen. Click Bishop

Subject: vote no on HB 77

Senator Giessel-

I am writing to express my opposition to HB 77, and request that the bill is not passed through the Senate Resource Committee. Please include my comments in the public record for the bill.

Members of the public, and the legislature, need a chance to better understand the changes proposed Monday when (or if) the bill is heard or reintroduced in the next legislative session. While a few sections of the bill seem benign, there are many sections, including those on general permits, water reservations, and restrictions on who can appeal an agency decision must be scrapped. Also, it is unclear how many of the changes would effect land use that is already occurring (i.e. municipal entitlements that have been requested but the borough has not received title to). While DNR insists that this bill is necessary to streamline permitting, there can be no argument that this bill streamlines the permit process largely through removing or restricting public process. Keeping HB 77 from passing through your committee is critical, and will ensure that the checks and balances of public input are included at this stage in Juneau.

There are many reasons I do not support HB 77, but I will focus on the proposal to use general permits to grant land use activities across broad regions. This is unacceptable because it would erase any opportunity for public review and appeal of site-specific land use permits. I live on the Stampede Road outside Healy. For many reasons, I have an interest in land use along the Stampede Trail corridor, including the fact that my husband works on the Stampede Trail as a dog mushing guide in the winter, a job dependent on having safe access and scenic routes. Several years ago, a company based out of Colorado applied for a permit to install an ecological monitoring site south of Stampede Road. When we first heard of the land use application, we were told that an elevated boardwalk (several feet tall) would be installed from the road to the site, crossing an RS 2477 trail that we use with dog teams in the winter. The designs were largely copied from ecological monitoring sites in the lower-48 that simply would not have worked here.

Had local residents not had a chance to comment on the permit, the company proposing the site would have built an elevated boardwalk that would have either made the RS2477 trail inaccessible, or a hazard to cross under (or over). Besides the boardwalk, there were many other parts of the land use permit and cross country authorization that simply did not fit. Without a site specific permitting process, there would have been no opportunity for local residents to work with both the state and the company to design site access and a site that did not interfere with public use of the trails. The company was grateful that local residents could provide them with information about how to make things work better and with fewer conflicts, and the state employees we worked with were grateful that we could provide constructive comments. Since the permit was approved I have shared photos of snow conditions and GPS points of the trail with the company to help them with planning, and hosted meetings so residents and tour operators know when construction activities are going to happen. The process worked well, and should not be changed. Pushing land use permits broad regional permits will increase conflicts between the public and the state about land uses because the public will be left out of the process and will inevitably see more conflicts on the ground.

Because a revised version of HB 77 was not shared until Monday's hearing, public process of this bill in Juneau has been restricted. In the same way, if HB 77 were to pass as it has been proposed, it would stymie public involvement in DNR's decision-making process. Please keep checks and balances in place by keeping the public in the process for state decisions on public resources, and vote no on forwarding HB 77.

Hannah Ragland

Healy, AK



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the Resources Committee
 Committee on HB 77 Committee Name
Bill / Subject Dated 3/12/14

This bill silences and limits the input of Alaskans in the permitting process. The reason given for this bill is the 2,600 backlog of pending applications.

By streamlining the permitting process you are ~~are~~ short cutting & short circuiting the voice of Alaskans & limits public participation. Maybe the DNR needs to hire more staff. This substantially and adversely affects All Alaskans.

SIGNED: Sharon C. Alden

Testifier

Self

Representing

159 Kniffon Rd Ebes, AK 99712
 Address / Phone Number

Please Send a copy to Sen. Giessel
 and Sen. Bishop

To Senator Bishop & Senator Giesel



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the Resources Committee

Committee on HB 7.7 Committee Name
Dated 3.12.14 Dated

Bill / Subject

I was appalled by the late revisions which we received Monday 3.10. We have had no time to consider the revisions. Now we have only 1 1/2 hours to offer our testimony. It seems that democracy is being steamrolled by expediency - for both the Committee and the extractive industries which stand to gain by this bill. Three problems:

- The revisions transfer vast powers to DNR to issue general permits for "any activity" without public notice or hearing. DNR could override its own laws. This violates our constitution. Resources are owned by US.
- Unclear terms need to be defined: "significant and irreparable harm" must be ~~be~~ clarified to make it EASIER for Alaskan citizens to challenge permitting. Also "substantially and adversely affected" needs clarification. Otherwise, here comes the lawsuit, here comes endless litigation.
- Water Reservations - There have been reservations awaiting action for a long time. They must be grandfathered in

SIGNED:

Testifier

Jeffrey A. Merkel
self

Representing

246 Crest Dr., Fairbanks 99712
Address / Phone Number

March 12, 2014

Testimony given by Mary J. Toutonghi on HB 77

I would like to begin with a quote from Byron Mallott a candidate for governor of the state of Alaska in 2014 in the Juneau paper on March 9, 2014.

HB 77 is just the latest effort to silence Alaskans.....I trust an informed Alaska public to help make decisions that benefit us all, that provide for jobs, economic opportunities and healthy communities. The first questions asked of any development should be how will the public benefit and how does that benefit weigh against any public harm?.....Alaskans deserve a real conversation about striking the right balance – we shouldn't destroy one resource to develop another or trade short-term gain for long term success.

It is my personal feeling as a concerned citizen of Alaska that HB77 denies me and the other citizens of Alaska a continuing input that would cause loss of long term stable benefit for a short term fix. By requiring stringent reductions of public input for issues such as fish habitat and other water related rights this bill violates the intent of Alaska's constitution.

From: Ken Winterberger
Sent: Wednesday, March 12, 2014 7:51 PM
To: Sen. Cathy Giessel
Subject: I strongly oppose HB 77 and I know that many more Alaskans feel the same! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am very disappointed that the public testimony held today for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

Indeed, there have been attempts to fix this bad bill. The recent proposed amendments to HB 77 do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that the Senate will hold more public hearings to allow Alaskans to provide input on this very important bill.

Sincerely,

Ken Winterberger
3000 Capstan Drive
Anchorage, AK 99516

From: Kirk Johnson

Date: March 12, 2014 at 9:21:23 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Reply-To: <kirkjohnsondds@me.com>

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Kirk Johnson
16040 Old Seward Highway
Anchorage, AK 99516

From:

Date: March 12, 2014 at 9:25:03 PM AKDT

To: <senator.cathy.giessel@akleg.gov>

Subject: HB 77

Ms Giessel, this bill needs to be placed into the Hiland Road land fill. It places natural resource management into the hands of a few, and contradicts the Alaska constitution and its intent. Its intent is not for the best interest of 'all Alaskans.' Robert Gieringer

From: Gary Dailey

Sent: Wednesday, March 12, 2014 7:54 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Just because you can line your pockets with corporation money, doesn't mean you have the right to do so in the faces of all alaskans. You don't have to be an industry shill, stand up for what's right, not what will benefit your reelection campaign fund.

Gary Dailey
50306 Island Lake Road
Kenai, AK 99611

From: Thomas E. Meacham

Sent: Wednesday, March 12, 2014 7:58 PM

To: Sen. Cathy Giessel

Cc: Sen. Hollis French; Sen. Anna Fairclough; Sen. Peter Micciche; Sen. Fred Dyson; Sen. Click Bishop; Sen. Lesil McGuire

Subject: Re: Testimony on 2d SCS CSHB77 (RES)

Dear Chair Geissel and Members of the Senate Resources Committee:

I appreciate the fact that you held a hearing this afternoon to take testimony regarding the revised HB 77.

However, I do not appreciate that the total hearing time was so limited, and the picking of LIO sites to testify so random, that only four (by my count) of the 55 people in attendance at the Anchorage LIO were able to testify before the hearing closed.

I assume it was not by design, but the Anchorage LIO's turn to testify seemed to come up only every other round, while other LIO locations seemed to be called on more frequently. However, these other locations may also feel that with the number of people waiting to testify at each location being from 10 to 20 persons or more, their own turns came up too infrequently.

In any event, by a show of hands there appeared to be from 30 to 35 people in the Anchorage LIO who wanted to testify regarding HB 47 and its amendments, but although they waited patiently, it was clear that the Chair would never get to them.

For the record, while I have submitted written comments to your Committee regarding only the instream-flow reservation provisions of HB 77, I do strongly oppose the bill as a whole, and I urge that it not make it out of your Committee.

I believe that the ordinary Alaskans, who collectively own Alaska's natural resources, have had entirely enough with the Department of Natural Resources' attempts to "streamline" them out of the public policy decisions regarding these resources.

With best wishes,

Tom Meacham

Anchorage

From: Craig Cederberg

Date: March 13, 2014 at 2:39:51 AM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. The fact that this was even proposed is insulting. In an effort to streamline and speed up a typically long drawn out government process to effect a change, the people involved and /or effected are excluded to a point that it is unAmerican. I can almost rationalize it being illegal. It is never acceptable for the government to (local, state or federal) to exclude the citizens input, appeal and/or over sight of a preposed project/legislation, how our resources are to be used or saved. The fact this was crafted behind closed doors makes this even more suspicious. I do not want to expand the powers of the DNR or ADF&G to a point that they are out of reach of supervision, accountability and/or beyond appeal. All Alaskans have a right to utilize our resources and to have an input or voice in how we utilize them.

Craig Cederberg

Craig Cederberg

3833 Image Dr

Anchorage, AK 99504

March 12, 2014

TO: Senator Cathy Giessel

FROM: Terri Zopf-Schoessler

SUBJECT: HB77 PLEASE SHARE WITH COMMITTEE

I am a 31-year resident of Soldotna, Alaska. Proposed HB77 is a cynical attempt to circumvent the public input process in favor of large-scale corporate interests. While public testimony is, by its nature, time-consuming, the impact of issuing permits and developing Alaska's natural resources requires this check-and-balance system. HB77 relegates those personally impacted by the effects of corporate development to silent, second-class citizenship, centralizes power in the hands of a few non-elected individuals, and allows a shameless end-run around the democratic process. While it is wonderfully ironic that a bill which seeks to limit public testimony has been put forth in a manner that limits public input, Alaskans deserve to be heard. Respectfully, the only answer is to kill this bill.

Kenaitze Indian Tribe
P. O. Box 988
Kenai, Alaska 99611

Resolution No. 2013-32

RESOLUTION OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUES AND ELIMINATING WATER RESERVATIONS

Whereas, Kenaitze Indian Tribe is a federally recognized Tribal Government to the Tribal citizens and has a responsibility to provide a government to protect the good health and welfare of its Tribal citizens, and address any needs in its community; and,

Whereas, the Kenaitze Indian Tribe is qualified to exercise powers of self-government by reason of its original Tribal sovereignty as passed down from its ancestors since time immemorial; and nothing in this resolution shall be in conflict therewith;

Whereas, the Kenaitze Indian Tribe is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and,

Whereas, the Kenaitze Indian Tribe has a responsibility to steward the land, water, and other natural resources to maintain a cultural subsistence way of life for future generations; and,

Whereas, Alaska Native peoples depend on abundant salmon runs in healthy rivers for food security in subsistence lifestyles and also for Tribal identity; and,

Whereas, the Parnell administration is promoting legislation, House Bill 77 (H.B. 77) that amends Alaska's state permitting laws and rules changing how the state's commonly held resources will be managed; and,

Whereas, sixteen Tribes have invested millions of dollars to substantiate applications for in-stream flow rights, and are appropriators of the rights for those water reservations; and,

Whereas, H.B. 77 would eliminate the rights of Alaska Native peoples to apply for in-stream flow rights and rescind all existing in-stream flow water rights applications submitted by Tribes; and,

Whereas, H.B. 77 ignores Tribal sovereignty rights by eliminating the process for Alaska's Federally-recognized Tribal Governments to acquires water reservations to protect productive salmon streams, while local governments (borough and municipalities) will continue to be able to apply for water reservations under the new law; and,

Whereas, H.B. 77 gives DNR the authority to issue an endless series of temporary water use permits for a single project, without opportunity for public review or vetting; and,

Whereas, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

Whereas, H.B. 77 makes it more difficult for Alaska Native peoples to access the judicial process and prevents Alaska Native peoples from having their day in court; and,

Therefore, **Be It Further Resolved**, the Kenaitze Indian Tribe opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native people's ability to participate in collaborative resource management, creates legal loopholes to remove guaranteed points of public oversight, and establishes significant barriers to access the judicial process.

Certification:

We the undersigned officers and members of the council for the Kenaitze Indian Tribe hereby certify that the Council which is made up of 7 members, of whom 4 constitutes a quorum, were present at the meeting held October 31, 2013, that this Resolution has passed by the affirmative vote of 7 members and that this Resolution has not been rescinded or amended in any way.

Mary Ann Mills

Mary Ann Mills, Tribal Chairperson
Kenaitze Indian Tribe

11-1-13

Date

Susan Wells

Susan Wells, Tribal Secretary
Kenaitze Indian Tribe

11-1-13

Date

KENAI LEGISLATIVE INFORMATION OFFICE

Email: Kenai_LIO@akleg.gov

Phone: 907-283-2030 / Fax: 907-283-3075

WRITTEN TESTIMONY

NAME: Kate Vek, Soldotna
REPRESENTING: Myself
BILL # or SUBJECT: HB 77
COMMITTEE: Resources DATE: 3-12-14

Thank you for taking my testimony!
The revised HB 77 bill issues too much power to the DNR Commissioner.
It makes it difficult for Alaskans to challenge DNR decisions.
The language about irreparable harm is ambiguous.
The bill was released for public viewing only 2 days ago.
My questions to you ^{are} ~~is~~: ~~Are~~ Will you write into the bill a mandate that the DNR Commissioner is elected by Alaskans?
Also - Are you aware that keeping Alaskans out of the decision-making process is a direct violation to our US Constitutional rights (and thus a potential lawsuit)?
If the answer to the 2 above questions is No, then I'd recommend terminating this bill.

Thank you!

Good Afternoon,

Robert Ruffner – Executive Director; Kenai Watershed Forum – 44129 Sterling Hwy., Soldotna AK. 99669.

The Kenai Watershed Forum is a non-profit organization whose mission is: Working Together for Healthy Watersheds on the Kenai Peninsula . We accomplish this mission through three major programs: Education, Research and Restoration. We have worked extensively with the resource agencies since our incorporation in 1997. The organization has had annual budgets over \$3M, much of which has been invested in stream restoration. The restoration projects we engage in are mostly focused on culverts and fish passage, but we have also tackled much more complex restoration efforts, in one case requiring diverting the entire Anchor River for nearly a quarter of a mile. The Anchor is a very popular, medium size river and our work required the diversion completely out of its channel on ADNR land, so we are very familiar with multi-jurisdiction permitting requirements and have a stellar relationship with the on-the-ground staff that oversee these permits.

We have followed this bill closely since it was first brought to our attention by Senator Micciche and we applaud the efforts to gather more input and address the concerns that have been brought back to the Senate Resources Committee. I will focus my comments on one subsection of the CS version of the bill that negates much of what I would otherwise consider positive steps to address our organization's concern. Section 42(H) on page 23 line 18. This subsection consolidates discretionary authority in a Commissioner with no transparency or certainty of fair consideration. The work to collect data in support of an instream flow reservation is not trivial, in the easiest roadside conditions we cannot do this for less than \$10k/yr. As our board of directors considers investments we make in our research program, we ask for the same consideration any other corporation would get in terms of transparency and certainty of fair consideration for our investment.

We don't think every water right should be granted, nor do we think every water reservation should be granted, but both should have a process that includes fair consideration with a clear and transparent pathway to a decision. For-Profit entities must consider the risks associated with preparing a request for a water right and they need guidance to help them evaluate the risks and take actions to minimize the risk of denial. 42(H) is so arbitrary it is impossible for someone considering an investment to reserve a percentage of water for fish to evaluate the risks or take action to minimize those risks of having a reservation denied. This section seeks to eliminate anyone other than the commissioner from issuing a binding decision without any responsibility or accountable to the applicant. I would strongly assert this newly inserted subsection is bad policy. We would be happy to work on offering substitute language, given the opportunity – but as is, we ask for this new subsection to be eliminated in its entirety.

From: David Zimmer

Sent: Wednesday, March 12, 2014 4:32 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. This bill removes me from the democratic process. HB77 was created in secret, not in a meeting open to the public. This bill allows DNR to secretly approve projects without giving the public notice and an opportunity to participate in the decision making allowing it. HB77 removes my right to appeal a badly made DNR decision unless I can prove that I have been adversely affected. This is about management of public land, and I am the public. HB77 also threatens our ability to provide enough water in streams for fish. I oppose HB77.

