

HB 77

(FILE 7)

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



Gwichyaa Zhee Gwich'in Tribal Government

(Formerly known as the Native Village of Fort Yukon, IRA)

P.O. Box 126

Fort Yukon, AK 99740

Phone: (907) 662-2581

Fax: (907) 662-2222

RESOLUTION 13-20

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

WHEREAS, Gwichyaa Zhee Gwich'in Tribal Government is the governing body of Fort Yukon as recognized by the Tribal members 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 Gwichyaa Zhee Gwich'in Tribal Government 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 Gwichyaa Zhee Gwich'in Tribal Government is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Gwichyaa Zhee Gwich'in Tribal Government 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 people depend on abundant salmon runs in healthy rivers for food security in subsistence lifestyles and also for Tribal identity; and

WHEREAS, the Pamell 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 Gwichyaa Zhee Gwich'in Tribal Government 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

We hereby certify that this resolution was duly passed by the Gwichyaa Zhee Gwich'in Tribal Government on the 31 day of July, 2013 by a vote for, against, and abstaining.



1st Chief



Council Member

Angoon Community Association

P.