David Zimmer

7155 E Shorewood Dr

Palmer, AK 99645

From: Richard Harness

Sent: Wednesday, March 12, 2014 4:16 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Richard Harness

Old Sterling Hyway

Anchor Point, AK 99556

From: Hillary Hafner [mailto:hafnerhillary@gmail.com]

Sent: Wednesday, March 12, 2014 6:41 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record

Dear Legislation,

My name is Hillary Hafner. I moved to Anchorage some years ago from New Orleans, Louisiana to attend college. Alaska was my state of choice because of its pristine environment and the mentality of people that live in this state. I have heard time and time again that it is a certain "breed" of people that lives in Alaska. A hardy, intelligent, and proud people.

I think that House Bill 77 is offensive to Alaskan residents because it threatens to revoke the ability for residents to maintain the environment that they have so proudly stewarded over the last few decades - even longer for tribes that have been here prior to this land becoming a state of America.

The incorporation of House Bill 77 into Alaska's legislation is a modern example of White men and women extinguishing the livelihood of Native peoples - only this time it is with ambiguous phrases and sly political tactics rather than with guns and horses - for the sake of riches and energy sources.

The example set by America's lower 48 states is not a positive one to follow. The management of resources all over America is flawed. There are countless examples: Appalachian mountain top mining, Utah oil sands, and the one I am most familiar with: oil in the Gulf of Mexico. Besides the BP disaster that occurred in 2010, the harvesting of oil in the Gulf of Mexico (AND Valdez, AK) is a hazardous process. The oil transported to Texas and Louisiana for refining heavily impacts the fenceline communities, causing asthma and brain damage in children, as well as cancer in adults. The harvesting of natural resources along the coast has also been shown to erode the wetlands and set up New Orleans for disaster with each hurricane season.

Natural resources belong moreso to the earth than they do to the people living on it. They are resources not only for us, but also for the earth itself. It needs these resources to function more than large corporations need these resources to make billions of dollars. Coal and oil are driving elements that are

extracted from the insides of the Earth. The extent at which this is happening around the world is outrageous. Alaska is known as the last frontier and is valued among the majority of American citizens for its natural beauty - not for its natural resources.

Please do not expect Alaskan residents to sit idly by as the DNR and the state legislation tries to rape Alaska's environment for its resources and the people for their health in order to gain money and power in foreign exchange. As years pass and new generations grow up and become increasingly educated, we are discovering the flaws in our government and its inability to actually care for the people it governs.

Unlike Louisiana, Alaska is not a lost cause because it is still a young state with relatively new legislative policies. Please give Alaskan as well as American citizens a sliver of faith in their government and do not vote "Yes" for House Bill 77.

Thank you,

A sincerely concerned citizen.

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

From: Kevin Degler

Sent: Wednesday, March 12, 2014 5:18 PM

To: Sen. Cathy Giessel

Subject: Kill HB77 now.

Hello,

I stand opposed to any version of HB77 presented to date. It looks like Alaska is for sale to the developers and campaign contributors.

To tell the public that the government will do the right thing is getting to be a joke.

Please oppose HB77. It does not properly serve the owners of the resource.

Thank you

Kevin Degler

Kevin Degler

Orca Place

Anchorage/Beluga, AK 99501

HB 77 Opposition Documents Index Group #5
Passed Out to Committee Members on 3/13/14

1. Debra Ylijoki –March 12, 2014
2. Katherine Rowell –March 12, 2014
3. Rebecca Noblin –March 12, 2014
4. Michelle Kaelke –March 13, 2014
5. Kathrin McCarthy –March 13, 2014
6. Andrew Malavansky –March 13, 2014
7. Gregory Jurisich –March 13, 2014
8. Victoria Kotongan –March 13, 2014
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40. Mike Crawford –March 13, 2014
41. Thomas Mader –March 13, 2014
42. Nanci Morris Lyon, Alaska Sportsman’s Bear Trail Lodge –March 12, 2014
43. Klawock Cooperative Association, Tribe Resolution –March 11, 2014
44. Mike and Cathy McCarthy –March 13, 2014

From: debra

Sent: Wednesday, March 12, 2014 6:38 PM

To: Sen. Cathy Giessel

Subject: PLEASE INCLUDE THIS IN PUBLIC RECORD AND DISTRIBUTE TO COMMITTEE MEMBERS

Dear Senator Giessel and fellow Alaskan Representatives,

Alaskans have spoke up today in strong opposition to HB77. I also STRONGLY OPPOSE HB77.

HB 77 is a vile bill that takes away Alaskan citizens' democratic voice in our state's natural resource use and permitting process. Not only will this bill eliminate public comment periods and public hearings in regards to our state's permitting process, this bill would also withhold information from Alaskans on how our state lands will be used, and how our water resources could potentially be impacted. By eliminating Alaskan citizens from this process, you are welcoming outside interests, such as large corporations, to use our land, extract our state's resources, and harm our state's water resources.

If passed, HB 77 would detrimentally harm Alaska's livelihood, as the true cost will be paid by Alaskan citizens. YOU

CAN STOP THIS BILL NOW, and I highly encourage you to take action in doing so. We, the Alaskan people, are counting on you, to listen to our concerns, and accurately represent us.

Thank you for your time.

Sincerely, your concerned constituent,

Debra Ylijoki

Anchorage, Alaska

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

From: Katherine Rowell

Sent: Wednesday, March 12, 2014 3:46 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Water is a public resource. We cannot live biologically without water.

Water supports the industry worth multi -billions of dollars in Alaska.... commercial, sport and subsistence fishing, and the ecological features and wildlife that millions of people travel from locations around the world to see.

Alaskans recreate and obtain their food from the water. Look at Campbell Creek park in Anchorage as a very popular spot for families to congregate.

One entity should not be in charge of our rights to our water quality, quantity and availability. This a resource in which the residents are the stakeholders and have the right to comment and participate in determining its use.

Katherine Rowell

3148 Tayshee Cir

Anchorage, AK 99504

From: Rebecca Noblin

Sent: Wednesday, March 12, 2014 3:45 PM

To: Sen. Cathy Giessel

Subject: HB 77 testimony: Please include in public record and distribute to Natural Resource Committee members

I am opposed to House Bill 77 because it inappropriately expands the Department of Natural Resources' (DNR) power, erodes Alaskans' rights to appeal DNR decisions and eviscerates the process for water reservations. Current revisions to the bill do not cure these defects. Moreover, I object to the closed-door process under which HB 77 was revised and the inexcusably abbreviated public comment period.

Alaskans deserve a voice in how our precious natural resources are managed. House Bill 77 should be rejected.

Please include this testimony in the public record and distribute to Natural Resource Committee members.

Sincerely,

Rebecca Noblin

2900 Wiley Post Ave.

Anchorage, AK 99517

From: Michelle Kaelke
Sent: Thursday, March 13, 2014 7:43 AM
To: Sen. Cathy Giessel
Subject: Attention: Senate Resource Committee members--opposition to HB77

I'm another Alaskan opposed to HB77. I find it amazing that we Alaskans do not learn from the mishaps of the lower 48. Our fish and the water and habitat that support them have always been one of Alaska's greatest resource. Why would we put this valuable resource at risk?
HB77 does just that.

Please oppose HB77 in your Senate committee.

thank you,
Michelle Kaelke
Juneau

Michelle Kaelke
9723 Trappers Lane
Juneau, AK 99801

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

From: kathrin McCarthy

Sent: Thursday, March 13, 2014 9:57 AM

To: Sen. Cathy Giessel

Subject: HB 77

Dear Ms. Giessel. , Cutting off the public testimony on HB77 is a blatant example of what this bill will do to Alaskans if it is allowed to pass. You are advancing a very un-Alaskan and un-democratic position by cutting off public testimony yesterday. Since I do not know you and have no idea how long you have lived in Alaska you may not have some history of the kind of states-person-ship that "real" Alaskan's have shown (both Republican and Democrat)to help people trust their elected representatives and take part in the political process. This bill in my opinion and in my experience is the kind of thing that "no conscience developers" put forward to keep people from speaking out and taking political initiative. No matter what side you are on, the public needs to know and to feel they can speak up, sue and do what they think is right to protect or promote what they value. HB77 is terrible policy for good management of both our lands and waters. This bill reminds me of the awful campaign that destroyed of our Coastal Zone policy. " Shut the people up, make them afraid to protest, tell them this is way things are supposed to be and we your government will not do things that will harm you". Please do not respond that there were just too may people who wanted to speak to keep the public testimony open-- HB77 is probably the most import piece of environmental legislation before the Ak legislature this session. Unfortunately, it has the finger prints of the worst pro-bad- development in our state on it. It is your job to listen to the public- you work for the people of Alaska, all of them.

Sincerely yours

~ Kathrin McCarthy

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

From: Andrew Malavansky

Sent: Thursday, March 13, 2014 10:57 AM

To: Sen. Cathy Giessel

Subject: HB77. Please include this in public record and distribute to Natural Resource committee members

HB77. Please include this in public record and distribute to Natural Resource committee members.

The words of the people should not be ignored, neither now or in the future, the passage of HB77 would silence public input and that alone spells disaster. This by itself runs against the States constitution and plain common sense. There is one place HB77 belongs and that is in the trash bin. Shame on those who made an attempt to bulldoze this through.

Andrew Malavansky

Anchorage Alaska

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

From: Gregory Jurisich

Sent: Thursday, March 13, 2014 8:21 AM

To: Sen. Donny Olson

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Gregory Jurisich
2 Arctic Way
Kobuk, AK 99751

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

From: Victoria Kotongan

Sent: Thursday, March 13, 2014 9:50 AM

To: Sen. Donny Olson

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Victoria Kotongan

Box. 246

Unalakleet, AK 99684

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

From: John Jensen

Sent: Thursday, March 13, 2014 2:09 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

In re: HB 77. For general permits, powers are too broad for "any activity." A given administration, now or later, could take this to an extreme if it so chose. We can only hope that that would not happen but we must consider that DNR lost a court case over holding permits back. General permit powers are especially troubling considering that "any activity" would not be noticed to the public.

Alaskans should not have to be "significantly adversely affected" before they can challenge decisions. This sets the bar too high, especially for individuals or small groups who simply do not have the money or other power to challenge the State government.

In re: water reservations, DNR should be required to consider and act on applications (which cost applicants their own money) and give a logical, non evasive reason for any refusal. DNR should be required to act on them within a reasonable length of time. Corporations, for example, should not get a higher priority than Alaskans in this regard.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

John Jensen
12900 Patrick Rd
Anchorage, AK 99516

Date: March 12, 2014 at 11:20:27 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Cc: <Senator.Lyman.Hoffman@akleg.gov>

Subject: HB 77

Dear Senator Giesel,

Thank you for the opportunity to comment. I have heard and read references to a "version H" of HB 77 unveiled 3/10/2014 but cannot find it anywhere on BASIS or the internet. However, I viewed Gavel Videos of the 3/10/2014 and 3/12/2014 Senate Resources Committee meetings, including testimony by Wyn Menafee of DNR Mining, Lands and Water.

Article VIII, Section 1 of the Alaska Constitution directs development of Alaska resources to occur "by making them available for maximum use consistent with the public interest." Alaska residents deserve a voice to express their interests in public policy decisions and a means to seek redress when public will is ignored by legislators or public agency officials.

HB 77 "H" continues to allow the Department of Natural Resource directors the option to not make public the preliminary written finding (or provide opportunity for public comment on the same), regarding the sale, lease, or other disposal of available land, property, resources, or interests. This may have been the case all along, but this bill highlighted this sensitive issue. This places substantial power in the hands of appointed officials.

Decisions on resource development must balance the potential for net revenue gain from extracting commodities such as minerals, oil, coal, or gas with potential threats to habitat quality or sustainable harvest of renewable resources that provide food (marine and fresh waters, fish, game) or commodities (timber, fish, livestock forage) over the long-term (decades to centuries).

The controversy over this bill strikes me as state government having difficulty convincing its citizen residents that the potential for short term monetary gain from commodity extraction or public resource sale outweighs risk of reduced yield from renewable resources, or a reduction in other desired public values.

Seeking to restrict appeal of policy decisions to those "substantially and adversely affected" may clarify the issues of redress for DNR. However, based on the preponderance of comments I have read online or in newspapers and heard in your committee meeting today, public trust in the Division of Mining, Land, and Water seems to be low. In hindsight, DNR should have undertaken some type of public process in developing this bill. Such a process will be difficult after this experience.

I have limited confidence that renewable resource conservation and public process can occur reliably or consistently under this bill, even in revised form "H." I urge you to oppose HB 77 so the process can begin anew in the next legislative session.

Tom Paragi
1271 Lowbush Lane
Fairbanks, AK 99709
(Goldstream Valley)

PS-I want to commend the Alaska Legislature for making video archives of committee meetings available on 360 North-this is a huge improvement in citizen participation from outside of Juneau.

From: Paul Zimmerman
Date: Wed, 12 Mar 2014 14:22:07 -0800
To: <Senator.Peter.Micciche@akleg.gov>
Conversation: HB 77
Subject: HB 77

Senator,

The purported amendments to HB 77 do not in any way address the concerns I have with this legislation. I still find this so-called compromise legislation abhorrent and untenable.

To agree these amendments add up to a 'well thought out compromise' is simply preposterous. The bill and it's intent is still an insult to rights of the public.

Your disparaging suggestion, that "only those at the most extreme wings of these two issues may have difficulty agreeing that this is a well-thought compromise", only adds further insult.

This bill does not sufficiently address the inherent risks of abuse associated with blanket general permitting and does not in any way serve to protect the right of the public to have a meaningful voice in the permitting process.

This legislation's intent, by design, is to limit and/or deny the public's right to participate. That intent is in direct opposition to the very ideals which are the foundation of our nation's form of government.

I spoke to you recently about my disgust with more and more proposed legislation arising which attempts to do away with the rights of citizens to directly participate in government process, and I have to say, despite the supposed posture of 'public concern' you showed earlier, I'm not surprised to see you now speaking in support of doing away with the rights of citizens to participate in government processes, and now attempting to disparage those who may not willingly and give up those rights.

I urge all legislators to reject HB77 and further, I'd like to see the day more and more legislation is proposed to strengthen the rights of the public to have a meaningful voice in their government. I cannot support any legislation proposing to deny citizens their rights. And I sure can't support any legislators who would vote to deny the rights of citizens, especially while attempting to disparage those citizens at the same time.

Paul Zimmerman
PO Box 15
Kasilof, Ak. 99610

----- End of Forwarded Message

I attempted to also submit additional testimony earlier today, (this Wednesday), and I will be making the attempt once again on this coming Friday, along with additional, more comprehensive written comments.

Sincerely,

Paul Zimmerman
PO Box 15
Kasilof, Ak. 99610

From: Heather Hardcastle

Subject: Please include this in public record and distribute to Senate Natural Resources committee members

Date: March 12, 2014 3:25:17 PM AKDT

To: senator.cathy.giesel@akleg.gov, senator.lesil.mcguire@akleg.gov, senator.peter.micciche@akleg.gov

Cc: senator.dennis.egan@akleg.gov, representative.sam.kito.III@akleg.gov, representative.cathy.munoz@akleg.gov

Hello Members of the Senate Natural Resources Committee,

In a few minutes, you will hear public testimony on the proposed amended version of HB 77. I'm unable to attend this hearing because I am home with a 1 1/2 year-old daughter. As a lifelong Alaskan, Southeast Alaska commercial fisherman, biologist, teacher and mother, I strongly feel the amendments to HB 77 do not justify this bill as a means to "streamline" the permitting process as Governor Parnell and several DNR officials continue to maintain. I ask you to not pass this version of HB 77, as currently written.

I want to thank Sen. Micciche for continuing to stay focused on this bill--and really listen to Alaskans--as he has for the last several months. I also want to specifically thank Sen. McGuire for her comments about the amended bill at Monday's hearing. I echo Sen. McGuire's comments that, as Alaskans, we're constantly trying to balance the importance of responsibly developing our natural resources and working as "fierce environmentalists." Like Sen. McGuire, I have "grave concerns" about the amended HB 77.

Below is a brief listing of my major concerns with this amended bill (I must mention that the fact the public has been given less than 48 hours to comment on the amendments to an extremely complex and contentious bill is very frustrating--and only adds legitimacy, in my mind, to the name hundreds have already given the bill, the "Silencing Alaskans Bill"):

--the authority given to the commissioner to issue general permits for activities on state land while allowing him/her to override DNR's laws and statutes appears to be an overreach of power and authority.

--as a commercial fisherman who could potentially stand to lose quite a bit due to irresponsible development of fish habitat, it's unacceptable to me that the definition of "likely significant and irreparable harm" is left to the discretion of the DNR commissioner.

--as Sen, McGuire said on Monday, the process of listening to the public can be "messy" and time-consuming. But this is what it means to live in a democracy! HB 77 reverses the fair and reasonable public comment process that has been in place in Alaska since statehood. And, honestly, it's through DNR's permit commenting process that the public can actually express their opinions about proposed development to OUR land; there's no place under Title XVI for the public to comment on permits required to impact fish habitat. Now that the Coastal Management Plan was taken away, I'm outraged that our last possible means to comment on development activities on state land may be significantly impacted.

--DNR states that it's significantly improved the section of the bill that pertains to water reservations. Yes, DNR proposes to now allow individuals, tribes or corporations to once again apply for water reservations. However, this year's version of HB 77 guts the entire system of reservations by taking out the only provision that has any hope of protecting in-stream flow--the priority order of applications. This doesn't seem like a "streamlining" measure at all; it simply guts the law that already favors out-of-stream use over in-stream protections. Again, I'm outraged and amazed that the administration would propose something so offensive to Alaska residents.

Again, I urge you to not pass this version of HB 77 as written. This is not a permit streamlining bill. Instead, even with significant amendments, this bill severely limits the ability for Alaskans to participate in the decisions about how OUR land is to be managed.

Thank you,
Heather Hardcastle
Juneau, AK 99801

From: Jessica Winnestaffer

Date: March 13, 2014 at 12:29:42 AM AKDT

To: <senator.cathy.giessel@akleg.gov>, <senator.click.bishop@akleg.gov>, <matsu.lio@akleg.gov>

Cc: Jessica Winnestaffer <jessica@chickaloon.org>

Subject: Please include this in public record and distribute to Senate Natural Resource committee members

I was at the Mat-Su LIO and did not get my 2 minutes to speak during the public hearing on Wednesday, March 12, 2014.

HB 77 Version H comments by Jessica Winnestaffer, resident of Sutton, Alaska.

[Note: Please include this in public record and distribute to Senate Natural Resource committee members.]

HB 77 Version H is a disappointment and, if passed, will be a disgrace. After Alaskans demanded public forums in December and January to voice the numerous and serious concerns with the bill, DNR and legislators have failed to make adequate amendments. HB77 Version H steals the voice of Alaskan citizens, crowns the DNR Commissioner as monarch, and subjugates Alaska's streams and lands to the whim of the DNR Commissioner. HB77 and all of its versions should be thrown out.

Section 1 of HB77 would develop General Permits with language that is so broad and vague that any activity could have a general permit so long as the activity does not "likely" cause "significant AND irreparable harm" as determined by the DNR Commissioner and his staff. The wording of section 1 is inappropriately ambiguous, for instance what is the definition of 'likely', 'significant' and 'irreparable'. If general permitting is needed for certain categories of activities, DNR should get legislative authority for a narrow, specific list of activities. HB 77 Version H section 1 should be eliminated entirely as it removes the healthy checks-and-balances of government, which is provided by public process.

HB 77 Version H has not fixed most of the major problems of the earlier bill with regard to water reservations. It is ludicrous that DNR is proposing it no longer needs to prioritize water reservation applications or adjudicate them at any point. The minimum necessary data required for a water reservation application costs over \$130,000 (if collected by USGS) and takes more than 5 years—if the efforts have been taken to submit a complete application than it is only appropriate to adjudicate the applications. Additionally, it is ridiculous to limit the sources of stream flow data allowed in a water reservation application, as proposed by HB 77. If data is high quality than it should be allowable, regardless of its origin or who paid for it.

It is completely unacceptable for DNR to internally decide which competing water use has the priority. 'First in time, first in right', which is the current system of water allocation, is clear and not ambiguous. It is critical to the survival of our fisheries resources that there be a clear tool that the public can use to ensure that some water is reserved for fish.

HB 77 Version H attempts to make Temporary Water Use Permits (TWUPs) unlimited in length and number. Why then is it called a "temporary" permit, if a water use can be renewed indefinitely at 5-year increments? Additionally, why should there be no requirement of baseline water flow data to apply for a TWUP that will withdraw water from a stream, river, or lake? It is a flawed process that allows a detrimental water-withdraw activity to occur with less background data requirements than the requirements for a water reservation that will ensure aquatic habitats persist. The proposed legislation for TWUPs is inappropriate.

HB 77 Version H is designed to remove the rights and voices of Alaskans and reduce protections for streams and fish habitats. It is unconscionable that HB 77 Version H would be presented as a compromise, as it is an extreme power grab by an agency, a commissioner, and a governor. HB 77 should not be considered any longer.

Sincerely,

Jessica Winnestaffer

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

From: William FitzGerald

Sent: Wednesday, March 12, 2014 3:31 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. If HB77 passes, every single legislature that votes in favor will lose their next bid for re-election; guaranteed! You cannot strip the opportunity of Alaskans for their rights to participate in government decisions or to protect their own rights to the most important and vital need for preservation, clean and potable water.

William FitzGerald

Talkeetna, AK 99676

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

From: Kathleen Harms

Sent: Wednesday, March 12, 2014 3:30 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

HB77 is a direct assault on the rights and responsibilities of all Alaskans to be the scrupulous stewards of our water, air, and land. These rights and responsibilities are accorded to us by our U.S. and Alaska Constitutions, not to speak of being inherent to our dominant position among creatures by the Laws of Nature and Nature's God. Insofar as government hides and curtails the real responsibilities of our humanity and of our citizenship, insomuch as government discourages and prevents the authentic engagement of our people with decisions concerning that upon which our lives actually depend--our water, our food-- government is no longer our representative, our instrument of cooperation, or our helper, as democratic government is meant to be. When government takes away from the people and takes to itself crucial rights and duties which concern the health of our environment and our fish, that is, our own survival, in the interest of we know not what or who, without our full understanding, agreement, and consent, then government is illegitimate; government is our enemy.

Do not pass HB77. HB77 curtails and eliminates the participation of our people in determining the future of our most precious resources. HB 77 takes away our power and thus makes our Alaskan government an enemy to our responsibility as human beings. HB77 makes our own government our enemy.

Kathleen Harms

PO Box 521362

Big Lake, AK 99652

From: Peter Cueva
Sent: Wednesday, March 12, 2014 6:51 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Peter Cueva
12830 Glen Alps Rd.
Anchorage, AK 99516

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

From: Wellwood Center

Sent: Wednesday, March 12, 2014 3:28 PM

To: Sen. Cathy Giessel

Subject: Oppose HB 77

Senator Cathy Giessel, Chair of the Senate Resources Committee:

Just a few minutes ago I learned that HB 77 is coming up for a public hearing before the Senate Resources Committee this afternoon at 3:30. I hope my comment is in time to be considered at this review.

I strongly oppose this bill, which would restrict the ability of citizens and local organizations to protect their own local waterways. I live in rural Alaska (Copper River Basin) where there is no local government to look out for these precious resources. I live along a stream which I value greatly. I have engaged in data collection and resource analysis regarding this stream for the past several years, so have a background from which to speak knowledgeably about this issue.

The waters of our state belong to the citizens of our state, not to industry or to the state legislators, who so often have demonstrated their lack of concern for local environmental protections. As a point of beginning when considering issues of water rights, it has always seemed to me that "rights" that result in any degradation of water resources should be more difficult to obtain than "rights" to at least maintain the status quo. Instream water rights, the rights to maintain minimal levels in waterways, are, in this perspective, far more important than rights to extract water for uses that generally benefit only a few.

As a matter of note, I own and operate a small Bed and Breakfast. Our clientele use trails that access the creek, and they, also, value both the water and the wildlife (beavers, otters, etc.) that depend on the health of this small waterway for survival.

I oppose, in the strongest terms, HB 77. I hope you will use your own position to help defeat this bill.

Thank you,

--Dave Wellman

Wellwood Center

Bed and Breakfast and Nature Preserve

HC60 Box 227

Copper Center, Alaska 99573

Website: www.WellwoodCenter.com

Email: welm@wellwoodcenter.com

From: Scott Anaya [mailto:Scottanaya@gmail.com]
Sent: Wednesday, March 12, 2014 5:56 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving ME & Alaskans statewide unable to add their voice to this process. It is disrespectful to us Alaskans, who took time out of our day, to be shunned by you our so-called representation in Juneau.

This bill is horrible and still cuts US, the people out of the public process. HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Scott Anaya
7631 Griffith St
Anchorage, AK 99507

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

From: Larry Casey

Sent: Wednesday, March 12, 2014 3:23 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

I am beyond appalled by the blatant usurpation of power by the Parnell administration.

I am also aware that the DNR commissioner Mr. Sullivan was also a political appointee with little to no interest in preserving Alaska's immense natural wealth. An administration that tried to remove environmental protection from its mandate makes me especially angry against ANY form of HB 77,

I speak only for myself and my grandchildren. I am a 20 year military retired conservative veteran over 30 year Alaska resident and registered Republican. However the current Republican party in Alaska policies have me irate.

It speaks volumes that my former Senator Rick Halford spoke against HB 77 in a compass piece.

KILL HB77, PLEASE!

Thank you for your time.

Larry Casey
12428 Winter Park Cir
Eagle River, AK 99577

From: Bryan Kirkpatrick
Sent: Wednesday, March 12, 2014 5:53 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Bryan Kirkpatrick
12940 Hillside Dr
Anchorage, AK 99516

From: Robert Hodge

Sent: Wednesday, March 12, 2014 5:50 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Robert Hodge
7605 upper Huffman rd
Anchorage, AK 99516

From: Nina Cornett
Sent: Wednesday, March 12, 2014 5:49 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Nina Cornett
37886 Snug Harbor Rd
Cooper Landing, AK 99572

From: Penny Puhak

Sent: Wednesday, March 12, 2014 6:55 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. This bill is wrong on every level. I oppose it completely, as an Alaskan and a fisherwoman.

Penny Puhak

12231 Gara Drive

Kodiak, AK 99615

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

From: Audrey Starbird

Sent: Wednesday, March 12, 2014 5:59 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Audrey Starbird

4801 Canterbury way

Anchorage, AK 99593

From: BOB STANDISH [mailto:BOBSCABINAK@GMAIL.COM]

Sent: Wednesday, March 12, 2014 7:36 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I opposed HB77. There is absolutely nothing wrong with the present permitting process in Alaska. If anything, the current process is much too liberal. The public has a right to comment and be heard regarding the permitting of projects that affect our natural resources in Alaska.

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

BOB STANDISH
PO BOX 1106
KENAI, AK 99611

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

From: Peter Cueva

Sent: Wednesday, March 12, 2014 6:51 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Peter Cueva

12830 Glen Alps Rd.

Anchorage, AK 99516

From: Scott Thomas
Sent: Wednesday, March 12, 2014 6:19 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Scott Thomas
PO Box 757
Girdwood, AK 99587

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

From: Bryan Kirkpatrick

Sent: Wednesday, March 12, 2014 5:53 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Bryan Kirkpatrick

12940 Hillside Dr

Anchorage, AK 99516

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

From: David Taylor

Sent: Wednesday, March 12, 2014 7:08 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. If anything, the Alaska Legislature should be enhancing and expanding public participation in natural resource management decisions, not further restricting it.

When our Founding Fathers drafted the Alaska Constitution, they constructed an awesome document in general, but specifically an amazing tool for protecting our natural resources in Article VIII. Proper management of our resources under the spirit of that Article has placed Alaska in a unique position compared to our sister states: we have abundant fresh water, we enjoy unprecedented fish runs, our scenic beauty is the envy of the world, and we have abundant wild food sources that help to maintain a traditional way of life that has exist

But HB77 defies and disparages the intent, meaning and purpose of Article VIII. The General Permits section pre-authorizes too many types of activities without public input. And even when the public does find out about poor permitting decisions, there is little recourse as the new appeal process greatly limits the number of people who can seek judicial relief. Article VIII makes it very clear that all natural resources in Alaska are owned in the common; thus, any Alaska resident should be able to seek judicial relief for poor decisions regarding management of those commons. But under the new standard, only someone with direct financial interests could challenge a DNR decision. Not even subsistence users would be able to challenge a decision by this measure.

Additionally, in a time when other states are facing severe drought, shortage of fisheries, and dwindling habitat for fish and wildlife, now is not the time to put barriers in place to protecting the flow of our valuable waterways. The idea that Alaska residents would be precluded from submitting instream water flow reservations for subsistence, recreational or other activities is patently absurd. And then to give such rights to multinational corporations over the interests of Alaskans - in patent violation of the Alaska Constitution - is exceptionally egregious.

You were elected to office to support and defend the Alaska Constitution, and to enhance enjoyment of our valuable common resources. Fulfill your oath and do what the people of Alaska expect you to do. Protect their Constitution and their interests, not the interests of multinational corporations. Vote 'no' on HB77.

David Taylor

2521 E. Mountain Village Dr. Suite B #423 Wasilla, AK 99654

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

From: Zoe Seppi

Sent: Wednesday, March 12, 2014 7:15 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Zoe Seppi
5165 E 172nd Ave
Anchorage, AK 99516

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

From: Bruce Seppi

Sent: Wednesday, March 12, 2014 7:16 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Dear Alaska State Senators,

I am extremely disappointed that today's public testimony for House Bill 77 was cut off by Senator Giessel at 5:00pm, leaving Alaskans statewide unable to add their voice to this process.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Bruce Seppi
5165 E 172nd Ave
Anchorage, AK 99516

From: eric sandberg

Date: March 12, 2014 at 8:44:32 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

eric sandberg
sterling
sterling, AK 99672

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

From: Alizka Zimmerman

Sent: Wednesday, March 12, 2014 7:19 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

I was at the hearing today at the Anchorage office and was very disappointed about how Alaskans were treated when they were opposing the bill, the 2 minutes was obviously not enough.

Alaskans live in this state because they value the pristine environment, the CLEAN WATER and access to wild game and fish and most of them realize that water is a very valuable resource. One can't eat coal, drink oil, if it comes down to it, so water is a highly prized treasure.

Access to clean water should be a basic human right and most Alaskans don't want to let be stripped of.

Please abort Bill 77 for sake of future generations!

When one is talking about mining and drilling, talks about the present , CLEAN WATER is key for the FUTURE.

Thank you!

Sincerely, Alizka Zimmerman

Alizka Zimmerman

927 E 10th ave

Anchorage, AK 99501

From: Patricia Cue

Date: March 12, 2014 at 8:19:34 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Patricia Cue
35360 Robinwood Dr
Soldotna, AK 99669

From: Ken Zafren

Date: March 12, 2014 at 8:24:08 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Ken Zafren
10181 Curvi St
Anchorage, AK 99507

From: dave svendsen

Sent: Wednesday, March 12, 2014 8:09 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

dave svendsen

11400 cobra st

anchorage, AK 99507

From: Susan Rogers

Date: March 12, 2014 at 9:58:36 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Reply-To:

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees. Thank you for opening another session of testimony on Friday.

Sincerely,

Susan Rogers
8641 Sultana Drive
Anchorage, AK 99516

From: Adam Grove

Sent: Wednesday, March 12, 2014 8:06 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Alaskans deserve to be heard on this issue, and to have their time to testify.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

I hope that you will hold additional public hearings to allow Alaskans to provide input on this complex and important bill.

Sincerely,

Adam Grove

4701 E 145th Ave

Anchorage, AK 99516

From: Sandra Loomis

Sent: Thursday, March 13, 2014 7:19 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Sandra Loomis

PO Box 130

Talkeetna, AK 99676

From: Mike Crawford

Sent: Thursday, March 13, 2014 9:57 AM

To: Sen. Cathy Giessel

Cc: Sen. Peter Micciche

Subject: House Bill 77: Please include this in public record and distribute to Natural Resource committee members.

Please include this in public record and distribute to Natural Resource committee members.

Dear Senators Giessel and Micciche,

I am writing you today as an individual, though I am a software developer for a government entity. In the course of my work, I develop and maintain programs specifically for processing permits. I understand intimately the need for streamlining the permitting process. But I must stress that the streamlining should strictly be limited to the business practices of the entity, and in no way should it ever lessen scrutiny visited upon any single application. Moreover, giving overarching determination power to any single entity, in this case the DNR Commissioner, is a dangerous precedent considering the potential impact the decision could make.

Additionally, terms like, "significant or irreparable harm" are essentially meaningless. Yesterday I waited at the Kenai LIO with dozens of others, waiting to testify publicly against HB 77 in the scarce time afforded, and could guarantee that each individual in the room would have a different view of what "significant or irreparable harm" means.

House Bill 77 seems at the outset well-intentioned, but is sorely lacking in strict definitions to be anything but harmful for Alaska's future.

I implore you keep HB 77 in committee, and work with the Alaskan people to rigorously define the language set forth in the bill. I appreciate that you have let some Alaskans have their say, and I applaud Mr. Micciche's efforts to elucidate his constituents. But you can't ignore the view of the people, which is overwhelmingly against the bill.

Thank you,

Mike Crawford

Kenai

From: Thomas Mader
Sent: Thursday, March 13, 2014 7:25 AM
To: Sen. Cathy Giessel
Subject: Gov Parnell's Land Management Bill

Dear Sen Giessel:

I would like to state my very strong opposition to Governor Parnell's "land management" bill. The current environmental laws should be tightened not loosened. Gov Parnell's support for the Pebble Mine development is a great example of his extremely poor judgement as regards environmental matters. We should all be very grateful to the EPA for their scientifically based report outlining the obvious negative impact of this proposed project. Please do everything you can to have common sense, scientifically based, environmental regulations for our state!

Tom Mader, MD

From: Alaska Sportsman's Bear Trail Lodge [mailto:gofish@bristolbay.com]

Sent: Wednesday, March 12, 2014 6:18 PM

To: Sen. Cathy Giessel

Subject: House Bill 77

Honorable Senator Giessel;

I am unable to participate in person with testimony concerning this bill, but would kindly ask for you to submit the following comments to the public record and share them with other Resource Committee members.

I appreciate the opportunity to testify on HB 77, I am Nanci A Morris Lyon, I am the managing partner of Alaska Sportsman's Bear Trail Lodge on the banks of the Naknek River at its confluence with King Salmon Creek. I am a 30 year resident of King Salmon and also own a home located on King Salmon Creek.

I have major concerns about HB 77 and the limitations it would place on my ability to respond to natural resource issues that affect the lands where I fish, hunt and subsist. These are also the places I depend on to run my business and share with my guests. It is my opinion that the actions of this bill and its effort to ease the burden of time, surrounding the permitting process, take too valuable a tool in my ability to comment and add insight to possible negative or positive effects of an applicant out of my hands and reach.

The amendments that have been added do not do enough to fix this concern and without clearly stating some parameters for how and when this process will be allowed, I feel you are jeopardizing my business and way of life by leaving the door open for abuse by "big business" interests not having to state their intentions at the time a permit is issued. I am totally against the need to notify me of development projects in my area. I am busy trying to run a business under extreme conditions to begin with, I do not need or want the burden of worry that this lack of knowledge would cause me.

The idea of having to be "significantly adversely affected" in order to weigh in on or challenge decisions is totally unacceptable. Why should I have to prove that I am directly physically or financially harmed by the government's decision? While I understand limiting out-of-staters to getting sue happy over Alaska

projects, this legal bar is very high and places an unfair burden on Alaskan businesses like mine as well as those of us who live in bush communities.

I'd like to thank Senator McGuire for being a leader for Alaskan business owners and questioning this bill. I would encourage the rest of the committee to adopt her intelligence on this broad bill and oppose it.

Respectfully,

Nanci Morris Lyon

Managing Partner

Alaska Sportsman's Bear Trail Lodge

P.O. Box 221

King Salmon, AK 99613

Lodge: 907-246-2327



Klawock Cooperative Association, Tribe

310 Bayview Blvd.
P.O. Box 430
Klawock, Alaska 99925

Phone: 907-755-2265
Fax: 907-755-8800

RESOLUTION NO. 14-10

RESOLUTION OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUTES AND ELIMINATING WATER RESERVATIONS

WHEREAS: The Klawock Cooperative Association, (hereafter "Tribe"), is a duly constituted Indian Tribe organized pursuant to the authority of Section 16 of the Act of Congress of June 18, 1934 (48 Stat. 984), amended May 1, 1936 (49 Stat. 1250), and

WHEREAS: The Klawock Cooperative Association Tribal Council is a duly elected governing body of the Tribe, authorized to act by and on behalf of its members, and

WHEREAS, The Cooperative Association, Tribe, is a federally-recognized tribal government that represents tribal citizens in the community of Klawock, Alaska

WHEREAS, Klawock Cooperative Association is the governing body of Klawock as recognized by the Tribal citizens and has a responsibility to provide a government to protect the good health and welfare of its Tribal citizens, and address any needs in its community; and

WHEREAS, Klawock Cooperative Association has a responsibility to steward the land, water, and other natural resources to maintain a cultural subsistence way of life for future generations; and

WHEREAS, the Klawock Cooperative Association is qualified to exercise powers of self-government by reason of its original Tribal sovereignty as passed down from its ancestors since time immemorial; and nothing in this resolution shall be in conflict therewith; and

WHEREAS, the Klawock Cooperative Association is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Klawock Cooperative Association has a responsibility to steward the land, water, and other natural resources to maintain a cultural subsistence way of life for future generations; and,

WHEREAS, Alaska Native peoples depend on abundant salmon runs in healthy rivers for food security in subsistence lifestyles and also for Tribal identity; and

WHEREAS, the Parnell administration is promoting legislation, House Bill 77 (H.B. 77), that amends Alaska's state permitting laws and rules changing how the state's commonly held resources will be managed; and,

WHEREAS, sixteen Tribes have invested millions of dollars to substantiate applications for in-stream flow rights, and are appropriators of the rights for those water reservations; and,

WHEREAS, H.B. 77 would eliminate the rights of Alaska Native peoples to apply for in-stream flow rights and rescind all existing in-stream flow water rights applications submitted by Tribes; and,

WHEREAS, H.B. 77 ignores Tribal sovereignty rights by eliminating the process for Alaska's Federally-recognized Tribal Governments to acquire water reservations to protect productive salmon streams, while local governments (boroughs and municipalities) will continue to be able to apply for water reservations under the new law; and,

WHEREAS, H.B. 77 gives DNR the authority to issue an endless series of temporary water use permits for a single project, without opportunity for public review or vetting; and,

WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

Whereas, H.B. 77 makes it more difficult for Alaska Native peoples to access the judicial process and prevents Alaska Native peoples from having their day in court; and,

THEREFORE, BE IT FURTHER RESOLVED, the Klawock Cooperative Association opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native peoples' ability to participate in collaborative resource management, creates legal loopholes to remove guaranteed points of public oversight, and establishes significant barriers to access the judicial process.

CERTIFICATION

This resolution was duly adopted at a regularly held meeting this 11th day of March, 2014, by a quorum vote of:

Yes **No** **Abstain**

A. Webster Demmert, III

A. Webster Demmert, III., President

James S. Williams for

Dennis Demmert, Secretary

From: Mike and Cathy McCarthy
Sent: Thursday, March 13, 2014 2:52 PM
To: Sen. Cathy Giessel; Lindsay Williams
Subject: HB 77

Dear Senator Giessel:

Please vote no on the revised version of HB 77.

Last night I watched "Gavel to Gavel" during the hearing on the new version of HB 77. I also attended the Homer "Town Hall" meeting held by Senator Micciche.

I requested the original HB 77 be scraped because it was fundamentally flawed. The new version is still a flawed bill. The Department of Natural Resources Commissioner cannot "streamline a process" that would disallow Alaskans to participate in matters that can have severe adverse consequences many generations into the future. "No public notice" is never good public policy.

Please vote no on HB 77.

HB 77 Opposition Documents Index Group #6
Passed Out to Committee Members on 3/14/14

1. Kat Harber –March 13, 2014
2. Kat Haber –March 13, 2014
3. Alex Peterson –March 13, 2014
4. Jennifer McCard –March 13, 2014
5. Arleen Smalley –March 13, 2014
6. Aimee Chartrand –March 13, 2014
7. Wendy Anderson –March 13, 2014
8. Jevon Chartier –March 13, 2014
9. Art Trenholme –March 13, 2014
10. Gary Dailey –March 13, 2014
11. Bob Kaufman –March 13, 2014
12. Robin Beebee –March 13, 2014
13. Ruth Glenn –March 13, 2014
14. Richard Schmidt –March 13, 2014
15. Ellen Vande Visse
16. Gina Soltis –March 13, 2014
17. Jeton “Tony” Stevens –March 13, 2014
18. Lance Powell –March 13, 2014
19. George Decker –March 13, 2014
20. Ronnie Burnett –March 13, 2014
21. Kalyn Simon –March 13, 2014
22. Penelope Wells –March 13, 2014
23. Kristopher Richter –March 13, 2014
24. Ruth Ann Jennings –March 13, 2014
25. Toby Anungazuk Jr. –March 13, 2014
26. Stephen Schell –March 13, 2014
27. Nancy Waterman –March 13, 2014
28. Mark Niver –March 13, 2014
29. Enda Meier –March 13, 2014
30. Mark Hieronymus –March 13, 2014
31. Kaydee Scarola –March 13, 2014
32. Patricia Eckhoff –March 13, 2014
33. Art Trenholme –March 13, 2014
34. Richard Schmidt –March 13, 2014
35. Michael Boyce –March 13, 2014
36. Kerry Adler –March 13, 2014
37. Vivian Finlay –March 13, 2014
38. Clyde Boyer Jr –March 13, 2014
39. Anne Wieland –March 13, 2014
40. Lisa Alexia –March 13, 2014
41. Carol Kasza –March 13, 2014
42. Rick Volk –March 13, 2014
43. Donna Braendel –March 13, 2014
44. Young Ha –March 13, 2014

From: Kat Haber

Sent: Thursday, March 13, 2014 2:59 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Silencing Alaskans about best use of our land, water, and resources is a VERY BAD IDEA! Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Kat Haber, concerned and not willing to be silenced!

Kat Haber
300 Whispering Meadow
Homer, AK 99603

From: kather@com

Sent: Thursday, March 13, 2014 3:02 PM

To: Sen. Cathy Giessel

Subject: Re: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I'm on the Great March for Climate Action!

<http://www.crowdrise.com/KatHaberLA-WW>

If urgent, text me @ 907-299-2363.

For TEDxVailWomen: Corinne@cmhcs.com.

For We Rotary: Lisak.social.@gmail.com

For M.C.D.T. gigs: McKHaber1@aol.com.

Cheerfully,

Kat

From: apetersousc@gmail.com

Sent: Thursday, March 13, 2014 2:53 PM

To: Sen. Cathy Giessel

Subject: Please include this in the public record and distribute to Natural Resource committee members.

Dear Senator Giessel, Please include this in the public record and distribute to Natural Resource committee members. HB 77 does a disservice to Alaskans:

- By NOT allowing them to question the actions of government
- By limiting public meetings and public input.
- By giving too much power to the Commissioner of Natural Resources
- By taking laws off the books that safeguard the environment and fisheries

Thank you for the opportunity to comment on this issue.

Sincerely,

Alex Peterson

Soldotna, AK 99669

From: Jennifer McCard

Sent: Thursday, March 13, 2014 2:33 PM

To: Sen. Cathy Giessel

Subject: Please include this in the public record and distribute to Natural Resource committee members

Dear Senator Giessel, Please include this in the public record and distribute to Natural Resource committee members. HB 77 does a disservice to Alaskans:

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- By limiting public meetings and public input.
- By giving too much power to the Commissioner of Natural Resources
- By taking laws off the books that safeguard the environment and fisheries

Thank you for the opportunity to comment on this issue.

Sincerely, Jennifer McCard Soldotna, AK 99669

From: Arleen Smalley
Sent: Thursday, March 13, 2014 3:07 PM
To: Sen. Cathy Giessel
Subject: HB 77: Please include this in public record and distribute to committee members.

It's nice that there were attempts to make this bill better but it seems to me that the fixes have missed the mark, ignoring comments from the vast majority of citizens.

Please do not pass this legislation. There has been way too little time and public input.

Sincerely,

Susan Smalley, Kenai, AK

Arleen Smalley
105 linwood Lane
Kenai, AK 99611

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

From: Aimee Chartrand

Sent: Thursday, March 13, 2014 3:26 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

Dear Senators, I am writing to ask you to vote against HB77. It is bad for Alaska and its' people.

As written, it will endanger many of our most valuable resources, place way too much power in the hands of ADNR and take away the rights of the people to enjoy and use the resource themselves.

You can't degrade one part of the environment without negatively impacting another. Permitting of large scale extraction projects would adversely affect salmon streams . Without dedicated water reservations, our precious salmon that the world so envies and that provide a living, food and enjoyment for so many would go the way of the other great fish runs that were irretrevably lost. No salmon stream that has been dewatered and disturbed has ever been viable again. Do you want to be responsible for allowing that to happen?

Under the current adminstration ADNR has already become too powerful, no longer having the checks and balances supplied by an independant Habitat Div. in ADF&G. The bill further removes Alaskans right to have a fair say in the use of our resources.The General Permits section disallows public notification , hearings and comment on specific projects None of the concerns already voiced by the people about this bill have been addressed by the SR committee.

The proposed rules governing the right to appeal DNR decisions are impossible and ridiculous. As a former ADF&G employee, I know that the resource managemnt agencies find dealing with the public a nuisance- but the public provide a critical check and balance system to keep things even.I know too well that the supposed "science" that agencies can cite as justification can often be politically directed from above.

This bill would be a move in the wrong direction, and is not in the best interests of the people of the state or the country. Sincerely, Aimee and Michael Chartrand

Aimee Chartrand

12500 e Norman Ave.

Palmer, AK 99645

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

From: Wendy Anderson

Sent: Thursday, March 13, 2014 3:24 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I worked for the state of Alaska for nearly 15 years and the critical part of my job was to provide public notice and allow for public comment on issues affecting Alaskans. That ANY legislator would consider supporting HB 77 is totally incomprehensible to me. Read the Alaska constitution please- the state resources belong to the people and the people have a right to comment on all issues involving those resources. A governor that would propose such a bill has only the benefit of big business in mind- certainly he does not comprehend the meaning of public interest nor does he seem to understand it is his job to protect it. I hope you legislators have a better understanding of the constitution and will stop this bill from proceeding. It is issues like this one that make activists out of normally quiet people like me.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Wendy Anderson

PO box 1977

Homer, AK 99603

From: Jevon Chartier

Sent: Thursday, March 13, 2014 3:27 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. The people of Alaska need the right to protect what is most important. We need our salmon streams and we need the right to appeal decisions that are not in our best interest.

Please vote no on HB77.

Sincerely

Jevon Chartier

Jevon Chartier

363 Young St

Seldovia, AK 99663

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

From: art trenholme

Sent: Thursday, March 13, 2014 3:34 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

art trenholme

6875 Frostbite Ct.

Salcha, AK 99714

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

From: Gary Dailey

Sent: Thursday, March 13, 2014 4:48 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Gary Dailey

50306 Island Lake Road

Kenai, AK 99611

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

From: Bob Kaufman

Sent: Thursday, March 13, 2014 4:37 PM

To: Sen. Cathy Giessel

Subject: I oppose HB 77: Please include this in public record and distribute to committee members.

This bill would have a lot of negative unintended consequences. While I appreciate what you are trying to accomplish, a bad bill is worse than no bill.

Thanks,

Bob Kaufman

Bob Kaufman

4600 Silver Spring Circle

Anchorage, AK 99507

From: Robin Beebee
Sent: Thursday, March 13, 2014 4:52 PM
To: Sen. Cathy Giessel
Subject: Please include this in public record and distribute to Senate Resource Committee members

Dear Senator Giessel,

I remain opposed to HB77 and am concerned that no real progress was made in revising it. Specifically, DNR should not be given any "general permitting" authority. Alaskans deserve to be given advance notice when projects are taking place on our land with potential to impact us. DNR is not an all-knowing entity and cannot in advance anticipate all possible impacts of all projects it may permit without local knowledge. The right to appeal DNR decisions should be retained. Again, this is our land and resources, and government agencies do not always make the right decisions. Finally, Alaskans have had the ability to request reservation of water rights for a variety of uses. If DNR does not need to ever consider water reservation applications by tribes, organizations, or individuals, as the revised version of HB77 proposes, this ability is effectively taken away from us. I do not see any benefit to Alaskans of HB77, as it appears to be designed entirely to take local voices out of land and water management decisions.

Thank you for considering my comments.

Sincerely,
Robin Beebee

Robin Beebee
2055 Cliffside Dr
Anchorage, AK 99501

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

From: Ruth Glenn

Sent: Thursday, March 13, 2014 4:39 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Why are you afraid of hearing from your constituents? Everyone has a right to be heard if they take the time to sign up or appear at a public hearing. Wednesday's hearing was another example of the fact that you do not want to hear any comments about House Bill 77. The Alaska Legislature needs to fully vet this bill in front of multiple committees.

HB 77 even as modified will provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

I appreciate the attempts to fix this bad bill, however, The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Ruth Glenn

5850 Romania dr

Anchorage, AK 99516

From: Richard Schmidt
Sent: Thursday, March 13, 2014 3:49 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

HB77 is yet another thinly veiled attempt by the Republican party to sell off our natural resources to the lowest bidder with no regard to the environmental or cultural consequences. The resources belong to the residents of the state and I would urge you to vote no on HB77.

Sincerely,
Richard M. Schmidt

Richard Schmidt
11839 Old Exit glacier Rd.
Seward, AK 99664

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

From: Ellen VandeVisse

Sent: Wednesday, March 12, 2014 2:37 PM

To: Sen. Cathy Giessel

Subject: HB77

I continue to oppose HB77, even with the changes presented on Monday.

This is a truly a war on democracy.

It was conceived in secret, gives TOO MUCH unbalanced power to DNR, takes away normal easy access to our citizen input and review of decisions and policies, and ignores the protection of our economic base, namely the renewable, edible, sellable SALMON

Please drop all versions of HB 77 immediately. It is not in our collective interests.

Thank you

Ellen Vande Visse

Ellen VandeVisse

PO Box 2905

Palmer, AK 99645

From: Gina Soltis

Sent: Thursday, March 13, 2014 4:44 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Why are you unwilling/afraid to hear Alaskan's input on HB 77?

I guess that is consistent with a bill that would greatly restrict Alaskans' voice on issues that are extremely important to all Alaskans.

This whole attempt seems very un-Alaskan to me.

Sincerely,

Gina Soltis

PO Box 255

Healy, AK 99743

From: Jeton Stevens

Sent: Wednesday, March 12, 2014 6:16 PM

To: Sen. Cathy Giessel

Subject: Stand for Alaskans, not industry.

Dear Senator Giessel,

It should be little surprise that this email is in regards to HB-77. I am disturbed by the open restriction of the Democratic process by making Alaskan land decisions exclusive to the Department of Natural Resources and private businesses, whose interest is not conducive to the health and happiness of Alaskan's and the uniquely pristine region we live in. This bill is inherently undemocratic and revising the bill is a monstrous notion. If you make the decision to stand behind this bill then you will blatantly expose yourself as a agent against democracy. You will lose mine, and every other anti-HB77 Alaskans' support now and in the future.

This bill will strengthen the voice of those who support blind industry while muting those of us who speak for the environment and rural Alaskans.

--

Sincerely,

Jeton "Tony" Stevens

From: Lance Powell

Sent: Thursday, March 13, 2014 8:23 AM

To: Sen. Kevin Meyer

Cc: Sen. Cathy Giessel

Subject: HB 77

Kevin,

I am definitely against the present SOA legislature Senate's rework of this bill....the inability of tribes or the general public to hold water permits....the reduction in informing people of projects in the area where they work or live....what is your view of HB 77?....are we so intent on developing Alaska that we are willing to deny citizens the ability to have meaningful input?

Thanks for your time,

Lance Powell

From: George Decker
Sent: Thursday, March 13, 2014 4:32 PM
To: Sen. Cathy Giessel
Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. The process to create and amend the bill was done in secret, closed-door meetings

The revised bill unveiled on Monday does not address the concerns voiced by hundreds of Alaskans. It leaves the most controversial sections largely unchanged - expanded DNR power, eroding Alaskans rights to appeal DNR decisions, and gutting the public's right to reserve water in streams for fish and other public uses.

Rather than working with Alaskans and Tribes who had concerns about the bill, the Parnell Administration crafted the changes in secret, closed-door meetings.
General Permits Section concentrates power in DNR

The General Permits section allows DNR to issue general permits which pre-approve activities over broad geographic regions before specific projects are approved. Once the general permit is in place, Alaskans will never know the specific project authorized because there will be no public notice for these projects after the general permit is issued.

The General Permits section still gives complete discretion to DNR staff to determine what activity is or is not likely to cause "significant and irreparable harm." DNR gets to decide the meaning of those words.

Right to Appeal Bad DNR Decisions is dramatically reduced

The right to appeal decisions made by DNR is dramatically reduced - even when they don't follow the rules. As written, an Alaskan must show that they are "significantly and adversely affected" in order to appeal a decision. This means that an Alaskan would have to demonstrate direct financial or physical harm from the government's decision, which is a very high bar.

The right to appeal a decision by DNR that affects subsistence use of Alaskans resources may be impossible under the current language in HB77.

The Water Reservations Sections effectively removes Alaskans ability to keep water in streams for fish

HB77 guts the existing laws that were designed to give Alaskans the ability to keep water in streams for fish, recreation or other uses.

The revised version of HB77 gives complete discretion to DNR to put water reservation applications by Alaskans on the shelf indefinitely.

The process outlined by DNR and described in HB77 will change the rules for current water rights applications that have been pending for years. This is not fair and it is wrong.

Tribes can no longer hold their own certificate for a reservation, only ADF&G or DNR can hold the reservation.

George Decker
6381 Norm Dr
Anchorage, AK 99507

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

From: Ronnie Burnett

Sent: Thursday, March 13, 2014 8:35 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Ronnie Burnett

13400 lamb dr.

Anchorage, AK 99516

From: Kalyn Simon
Sent: Thursday, March 13, 2014 1:51 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Kalyn Simon
PO Box 90743
Anchorage, AK 99509

From: Penelope Wells
Sent: Thursday, March 13, 2014 4:57 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I am not able to testify tomorrow, March 14th at 3:30 PM. I am therefore, submitting my testimony via email expressing my opposition to House Bill 77. This bill is too complex and expansive and therefore deserves multiple public hearings to allow Alaskans to submit input, and review by all necessary legislative committees.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were denied from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

Again, this proposed bill is too complex and expansive and deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Penelope Wells

Penelope Wells
P.O. Box 240454
Anchorage, AK 99524

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

From: Kristopher Richter

Sent: Thursday, March 13, 2014 2:54 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Kristopher Richter

2451 Bentzen Circle

APT F-20

Anchorage, AK 99517

From: Ruth Ann Jennings
Sent: Thursday, March 13, 2014 3:01 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Ruth Ann Jennings
1519 H Street
Anchorage, AK 99501

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

From: Toby Anungazuk Jr

Sent: Thursday, March 13, 2014 2:59 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Toby Anungazuk Jr

PO Box 62001

Golovin, AK 99762

From: Stephen A. Schell
Sent: Thursday, March 13, 2014 3:38 PM
To: Sen. Cathy Giessel
Subject: House Bill 77

Senator Giessel,

I understand the need for resource development in Alaska and around the world. However, it needs to be responsibly. I believe that the current review framework that is in place works well and should not be tampered with. I fear that the proposed bill, nicknamed the "silencing Alaskan's" bill, removes the public concerns from the process. When we cannot participate in the public process, we lose faith in it and in our elected officials. Please consider the concerns of the Alaskans who love and depend on our natural resources before those of outside corporations.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,
Stephen Schell

From: Nancy Waterman

Sent: Thursday, March 13, 2014 3:47 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Please vet HB 77 in front of multiple committees. This is a complex and expansive bill.

Even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams, and seriously undermines their ability to participate in natural resource decisions on state land.

Sincerely,

Nancy Waterman
PO Box 20993
Juneau, AK 99802

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

From: Mark Niver

Sent: Thursday, March 13, 2014 3:00 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Mark Niver

955 Loch Ness

Wasilla, AK 99654

From: Edna Meier
Sent: Thursday, March 13, 2014 3:08 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Edna Meier
9251 Kirkwall Circle
Anchorage, AK 99502
907 230 8848

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

From: Mark Hieronymus

Sent: Thursday, March 13, 2014 3:04 PM

To: Sen. Cathy Giessel

Subject: I am an Alaskan that opposes HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill.

HB 77 would erode Alaskans rights to appeal DNR decisions and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways - this is a breach of the trust placed in government by the citizens of Alaska.

While we appreciate the attempts to fix this bad bill, the recent proposed amendments to the bill do not address concerns raised by the public - in fact, some of the changes make the bill even worse.

A bill this complex and expansive deserves multiple public hearings to allow Alaskans to provide input.

Sincerely,

Mark Hieronymus

PO box 20881

Juneau, AK 99802

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

From: Kaydee Scarola

Sent: Thursday, March 13, 2014 3:25 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I came into Anchorage in December with my 3 young children and testified against HB 77. With the massive public outcry, I am shocked that this bill was not immediately dropped in the trash in its entirety!

But, Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. With people actually being prevented from testifying in opposition of this bill, I am scared the direction our state is headed.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

Some of the changes make the bill even worse, and I am in no way for ANY part of this bill or its "revisions". I am disgusted that you guys cannot take a "hint" at how un-American this bill is.

Sincerely,

Kaydee Scarola

P.O. Box BLG

Anchorage, AK 99695

From: Patricia Eckhoff
Sent: Thursday, March 13, 2014 3:21 PM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Patricia Eckhoff
10818 Credo. Dr.
PO Box 865
Willow, AK 99688

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

From: art trenholme

Sent: Thursday, March 13, 2014 3:34 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

art trenholme

6875 Frostbite Ct.

Salcha, AK 99714

From: Richard Schmidt

Sent: Thursday, March 13, 2014 3:49 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

HB77 is yet another thinly veiled attempt by the Republican party to sell off our natural resources to the lowest bidder with no regard to the environmental or cultural consequences. The resources belong to the residents of the state and I would urge you to vote no on HB77.

Sincerely,
Richard M. Schmidt

Richard Schmidt
11839 Old Exit glacier Rd.
Seward, AK 99664

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

From: Michael Boyce

Sent: Thursday, March 13, 2014 3:50 PM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Michael Boyce

Mi 229.4 Parks Hwy

Denali Park, AK 99755

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

From: akgeowiz@alaska.net

Sent: Thursday, March 13, 2014 4:05 PM

To: Sen. Cathy Giessel

Subject: HB77 Support

Dear Honorable Senator Giessel and Fellow Senate Resource Committee Members,

I support HB77 as written and strongly advise passage as written. This is a valiant attempt to address and efficiently streamline the current cumbersome, time consuming, and unpredictable permitting process without compromising environmental management goals. HB77 allows adequate notification processes and opportunity for those directly impacted by an activity to have a voice so as to pointedly address valid concerns for timely resolution. The general permit proposal is a practical solution to streamline activities with minor potential impacts. The State should rightfully retain water resource management as is reaffirmed by this bill. It is past time to resolve identified inefficiencies to state agency management practices. HB77 will set the wheels in motion for a more efficient permitting process.

Thank you for your prompt and courteous consideration.

Kerry Adler

7060 Cheryl Street

Anchorage, Alaska 99518

From: Vivian Finlay

Sent: Thursday, March 13, 2014 5:24 PM

To: Sen. Cathy Giessel

Subject: Please include in public records and distribute to committee members

I am unable to attend the LIO additional hearing tomorrow, 3/14/14, but want to be sure you and other committee members are aware that I am opposed to HB 77. The public needs input in important decisions including those that affect our environment, and our salmon streams.

Thank you,

Vivian Finlay

From: Clyde Boyer Jr

Sent: Thursday, March 13, 2014 5:20 PM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Clyde Boyer Jr

455 Elderberry Dr

Homer, AK 99603

From: Anne Wieland

Sent: Thursday, March 13, 2014 5:15 PM

To: Sen. Cathy Giessel

Cc: Sen. Fred Dyson; Sen. Peter Micciche; Sen. Click Bishop; Sen. Lesil McGuire; Sen. Anna Fairclough;
Sen. Hollis French

Subject: HB77 a very bad bill

Dear Senator Giessel and Members of the Senate Resources Committee,

It was discouraging to hear that only 50 people of the approximately 150 present testified at the HB 77 hearings last evening, especially when some people had come a long way to testify. I hope it is true that they will be given another opportunity soon.

The amended version of HB77 does not seem to be any better than the original. To my mind Former Senate President Rick Halford hit the various nails on their heads with his very credible commentary in the March 12 Anchorage Daily News, given all the years he spent in the Alaska Senate. As he points out, "The process of listening to the public, even allowing Alaskans to disagree with decisions, is a time-consuming but necessary principal of democracy". Unfortunately many of my family in Germany and Hungary did not have those rights during the many years of the Communist Occupation. HB77 seems to be moving us toward that same restrictions on the public here in 2014 in Alaska! Thus I think this bill is clearly UnAmerican and must be killed. I urge you to eliminate HB77 completely.

Sincerely yours,

Anne Wieland

Fritz Creek, AK 99603

From: Lisa Alexia

Date: March 13, 2014 at 7:03:28 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill, the recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,
Lisa Alexia

Lisa Alexia
7510 Solarset Circle
Anchorage, AK 99507

From: Carol Kasza

Date: March 13, 2014 at 8:49:40 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Carol Kasza
PO Box 73452
Fairbanks, AK 99707

From: Rick Volk

Date: March 13, 2014 at 6:15:15 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. Too many decisions are being made to benefit oil and mining company's at the expense of the people of Alaska. You are elected to represent us, not support company's that just want to rape our lands and then leave.

Rick Volk

23118 Myrtle Dr

Eagle River, AK 99577

From: Donna Braendel

Date: March 13, 2014 at 6:57:10 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. As far as I can determine, the right of the public, Alaskans, who actually own this state, to protect their own interests through public process, is still being severely limited in favor of a bureaucracy appointed by politicians. This is OUR state, and we should never have limits on our right to comment, appeal or question policies bad for our selves and the wildlife and fish on which many of us depend. You are, by this bill, placing all power for these decisions in the hands of Government bureaucracies, at the expense of Alaskans, and this is not what I perceive "making Government smaller" to mean.

Donna Braendel

PO Box 1148

Chickaloon, AK 99674

From: Young Ha

Date: March 13, 2014 at 7:24:19 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Young Ha

8495 Sahalee Dr

Anchorage, AK 99507

4 38

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From: John Sanborn

Date: March 13, 2014 at 7:48:50 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

John Sanborn

57170 E End Rd

Homer, AK 99603

From: Carolyn Hans

Date: March 13, 2014 at 8:14:52 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Carolyn Hans

11041 Gamache Dr

Anchorage, AK 99516

From: Ross Bright

Date: March 13, 2014 at 6:00:27 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Ross Bright

38229 Gamble St

Homer, AK 99603

From: Lynn Wilbur

Date: March 13, 2014 at 5:56:47 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Lynn Wilbur

617 Katlian Street

Sitka, AK 99835

From: April Warwick

Date: March 13, 2014 at 5:50:24 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

The process to create and amend the bill was done wrong and in secret. Monday's revised bill does not address concerns of hundreds of Alaskans. It leaves the most controversial sections largely unchanged - expanded DNR power, eroding Alaskans rights to appeal DNR decisions, and gutting the public's right to reserve water in streams for fish and other public uses.

The Parnell Administration did a lousy job working with Alaskans & Tribes who had concerns about the bill, instead he crafted the changes big industry wants of him behind closed doors.

The General Permits section still gives complete discretion to DNR staff to determine what activity is or is not likely to cause "significant and irreparable harm." DNR gets to decide the meaning of those words. I know my meaning is different than DNR's, my meaning protects Alaska more than DNR's.

Another messed up thing is Alaskan's Right to Appeal Bad DNR Decisions is dramatically reduced; even when they don't follow the rules. As written, an Alaskan must show that they are "significantly & adversely affected" in order to appeal a decision. This means that an Alaskan would have to demonstrate direct financial or physical harm from the government's decision, which is a very high bar.

The Water Reservations Sections REMOVES Alaskans ability to keep water in streams for fish, HB77 guts the existing laws that were designed to give Alaskans the ability to keep water in streams for fish, recreation or other uses. I am shocked & very concern about this. Water easily could be Alaska's most valueable resource in the future; we have to safeguard it.

The revised version of HB77 gives complete discretion to DNR to put water reservation applications by Alaskans on the shelf indefinitely. The process outlined by DNR and described in HB77 will change the rules for current water rights applications that have been pending for years. This is not fair & it is totally wrong.

April Warwick
5716 Kennyhill Dr
Anchorage, AK 99504

From: George Menard

Date: March 13, 2014 at 5:32:35 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. WE ARE THE PEOPLE OF ALASKA! YOU SERVE AT OUR DISCRETION, NOT THE OTHER WAY AROUND AND WE WILL BE HEARD! I for one am sick and tired of the state of Alaska running rough shod over the will of its citizens. It seems that the government juggernaut that more and more caters to the privileged monied interests has finally taken leave of its senses. WAKE UP DOWN THERE IN JUNEAU! We do not want to repeat the mistakes of the overdeveloped and polluted lower 48 but that's the direction we're headed if we roll over and hand over the decision making process to a few elite bureaucrats beholden only to their corporate masters.

Democracy is not about "streamlining" the process of debate, decision making or permitting for that matter. It is about inviting, welcoming and LISTENING TO the voice of the people and acting in accordance with the wisdom of numbers, not the self interest of the few up there wielding the levers of power. We are not Russia and Sean P., in spite of his behavior to the contrary, is not Vladimir Putin.

Respectfully Submitted,

George Menard
P. O. Box 13168
Trapper Creek, AK 99683

George Menard
E Petersville Rd 1/4 Mi
Trapper Creek, AK 99683

From: Kevin Cassity

Date: March 13, 2014 at 6:04:32 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Kevin Cassity
12940 Michael Rd.
Anchorage, AK 99516

From: Michael O'Meara

Date: March 13, 2014 at 5:55:06 PM AKDT

To: <Sen.Cathy.Giessel@akleg.gov>, <Sen.Fred.Dyson@akleg.gov>, <Sen.Peter.Micciche@akleg.gov>, <Sen.Click.Bishop@akleg.gov>, <Sen.Lesil.McGuire@akleg.gov>, <Sen.Anna.Fairclough@akleg.gov>, <Sen.Hollis.French@akleg.gov>

Subject: HB 77 Testimony

Senator Giessel and Committee Memembers:

Thank you for the opportunity to submit comments on this issue by email. My name is Mike O'Meara and I live between Homer and Anchor Point. I'll try to be brief here since so many other citizens have already pointed out the wrong-headedness and consequent flaws of HB 77. Like them, I oppose HB 77 and urge that it be scrapped. Late arriving Parnell administration alterations of the bill's previous language do little to improve this misguided legislative effort.

Revised language of HB 77 still gives too much power to DNR through the general permit to allow virtually any activity over large regions without reference to difference in local conditions. Once in place a general permit will eliminate any requirement that public notice be given for specific authorized activities.

There has been no change in objectionable language limiting Alaskans' standing to challenge questionable government decisions.

Changes in language regarding in stream water reservations are not satisfactory. While tribes, organizations, and individuals could apply for such water reservations, DNR is relieved from any responsibility to prioritize or consider applications in a timely manner. If ultimately granted, a certificate of reservation must be held by ADF&G rather than the applicant.

From where I sit as an Alaskan citizen HB 77 looks like an effort to disenfranchise me. As you all know, Article 1, Section 2 of the Alaska Constitution states that: "All political power is inherent in the people. All government originates with the people, is founded upon their will only, and is instituted solely for the good of the people as a whole." Unfortunately, HB 77 would restrict my ability to be informed about and have meaningful input into decisions being made by DNR regarding the management or transfer of public resources which, in part, belong to me. Even worse, it would greatly impair my standing to "meddle" in such affairs should I catch wind of something that smells a little questionable.

The intent of HB 77 seems to be to lubricate the DNR permitting machinery so that any proposed project gets approved with minimal work by agency staff and even less public oversight.

It seems like the intent of our permitting process should be to make sure any project proposed gets a thorough review to weed out the bad ideas from the reasonable ones. That requires adequate staff time and meaningful public oversight. If a project can be conducted safely, with a minimum of harm to or waste of Alaska's resources, little disruption of the community where it would occur, and promises some kind of meaningful benefit for citizens it gets permitted. Otherwise not.

We need a real permitting process that will protect us from ill conceived schemes to get rich quick by exploiting our resources in wasteful and destructive ways. To me HB 77 is just the opposite and should die in committee.

From: Mitchell Hrachiar

Date: March 13, 2014 at 5:54:49 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

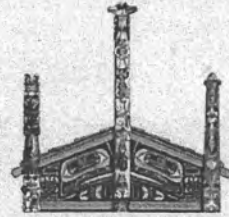
While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Mitchell Hrachiar
41236 Volcano View Ct
Homer, AK 99603

Ketchikan Indian Community



RESOLUTION: KIC-14-14

TITLE: RESOLUTION OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUTES AND ELIMINATING WATER RESERVATIONS

- WHEREAS,** the Tribal Council of the Ketchikan Indian Corporation doing business as the Ketchikan Indian Community (“KIC or the “Tribe”), is a federally recognized Tribal government organized under a Constitution and Bylaws (collectively, the “Constitution”) ratified on January 16, 1979, and previously organized under a Constitution and Bylaws ratified on January 27, 1940, in each instance pursuant to Section 16 of the Indian Reorganization Act (“IRA”) of 1934 as amended; and
- WHEREAS,** the KIC Tribal Council (the “Tribal Council”) is the representative Tribal Government of the Tribe; and
- WHEREAS,** the KIC Tribal Council is empowered under Article V, Section 1(c) of the KIC Constitution to “sell, convey, pledge, lease, exchange, transfer or otherwise dispose of all or any part of its property...with the approval of the Tribal Council; and
- WHEREAS,** the tribe is the governing body of [village] as recognized by the Tribal citizens and has a responsibility to provide a government to protect the good health and welfare of its Tribal citizens, and address any needs in its community; and
- WHEREAS,** the tribe is qualified to exercise powers of self-government by reason of its original Tribal sovereignty as passed down from its ancestors since time immemorial; and nothing in this resolution shall be in conflict therewith;
- WHEREAS,** the tribe is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and
- WHEREAS,** the tribe has a responsibility to steward the land, water, and other natural resources to maintain a cultural subsistence way of life for future generations; and,
- WHEREAS,** Alaska Native peoples depend on abundant salmon runs in healthy rivers for food security in subsistence lifestyles and also for Tribal identity; and
- WHEREAS,** the Parnell administration is promoting legislation, House Bill 77 (H.B. 77), that amends Alaska’s state permitting laws and rules changing how the state’s commonly held resources will be managed; and,
- WHEREAS,** sixteen Tribes have invested millions of dollars to substantiate applications for in-stream flow rights, and are appropriators of the rights for those water reservations; and,
- WHEREAS,** H.B. 77 would eliminate the rights of Alaska Native peoples to apply for in-stream flow rights and rescind all existing in-stream flow water rights applications submitted by Tribes; and,

WHEREAS, H.B. 77 ignores Tribal sovereignty rights by eliminating the process for Alaska's Federally-recognized Tribal Governments to acquire water reservations to protect productive salmon streams, while local governments (boroughs and municipalities) will continue to be able to apply for water reservations under the new law; and,

WHEREAS, H.B. 77 gives DNR the authority to issue an endless series of temporary water use permits for a single project, without opportunity for public review or vetting; and,

WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

Whereas, H.B. 77 makes it more difficult for Alaska Native peoples to access the judicial process and prevents Alaska Native peoples from having their day in court; and,

THEREFORE, BE IT FURTHER RESOLVED, the Ketchikan Indian Community opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native peoples' ability to participate in collaborative resource management, creates legal loopholes to remove guaranteed points of public oversight, and establishes significant barriers to access the judicial process.

CERTIFICATION

The foregoing resolution was adopted at a duly convened meeting of the Ketchikan Indian Community Tribal Council assembled this 13th day of March, 2014 at 2960 Tongass, Ketchikan, Alaska 99901, by a vote of: 0 FOR, 1 AGAINST and 0 ABSTAIN.


Irene Dundas Date

ATTEST:
 3/13/2014
John Morris, Jr. Date

Effective March 13, 2014			
Roll Call	Yes	No	Absent
DUNDAS			
ARRIOLA	✓		
JAMES	✓		
MORRIS	✓		
HUDSON	✓		
BURNS	✓		
JACKSON	✓		
REEVES		✓	
4 Affirmative Votes Required for Passage			

From: Deana Darnall

Date: March 13, 2014 at 10:48:40 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Deana Darnall
2187 Crow Hill Dr
Douglas, AK 99824

From: AD Granger

Date: March 13, 2014 at 10:41:22 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. HB77 goes too far in concentrating power in the hands of DNR, removes opportunity for public input, and the appeals process, and limits or removes essential articles of the public process.

I feel that passage of this bill as it is written significantly and adversely affects my ability to ensure that reasonable safeguards for salmon streams remain intact.

Go back to the table, open up the process to public input and do your job as a public servant and steward of Alaskan rights and resources.

A D Granger

AD Granger
837 Amanita Rd.
Fairbanks, AK 99712

From: Yolanda de la Cruz

Date: March 13, 2014 at 10:35:51 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. I strongly oppose HB77, its time for these public servers (politicians) to work for Alaskans and for the best interest of the state, to preserve the natural resources for future generations. We do not have a dictatorial government in U.S.A. I am asking these public servers who are implementing their own bills, which only benefit themselves and their special interest where is the democracy? The Parnell's administration and legislators are out of control, by introducing their bills in order to take the entire control of the natural resources by force. Things couldn't get any worse in terms of politicization and corruption of the Alaska natural resources by the Parnell's administration and his followers legislators. Alaskan do not need anymore interest legislation and bills like HB77 for the benefit of the politicians and their special interest. What really makes these politicians public servers (LEGISLATORS) believe that special interest is more important than Alaskans.

Yolanda de la Cruz
806 West 57th Avenue
Anchorage, AK 99518

From: Lisa Slepetski

Date: March 13, 2014 at 10:26:52 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

The revised bill unveiled on Monday does not address the concerns voiced by hundreds of Alaskans. It leaves the most controversial sections largely unchanged - expanded DNR power, eroding Alaskans rights to appeal DNR decisions, and gutting the public's right to reserve water in streams for fish and other public uses.

The General Permits section allows DNR to issue general permits which pre-approve activities over broad geographic regions before specific projects are approved. Once the general permit is in place, Alaskans will never know the specific project authorized because there will be no public notice for these projects after the general permit is issued.

The right to appeal a decision by DNR that affects subsistence use of Alaskans resources may be impossible under the current language in HB77.

HB77 guts the existing laws that were designed to give Alaskans the ability to keep water in streams for fish, recreation or other uses.

Lisa Slepetski

PO Box 845

Girdwood, AK 99587

From: Jim Kowalsky

Date: March 14, 2014 at 3:18:07 AM AKDT

To: "senator.cathy.giessel@akleg.gov" <senator.cathy.giessel@akleg.gov>

Subject: HB77

this bill takes Alaska in the wrong direction senator. citizens everywhere including our own dear state of Alaska

continue to see the end of their patience as we watch corporations seize initiative which comes with the kind of advantages HB77 would grant to run absolute roughshod

over common average concerned people who would have virtually no chance or greatly lessened opportunity to participate.

everywhere this is the direction... eg: guaranteed lack of or absence of or failure to have standing in the ordinary public discourse that should be non negotiable in a civil society .. standing we all must have and unfettered process to exercise it. . kill HB 77 now and forever and leave us free to participate without the ridiculous constraints on public participation that are the hallmark if HB77. kill it!!

james Kowalsky

Fairbanks

PO Box 10640

99710

To: Anchorage Legislative Information Office
733 West 4th Avenue, Suite 100
Anchorage, AK 99501

From: Sharon Lowe
2100 Minerva Way, Unit A3
Anchorage, AK 99515

Date: March 12, 2014

Re: My Comment Regarding HB77

If HB77 limits or prevents Alaskans from speaking up about important issues, then this bill is in violation of the rights of free speech guaranteed to all Americans by the United States Constitution, and thereby makes the Alaska State Legislature vulnerable to a lawsuit which it would not win.

Sharon Lowe

ANCHORAGE LEGISLATIVE INFORMATION OFFICE

Email: Anchorage_LIO@akleg.gov 907-269-0111/ phone, 907-269-0229/fax

WRITTEN TESTIMONY

NAME: VAL GLOOSCHERKO 6017 Dorcas Dr
REPRESENTING: SELF Anchorage 99504
BILL#/ SUBJECT: HB 77 VALGLOOSCHERKO@VALGLOOSCHERKO.COM
COMMITTEE &
HEARING DATE: MARCH 12, 2014

I have a master's degree in aquatic ecology and have worked in government service for my entire career - I live in Alaska, previously in other areas of the United States and also in the province of Ontario.

As a retired federal biologist, it is my professional opinion that revisions to HB 77 are useless. I am very familiar with the so-called "General Permit" process, and it was established (invented, if you like) to simply eliminate public or greatly reduce public awareness and consultation. So that the ^{input} activity whatever it is, can simply be permitted.

HB 77 takes away our basic constitutional right to speak up on behalf of our rights as Alaskans.

I also attended, in, last hearing for HB 77 here in Anchorage - there were so many people wanting to speak that the line went out the door!! No one was in favor! The resulting adjustments are only cosmetic dressing, and HB 77 remains an unacceptable TIME BOMB!

Kill it! Don't let it out of committee!

Val Glooscherko

From: Deland Anderson

Sent: Friday, March 14, 2014 7:29 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. The Alaskan people are charged with protecting the resources of this state from degradation. Our fish are our greatest resource by far, supporting a unique culture and way of life. Do nothing to undermine the authority of the people to make the critical decisions concerning our resources. Reject HB 77.

Deland Anderson

Homer

Deland Anderson

Homer, AK

From: cash joyce

Sent: Friday, March 14, 2014 8:23 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77. You are building a lack of trust with your closed door Bill construction. Lack of public notice is not democracy. You are fulfilling your own agendas with your actions. This state is ours, not yours for the taking. All ingredients in this bill speak to me as a strong arm from your administration. I will not sit by and become powerless by law, so you can walk tall behind a curtain of legal ease and manipulation.

cash joyce

Mile Post 79 Glenn Hwy

Chickaloon, AK 99674

From: Amy Christiansen RN
Sent: Friday, March 14, 2014 8:36 AM
To: Sen. Cathy Giessel
Subject: For inclusion in public record PLEASE distribute to committee members.

I used to trust DNR-- no longer! Closed door meetings in privacy?? All kinds of power grabs away from the people? I think BULLY is a good term to describe DNR these days, and I am astounded by the LACK of protection they offer our natural resources. Alaska is NOT up for grabs.. our resources need to be developed slowly, and meticulously.

Which is why we must have not only the right, but the power, to participate in natural resource decisions on state land! I love Alaska. For oh so many reasons. I have a right to help decide what is done with state land!!!

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Amy Christiansen RN
705 Soundview Ave
Homer, AK 99603

From: John Cassity

Sent: Friday, March 14, 2014 8:52 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

John Cassity
500 S Country Cir
Wasilla, AK 99654

From: Terry Turner
Sent: Friday, March 14, 2014 8:43 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Dear Cathy,

I wholeheartedly and vehemently disagree with HB77. Any attempt to limit the Alaskan public's testimony or opinion on issues that affect Alaska is criminal. To be honest, it's no better than the actions of federal authorities in DC. The ones that shut out overwhelming public outcry against attacks on our freedoms. Let me be clear. HB77 is an attack on our right to as Alaskans and Americans to "gather and engage in peaceful demonstrations and to petition the government for redress of their grievances."

Try not to mimic the federal government in stripping our rights as citizens under the US Constitution. If you and your fellow office holders (and the DNR) are tired of listening to Alaskans, find another job. It's that simple.

In closing, whoever sponsored and supports HB77 should be ashamed of themselves. Special interests should never be placed above the citizens of Alaska. Not only should the writer and sponsors of this bill be ashamed, I believe they should be run out of Alaska on a rail.

Shame on you too for cutting testimony short yesterday. I once voted for you, but believe me, it will be worth the travel expense to campaign for your opponent next election.

Terry Turner
7205 Waterfall Dr
Eagle River, AK 99577

From: Tim Hayes

Sent: Friday, March 14, 2014 7:19 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Tim Hayes

770 Deshka Ridge Rd

Palmer, AK 99654

From: Bryan Kirkpatrick
Sent: Friday, March 14, 2014 7:09 AM
To: Sen. Cathy Giessel
Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. We've seen what has happened up and down the west coast when greed and poor management has been allowed to occur. Let's not let that happen to Alaska.

Thank you,
Bryan A. Kirkpatrick

Bryan Kirkpatrick
12940 Hillside Dr
Anchorage, AK 99516

From: Jeremiah Ladenburg

Date: March 14, 2014 at 2:27:34 AM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Please allow the people to have a voice and not financially backed beurocrats!

Sincerely

Jeremiah Ladenburg
3702 Oregon Drive
Anchorage, AK 99517

From: Hilda Martin

Date: March 14, 2014 at 5:46:49 AM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Hilda Martin

70405 Myra

Anchor Point, AK 99556

From: Nadia Bacon

Date: March 13, 2014 at 10:16:24 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes' and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill, the recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Nadia Bacon
425 Harold Bentley Ave
Fairbanks, AK 99701

From: Richard OISON

Date: March 14, 2014 at 12:37:46 AM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

This bill is obviously not a bill written by or sponsored nor originating from the people. A bill this long and full of lawyer 'legal speak' was written and is trying to be passed by forces with unknown intentions, the consequences of which are unforeseeable by common folk. It takes a lot of money and big lawyer \$\$\$ to write such a bill. These forces with the kind of bucks to do this have hidden agendas. I beg of you to not allow this bill to pass....

sincerely Reverend Richard Olson

PS. I'm a little feed-up with politicians who do the 'big money establishment's' bidding.

Richard OISON

64615 'star ct.

Homer, AK 99603

From: Mr. and Mrs. James Pазsint
Date: March 14, 2014 at 12:39:26 AM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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Sincerely, Jim and Holly Pазsint

Mr. and Mrs. James Pазsint
6330 East Mountain Goat Circle
Wasilla, AK 99654

From: Sue Johnson
Date: March 14, 2014 at 6:12:06 AM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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Sincerely,

Sue Johnson
Richard E Byrd
Unit A
Anchorage, AK 99517

From: Suzanne Cohen

Date: March 13, 2014 at 4:27:50 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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Sincerely,

Suzanne Cohen

725 5th Street

Juneau, AK 99801

From: Susan Valenti

Date: March 13, 2014 at 4:36:40 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Susan Valenti
7010 E. 140th Ave.
Anchorage, AK 99516

From: David Klein

Date: March 13, 2014 at 4:37:33 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I am opposed to HB77 as currently written. Our democratic system of government at both the national and state levels has proved to be the most effective system to serve the interest of the people. I served my country in both World War II and the Korean War largely because I believed in our system of open government where an informed public plays a strong role in shaping policy at the local level. DNR's role in protecting and maintaining the productivity of fish and wildlife habitats, must be open for public comment and contribution of local knowledge and experience to assure that DNR's actions re land use policy and implementation are soundly based and remain open for public scrutiny.

Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

David Klein
2027 Weston Drive
Fairbanks, AK 99709

From: Gary Dailey <thedaileys@alaska.net>
Date: March 13, 2014 at 4:48:17 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.
Reply-To: <thedaileys@alaska.net>

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Gary Dailey
50306 Island Lake Road
Kenai, AK 99611

From: Tamea Isham
Date: March 13, 2014 at 4:59:10 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Tamea Isham
19944 Upper Greatland Dr.
chugiak, AK 99567

From: Frank Keim

Date: March 13, 2014 at 5:23:10 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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Sincerely,

Frank Keim
2220 Penrose Lane
Fairbanks, AK 99709

From: Hautamaki

Date: March 13, 2014 at 6:37:14 PM AKDT

To: <Senator.Anna.Fairclough@akleg.gov>, <Senator.Bert.Stedman@akleg.gov>, <Senator.Berta.Gardner@akleg.gov>, <Senator.Bill.Wielechowski@akleg.gov>, <Senator.Cathy.Giessel@akleg.gov>, <Senator.Charlie.Huggins@akleg.gov>, <Senator.Click.Bishop@akleg.gov>, <Senator.Dennis.Egan@akleg.gov>, <Senator.Donny.Olson@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, <Senator.Gary.Stevens@akleg.gov>, <Senator.Hollis.French@akleg.gov>, <Senator.John.Coghill@akleg.gov>, <Senator.Johnny.Ellis@akleg.gov>, <Senator.Kevin.Meyer@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>, <Senator.Lyman.Hoffman@akleg.gov>, <Senator.Mike.Dunleavy@akleg.gov>, <Senator.Pete.Kelly@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>

Subject: HB77

I continue to oppose HB77, even with the changes presented on Monday.

"As a committee, we believe public testimony is an important part of the process," said Giessel. "That's why it is critical to me, and the others, to give Alaskans an opportunity to have their voices heard."

What!!! What a charade!!! Why are Giessel and other supporting this corporate takeover style bill? A bill that limits the power of public interest and hands Alaska's watersheds over to industry!

Have supporters of HB 77 remember that healthy salmon stocks were an impetus for Statehood at a time when corporate interest were mining salmon???

Do supporters know anything about Alaska history?

Wake up and think long term.

Doug Hill

437 S Gulkana Street

Palmer, AK 99645

From: timpenny
Date: March 13, 2014 at 6:39:14 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Cc: <Senator.Lesil.McGuire@akleg.gov>
Subject: Water Rights

Senator Giessel - while I applaud your efforts to stay on time for the testimony on HB77, I completely disagree on the subject of who should have control over water rights in Alaska. As water is a precious, personal and local resource I can't believe the government should be allowed to suborn local control.

Thank you for your attention,

Penny & Tim Johnson
1804 Concord Hill Drive
Anchorage, AK 99515

From: Brit Lively
Date: March 13, 2014 at 7:11:23 PM AKDT
To: <senator.cathy.giessel@akleg.gov>
Subject: HB 77 comment and private property rights

Dear Senator Giesel,

Please, don't take away the rights from property owners, like ourselves, who thought we had rights to water on our properties here in Mat-Su which we could choose to apply for any time and pass them along to our children. We have been using the ground water for our wells and the waters from Bodenburg Creek (where we own the creek bed) for watering our garden, for fire protection of our woods and home, for our own horses and for those of our customers at SaddleUp Arena. Because we have several large lots, we also want to ensure that we will have the ability to develop these properties should we so choose.

We have gone to great extent to educate ourselves in order to protect Bodenburg Creek, the fish and the surrounding, having followed the Mat-Su Borough's guidelines and the Coastal Management Plan. Please, don't take away the water rights from private property owners.

Thank you,
Brigitte (Brit) Lively
Mail: 259 South Alaska Street, Palmer, Alaska 99645

From: Sammy Crawford
Date: March 13, 2014 at 7:24:56 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Cc: <Senator.Peter.Micciche@akleg.gov>
Subject: Testimony on HB77

Dear Senator Giessel & Senator Micciche,

Please include this testimony in public record & distribute to committee members.

I am very disappointed I was not able to testify in opposition to House Bill 77. I believe this bill needs proper vetting and review by the public and two days does not do it justice. Public involvement in a democracy is critical to all decisions. Streamlining these decisions does not make democracy better or strengthen citizens rights to participate. Being able to appeal decisions by any government agency is important. Citizens need ways to be heard and make their wishes known. Overreaching determination power to any entity, even the DNR commissioner, is dangerous and negates the public process. Please consider the overwhelming number of citizens who are in vigorous opposition to this bill as currently written.

Sincerely,
Sammy Crawford, Kenai

From: Dick Branton

Date: March 13, 2014 at 7:52:44 PM AKDT

To: "Sen. Cathy Giessel" <Sen.Cathy.Giessel@akleg.gov>

Subject: Please include this in the public record and distribute to Natural Resource committee members

Please include this in the public record and distribute to Natural Resource committee members:

Senator Giessel,

I am a 60+year Alaska resident and a property owner currently living in the Mat-Su Boro. I am also a retired State of Alaska employee who is very informed regarding how the political system works and the extent to which pressure can be brought upon top level employees who have broad reaching powers and decision making authority. Too much authority vested in a single political office often results in decisions that are not fully in the public interest. For this reason we have separated powers, checks and balances. "open and transparent" processes, and public hearings as safe guards and a protection against a person holding an office of delegated authority yielding to the demands made by select interests.

It is my opinion that HB 77 contains wording that will significantly reduce the protections noted above regarding the use of real property, water rights and related issues as outlined in the proposed legislation.

I am strongly opposed to HB 77 per-se as well as the concepts it contains. Major decisions by government agents without public involvement is a dangerous road upon which to travel!

Thomas R. Branton

From: John Dodge

Date: March 13, 2014 at 8:09:14 PM AKDT

To: "senator.cathy.giessel@akleg.gov" <senator.cathy.giessel@akleg.gov>

Subject: Public comment, bill 77

Please include in public records. I am against bill 77 because it would cut public participation and give unlimited approval power to DNR for projects that might contaminate and reduce stream flow, adversely impact salmon/habitat, and other possible environmental degradations .

From John C Dodge, box 2532, Homer, AK 99603

From: Art & Tamea Isham
Sent: Thursday, March 13, 2014 4:55 PM
To: LIO Anchorage
Subject: HB 77

I am firmly against any attempt to loosen environmental rules in state law related to land use. I am against allowing DNR to issue broad general permits that any number of individual projects could be developed under. We are all owners of Alaska's resources and should have a say in the management of its lands.

Tamea Isham
19944 Upper Greatland Dr.
Chugiak, AK

From: Craig Murdoch
Sent: Friday, March 14, 2014 8:47 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I have serious concerns that this bill is not in the best interest of the people of Alaska. This bill appears to be another example of legislation that widles away public involvement in the vetting processes of development and utilization of OUR water resources. I'd like to see more public and stakeholder involmnet not less. Does this bill strengthen the states commitment to careful, well vetted, sustainable, long term development of resources? It seems like it does the opposit. I do not support HB 77!

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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Sincerely,

Craig Murdoch

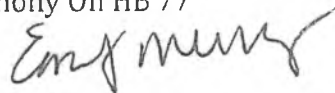
Craig Murdoch
PO Box 121
Gustavus, AK 99826

HB 77 Opposition Documents Index Group #8
Passed Out to Committee Members on 3/14/14

1. Emily Murray – March 13th
2. Bruce Neeno – March 14th
3. Tom Pogson – March 14th
4. Ray Bulson – March 14th
5. Cheryl Westley – March 14th
6. Dolores Farrell – March 14th
7. Ron Anderson – March 14th
8. Gerri Koechling – March 14th
9. Patricia Gaedeke – March 14th
10. Theresa Moore – March 14th
11. Duane Howe – March 14th
12. Lisa Paesani – March 14th
13. Frank Keim – March 14th
14. Bert Stammerjohan – March 14th
15. Dashiell Feirabend – March 14th
16. Benjamin Pister – March 14th
17. Elizabeth Senear – March 14th
18. W Chris Jones – March 14th
19. Dylan Gasperik – March 14th
20. William Webb Jr. – March 14th
21. Andy Baltensperger – March 14th
22. Ralph Basner – March 14th
23. Timothy Mullet – March 14th
24. Laurie Holland – March 14th
25. Laura Inglima – March 14th
26. Derek Poinsette – March 14th
27. Keith Hediger – March 14th
28. Debra Wessler – March 14th
29. Rika Mouw – March 14th
30. Johnse Ostman – March 14th
31. George Rogers – March 14th
32. Phil Shoemaker – March 14th
33. Larry McGee – March 14th
34. Cathy Teich – March 13th
35. Shawn O'Donnell – March 13th
36. Kime McClintock – March 13th
37. Hugh Rose – March 13th
38. Pamela Richter – March 13th
39. Lorraine Murray – March 13th
40. Lauren Padawer – March 13th
41. Richard Moran – March 13th
42. Yvonne Carter – March 13th
43. Liz Robinson – March 13th
44. Mary WoodConstable – March 13th

2-minute Testimony On HB 77

Emily Murray



Tribal member from the Native Village of Elim

My name is Emily Murray. I am a tribal member from the Native Village of Elim. My tribe has passed a Resolution 2013-04, the City of Elim passed Resolution 13-03 and also Norton Bay Inter-tribal Council also passed Resolution 12-01 all opposing HB 77 altogether. My tribe represents **351 people strong**. Furthermore **41-resolutions from communities** all over the State of Alaska, and from our **Bering Strait Region** alone we have **Elim, Golovin, Koyuk, Shaktoolik, St. Michael and White Mountain**. Also **4-City state-wide** resolutions have been passed with the **City of Elim** being one of them. To conclude **Bering Strait Development Council** and **Norton Bay Inter-Tribal Watershed Council** from our region have also passed resolution **STRONGLY OPPOSING HB77**. Currently, our tribes have been monitoring two major rivers, **Tubuktulik River and Fish River** to insure we have clean water for salmon fish we heavily rely on. This Bill will ultimately strip **OUR RIGHT** to hold in-stream water reservation. **CLEAN WATER** is essential to maintaining a healthy land base and streams for our food resources. By securing this right **OUR PEOPLE** are able to define our own policies and strategies for sustainable hunting and gathering of food, along with this comes a respect for our own culture and is definitely a precondition for **FOOD SECURITY** for generations to come! **WE STRONGLY OPPOSE HB 77 altogether!** Thank you!

From: Bruce Neeno
Sent: Friday, March 14, 2014 10:58 AM
To: Sen. Cathy Giessel
Subject: Please disribute to Senate Resource Committee members

As an Alaskan, I fundamentally disagree with the premise behind HB77, even with the changes presented on Monday. Further, I am against the efforts of Governor Parnell to continually favor resource developers over the rights of Alaskan citizens--as if the two are mutually exclusive.

Instead of incurring the wrath of the EPA, please uphold the precedent for maintaining clean waters in our State. Please resist the inertia of special interests over the existing science and laws that seek to ensure our future salmon stocks and subsistence practices.

I vote!

Bruce Neeno - Anchorage

Bruce Neeno
P.O. Box 90737
Anchorage, AK 99509

From: Tom Pogson
Sent: Friday, March 14, 2014 8:40 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Tom Pogson
PO Box 12
11371 S. Russian Creek Rd. Apt 4-B
Kodiak, AK 99615

From: Ray Bulson

Sent: Friday, March 14, 2014 8:29 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Ray Bulson
26034 Wildflower Circle
Eagle River, AK 99577

From: Cheryl Westley
Sent: Friday, March 14, 2014 7:58 AM
To: Sen. Cathy Giessel
Subject: Listen to Alaskans!

I continue to oppose HB77, even with the changes presented on Monday. Our constitution says that we Alaskans must manage our resources for the maximum benefit of the people, not for corporations like mining companies and oil extractors. Permitting is there for a reason and all Alaskans must have voice in the decision making process. That's called democracy! Keep Alaskan voices an intergal part of this process!

Cheryl Westley

Cheryl Westley
8500 Greenhill Wy
Anchorage, AK 99502

From: Dolores Farrell
Sent: Friday, March 14, 2014 7:49 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

HB 77 would provide for new expanded DNR powers, erode Alaskans rights to appeal DNR decisions, and damage the existing process for water reservations. Additionally, even with new revisions, HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways.

While we appreciate the attempts to fix this bad bill, the recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

I strongly object to this effort to turn control of Alaska's natural resources over to corporations and cut the people of Alaska out of the decision-making process.

Sincerely,

Dolores Farrell
3501 Halibut Pt. Rd.
Sitka, AK 99835

From: Ron Andersen
Sent: Friday, March 14, 2014 7:15 AM
To: Sen. Cathy Giessel
Subject: HB 77

Re: HB77

Dear Senator Giessel:

I read HB77 on line a couple of days ago. I am not a lawyer so I had a hard time understanding it very well. However, two things struck me:

One is the use of the weasel word "may" many times in this bill. The use of this word in the bill leads me to believe that it is probably there to be misleading, because it will mean "won't" more often than not.

The second was that the bill grants near omnipotence to the Director and/or Commissioner by allowing either to dictate what will be done by restricting public comment and discussion when it should be widely debated. It occurred to me that the water rights part is a size 18 boot in the door for fracking in Alaska. Speeding up permitting processes is not the best thing for the State since it opens up loopholes for industry to cause more environmental harm by taking shortcuts. The requirements were put there for good reason.

In 1995 the Alaska Legislature presented the following citation to Stan Stephens. "...He has been an example for all Alaskans of how citizens can constructively influence decisions that affect their lives and communities,..." Today, it seems that the governor and many in the legislature are trying to restrict that influence by writing legislation that restricts the citizen's right to protest or comment. This is not restricted to Alaska but is occurring in many states and the US Congress.

With the nearly 100 percent of the people testifying against it so far and likely more today, I hope that you will follow the wishes of the people of Alaska and keep the bill from the floor.

Thank you very much.

Sincerely,
Ronald C. Andersen
PO Box 2276
Cordova, AK 99574

From: Gerri Koechling
Sent: Friday, March 14, 2014 7:12 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Gerri Koechling
Mie 2 Whitshed Rd
Corova, AK 99574

From: Patricia Gaedeke
Sent: Friday, March 14, 2014 8:57 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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Sincerely,

Patricia Gaedeke
P.O. Box 80424
Fairbanks, AK 99708

From: Theresa Moore
Sent: Friday, March 14, 2014 8:57 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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Sincerely,

Theresa Moore
381 Bolin St apt 4
Anchorage, AK 99504

From: Duane Howe
Sent: Friday, March 14, 2014 9:13 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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The recent proposed amendments to the bill do not address concerns raised by the public. It is plain that the bill is exactly the way the Governor wants it. He is not interested in allowing the people to have anything to say about it. HB 77 should be put away until we get a governor who is more interested in the people than in money.

Sincerely,

Duane Howe
41640 Gladys Ct
Homer, AK 99603

From: Lisa Paesani
Sent: Friday, March 14, 2014 9:13 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Lisa Paesani
2219 W Marston Drive
Anchorage, AK 99517

On Mar 13, 2014, at 5:23 PM, "Frank Keim" wrote:

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Sincerely,

Frank Keim
2220 Penrose Lane
Fairbanks
Fairbanks, AK 99709

From: Bert Stammerjohan

Sent: Friday, March 14, 2014 9:53 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

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Sincerely,
Bert Stammerjohan

Bert Stammerjohan
Box 762
Cordova, AK 99574

From: Dashiell Feierabend

Sent: Friday, March 14, 2014 9:50 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Dashiell Feierabend
PO Box 756100
Fairbanks, AK 99775

From: Elizabeth Senear

Sent: Friday, March 14, 2014 9:48 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77 and will not be cut out of the process! Please include this in public record and distribute to committee members.

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Sincerely,

Elizabeth Senear
PO Box 762
603 Cedar St.
Cordova, AK 99574

From: W Chris Jones

Sent: Friday, March 14, 2014 9:49 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

W Chris Jones

PO Box 1237

Palmer, AK 99645

From: Dylan Gasperik
Sent: Friday, March 14, 2014 9:50 AM
To: Sen. Cathy Giessel
Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Dylan Gasperik
1418 Venice Blvd
Venice, CA 90291

From: William Webb Jr

Sent: Friday, March 14, 2014 9:55 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

William Webb Jr

PO Box 1622

Kenai, AK 99611

From: Andy Baltensperger

Sent: Friday, March 14, 2014 9:46 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Andy Baltensperger
1701 Army Rd
Fairbanks, AK 99709

From: Ralph Basner
Sent: Friday, March 14, 2014 9:45 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Ralph Basner
5290 N. Brywood Cir
Palmer, AK 99645

From: Timothy Mullet

Sent: Friday, March 14, 2014 9:32 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

After attending public meetings and reading the press concerning HB 77, it is obvious to me that the majority of stakeholders (Alaskans) do not want this bill to pass in its present state. Allowing DNR the power to grant blanket permits for development projects in Alaska without public comment or appeal by all concerned Alaskans is not representative of a democracy.

I understand you want to exploit Alaska's natural resources for a more progressive and prosperous Alaska, but at what cost? Alaskans are the people who should decide what is done with the state's natural resources. Without the people's voice we rely exclusively on the personal values and interests of our political representatives. Unfortunately, our political representatives and the DNR do not want Alaskans to have a voice or power in how our great and beautiful state's natural resources are being utilized. How is that representative?

Streamlining the permitting process through HB 77 gives more power and incentives to development companies than to Alaskans. Who is to say these companies have Alaskan's best interest in mind?

As an Alaskan and a person who believes that the state and country should be run by the people, I personally ask you to vote against the present state of HB 77.

This bill is not intended to give Alaskans what they need but corporations what they desire.

Thank you for your consideration.

Sincerely,

Timothy Mullet
48025 West Poppy Lane
Soldotna, AK 99669

From: Laurie Holland
Sent: Friday, March 14, 2014 9:41 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

I am a voter in your senate district. I expect you to represent me even if I don't share your views on a subject. Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

Expanding DNR powers through HB 77 is bad for Alaska and is short sighted in making resource development the priority above all else. It is our state and we must have the ability to participate in natural resource decisions on state land.

Recent attempts to fix through the proposed amendments do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Laurie Holland
16110 Honey Bear Circle
Anchorage, AK 99516

From: Laura Inglima

Sent: Friday, March 14, 2014 9:58 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I am a 40 year Alaskan resident. My family hunts and fishes. We TREASURE OUR RIGHTS AS ALASKANS AND OUR CONNECTION TO THE LAND AND ITS RESOURCES.

I continue to OPPOSE HB77. The revised bill unveiled on Monday does not address the concerns voiced by hundreds of Alaskans. It leaves the MOST IMPORTANT sections unchanged: EXPANDED DNR POWER, ERODING ALASKANS RIGHTS to APPEAL DNR decisions, and DESTROYING THE PUBLIC'S RIGHT TO RESERVE WATER IN STREAMS FOR FISH and OTHER PUBLIC USES.

The Parnell Administration made changes BEHIND CLOSED DOORS without including ALASKANS, THE ONES THIS IMPACTS THE MOST, in these changes.

This is WRONG, this is INHERENTLY UNALASKAN, and this MUST CHANGE. ALASKANS MUST BE INCLUDED IN MAJOR CHANGES THAT AFFECT THEIR LIVES, LIVELIHOODS, THEIR FUTURES AND THE FUTURE FOR FOLLOWING GENERATIONS!

Laura Inglima
60210 Bear Creek Dr
Homer, AK 99603

From: Derek Poinsette
Sent: Friday, March 14, 2014 10:12 AM
To: Sen. Cathy Giessel
Subject: HB77 Testimony: Bill is bad for Alaska

Senator Cathy Giessel:

Despite recent changes, HB77 is still bad for Alaska. The resources of this state belong to the people, and this bill erodes the power of Alaskans to participate in the management of those resources. HB77 is a threat to salmon; it is a threat to democracy; and it is a blatant give-away to out-of-state mining interests. Please do what is best for the people of Alaska and reconsider this bill with further public comment and committee process.

Sincerely,

Derek Poinsette
PO Box 555
Haines, AK 99827

From: Keith Hediger

Sent: Friday, March 14, 2014 10:12 AM

To: Sen. Cathy Giessel

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Keith Hediger

3858 Lake St Ste 20

Homer, AK 99603

From: Debra Wessler
Sent: Friday, March 14, 2014 10:14 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Debra Wessler
Talkeetna, AK

Debra Wessler
14734 E Woodpecker Ave
Talkeetna, AK 99676

From: Rika Mouw

Sent: Friday, March 14, 2014 10:01 AM

To: Sen. Cathy Giessel

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Rika Mouw

P.O.Box 4084

Homer, AK 99603

From: Johnse Ostman
Sent: Friday, March 14, 2014 10:10 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

HB77 removes the rights of Alaskans and empowers DNR to issue general permits for "an activity" over broad geographic areas of state land. I am concerned that once the general permit is in place, the people will never know about specific projects authorized by it because these projects would not be noticed to the public. HB77 limits the legal rights, making it more difficult for individual Alaskans to challenge DNR decisions, even when they (DNR) don't follow the rules. Under HB 77, in order for me to weigh in or challenge decisions I have to be "significantly adversely affected" which takes away my right to contest projects and/or (bad or illegal) decisions that have broader (adverse) effects for all people. HB77 guts the existing law which allows Alaskans to reserve water in streams for wild fish, recreation or other uses. What right does DNR have to use unfettered discretion to put water reservations filed by Alaskans on the shelf, indefinitely? HB 77 undermines tribes and individual Alaskans' ability to keep water in streams and seriously undermine their ability to participate in natural resource decisions on state land in other ways. Prioritizing development of our natural resources may be the new "mission" of DNR, but that decision was made by a few influenced bureaucrats and does not reflect the "mission" of Alaskans. Above all, this expansion of DNR power erodes individual Alaskans rights to appeal DNR decisions and eviscerates the process for water reservations.

There has not been enough public discourse about House Bill 77. Recently, hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees. While I appreciate the attempts to fix this bad bill, the recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse. A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Please accept this letter as my testimony in opposition of HB77.

Thank you.

Johnse S. Ostman
1562 Airport Heights Drive
Anchorage, AK 99508

From: George Rogers
Sent: Friday, March 14, 2014 10:12 AM
To: Sen. Cathy Giessel
Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

George Rogers
Tisa Drive
Denali Dr
Cantwell, AK 99729

From: Rocky
Sent: Friday, March 14, 2014 10:09 AM
To: Sen. Cathy Giessel
Cc: Sen. Gary Stevens
Subject: HB 77

Alaska's natural resources belong to all Alaskans and as such we all have a stake in how they are managed and deserve a say in how they are managed.
I strongly urge you to to vote against HB 77 and to please include this letter in public record and to distribute it to all natural resources committee members

Thank You

Phil Shoemaker
King Salmon, Ak

From: Larry McGee

Sent: Friday, March 14, 2014 10:18 AM

To: Sen. Cathy Giessel

Subject: HB 77 Please include in the public record and distribute to DNR committee members

I am opposed to HB77 in its entirety. If ever there was an agency that needed more public oversight instead of less, it is the Department of Natural Resources.

As an example, I hope you will remember the attempted COAL BED METHANE LEASES the DNR tried to grant here under your constituent's property in the not so distant past.

Best of wishes to you and the DNR in your roles as public servants.

Sincerely,

Lawrence E. McGee

From: Cathy Teich

Date: March 13, 2014 at 8:13:07 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

In all honesty, it should be thrown out. I do not think that it can be fixed. Start again or keep things as they were.

Sincerely,

Cathy Teich
P O Box 155
Talkeetna, AK 99676

From: Shawn O'Donnell

Date: March 13, 2014 at 8:18:30 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Wednesday's hearing was another example of the fact that there has not been enough public discourse about House Bill 77. Hundreds of Alaskans were prevented from testifying and they deserve their time to testify in opposition of this bill. I hope that the Alaska Legislature will fully vet this bill in front of multiple committees.

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While we appreciate the attempts to fix this bad bill. The recent proposed amendments to the bill do not address concerns raised by the public at statewide public forums and in petitions and letters, and in fact, some of the changes make the bill even worse.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several legislative committees.

Sincerely,

Shawn O'Donnell
7539 Eastbrook Circle Anchorage, Alaska, 99504
Anchorage, AK 99504

From: kime mcclintock

Date: March 13, 2014 at 7:12:07 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

kime mcclintock
6525 Michigan Blvd
Anchorage, AK 99516

From: Hugh Rose

Date: March 13, 2014 at 6:42:17 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

Speaking as an Alaska resident for 20 years I find the House Bill HB 77 and the way it is being forced onto Alaskans highly offensive. Alaska has some of the last great wilderness areas left in the USA and we need to make sure that if we are going to spoil that Wilderness permanently for the short term monetary gain of resource extraction, that Alaskans have a say in that decision. Alaskans are being treated like we are too simple to understand what is at stake with this bill. Please stop insulting my intelligence as a voting Alaska resident and put HB 77 to rest permanently!

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Sincerely,

Hugh Rose

Hugh Rose
620 Yak Rd
Fairbanks, AK 99709

From: Pamela Richter

Date: March 13, 2014 at 6:19:37 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

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Sincerely,

Pamela Richter
11161 Hillside Drive
Anchorage, AK 99507

From: Lorraine Murray

Date: March 13, 2014 at 6:26:27 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Alaskans oppose HB 77: Please include this in public record and distribute to committee members.

HB 77 is an insult to all Alaskans. DNR needs to find some other way to deal with their backlog. Blocking public participation in permitting decisions should not be an option. Alaskans have the right to give input on DNR permits.

Sincerely,
Lorraine Murray

Lorraine Murray
8108 Poplar Ave
Auke Bay, AK 99821

From: Lauren Padawer

Date: March 13, 2014 at 8:35:08 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Representative.alan.austerman@akleg.gov>

Subject: HB77 opposition

Dear Senator Giessel and Representative Austerman,

As a Cordova resident, commercial fisherman and small business owner, I think HB77 is too flawed to be fixed. House Bill 77 severely limits the ability of all Alaskans to inform and affect their representatives' and government's thoughts and actions. It even limits the people's knowledge of what their government is doing. In try to achieve efficiency, we are losing safety and efficacy. I feel Parnell and the HB 77 advocates are selling Alaska's resources at the expense of the long-term public welfare.

HB 77 would allow the commissioner to grant general permits within huge land areas for strip mines, oil wells, seafood-processing plants, or any industrial activity. It also eliminates public notice on any such specific projects. It blocks anyone who wants to challenge them unless the person was "substantially and adversely affected." Along the same lines, HB 77 strips human and even corporate "persons" of the right they've had since statehood to request an in-stream flow reservation.

I would not be a proud Alaskan if HB 77 passes. I would be EXTREMELY embarrassed.

Sincerely,

Lauren Padawer

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Lauren Padawer

office: PO Box 394, Cordova, AK 99574

From: Richard Moran

Date: March 13, 2014 at 8:24:30 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday. Alaska resources belong to the people of Alaska. It is event to me that any administration be it left or right needs constant vigilance by the people. This bill reduces the ability of the people to check the power of the government. Rewrite this bill to return the full power of the people of Alaska to address issues of Water and Fish resources at all points of the decision process.

Richard Moran
20324 Raven Dr
Eagle River, AK 99577

From: Yvonne Carter <yvonne64@sbcglobal.net>

Date: March 13, 2014 at 7:31:02 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

I continue to oppose HB77, even with the changes presented on Monday.

Is there nothing in your vocabulary that is called respect/honor/protect/--guess not. Your language has destroy to the highest bidder. May you live long enough to be negatively effected by the damage you create.

Yvonne Carter
165112 Clifton Blvd
Cleland, OH 44107

From: Liz Robinson <liz@envisionmatsu.org>

Date: March 13, 2014 at 6:54:10 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>

Subject: Please include this in public record and distribute to Senate Resource Committee members

My name is Liz Robinson and I am making a statement on behalf of the non-profit organization Envision Mat-Su.

House Bill 77 remains a disastrous piece of legislation which affects natural resource project decision-making in a way that does a disservice to the people of Alaska, no matter who they are. Our region, the Mat-Su Valley, has both immense natural resources and rapidly growing communities comprising many different points of view, but this bill will deprive citizens across the board of the ability to reserve natural resources for the public interest, question natural resource decisions, and effectively voice their views.

The new version of House Bill 77 does not address what are the essential problems with this piece of legislation. Despite the revisions, House Bill 77 still trades the voice of the people, as well as lasting protections for fish and renewable resources, in favor of faster natural resource project permitting. This is accomplished by (1) eroding water rights for individuals and organizations, (2) limiting the ability of citizens to become informed about and appeal natural resource project decisions, and by (3) concentrating broad decision-making power in the hands of one person - the Commissioner of the Department of Natural Resources.

House Bill 77 erodes the ability of individuals and organizations to keep water in streams, while at the same time allowing corporations the ability to take water. This bill eliminates the ability of individuals and organizations to secure in-stream water rights to maintain sufficient flow necessary for various public interests, including for transportation, recreation, and the protection of fish and wildlife. In the previous version of the bill, federally recognized tribes, organizations and people could no longer apply for water reservations. In the new version of the bill, tribes, organizations and people can apply for water reservations, but the Department of Natural Resources is not required to consider or issue them, and no timeline has to be given to applicants. Local governments, tribes and people cannot hold a certificate of reservation, all reservations will be held by the Alaska Department of Fish and Game. So, Alaskans can spend a lot of time and money to file an application to reserve water in a stream, but the Department of Natural Resources no longer needs to prioritize these applications or make a decision on them. What is the point of that?

House Bill 77 also reduces the ability of Alaskans to participate in the project appeal process, therefore hindering the ability of citizens to effectively voice their concerns regarding natural resource project decisions. In order to initiate the court review process for a DNR permitting decision, an individual or organization must show, according to House Bill 77, that they would be "substantially and adversely affected" by the action rather than simply "aggrieved", as is stated under existing law. In effect, this bill would make it harder for individuals or groups to raise concerns about DNR decisions and hold the agency accountable to the public. Due process of law is a right guaranteed to all Alaskans, but this bill limits public access to the courts. Also,

with House Bill 77 in effect, there would be no requirement for public notice on the issuance of permits. In effect, this bill would make it harder for Alaskans to challenge the Department of Natural Resources' decisions, even when the Department does not follow their own rules. The Department of Natural Resources says this legislation is needed to keep the citizens from slowing down the permitting process, but is it a fair deal for Alaskans?

House Bill 77 gives one person, the Commissioner of the Department of Natural Resources, vast powers and vague rules. In addition to limiting public input, this bill still concentrates natural resource decision-making power into the hands of the Commissioner. The new version of this bill makes the exception that the Commissioner must respect Alaska Department of Fish & Game laws, but the Commissioner may still override the rules and regulations of the Department of Natural Resources if desired. Additionally, natural resource project permits may be granted if it is determined that the project will not result in "significant, irreparable harm" to state land or resources, but what constitutes this language will be decided on a case-by-case basis. The term "irreparable" is problematic in that the Commissioner may issue a permit for a project resulting in harm to our lands and waters if it is believed that this harm could be repaired. Thus, it must be proven that an activity will "likely" result in "significant" and "irreparable" damage, not the other way around. And what about damage that, in theory, could be repaired? Are we okay with that? And what about possible, but unlikely, irreparable damage? Is the grey area of such vague legal language worth such risk to our lands and our resources?

Upon examination of the various components of House Bill 77, Envision Mat-Su determined that this piece of legislation remains odds with our mission to "actively engage Mat-Su residents and other Alaskans in the conservation, restoration, enhancement, and stewardship of our region's most valuable resources – our unique communities and natural assets." By taking away the power of the people to fully engage on natural resource project decisions, our ability to be good stewards of our lands, waters, and communities is undermined. In our view, the economic benefits that may come from fast permitting processes for natural resource projects do not outweigh the negative social and environmental impacts that would come from denying Alaskans their voice.

Liz Robinson
PO Box 116
Palmer, AK 99645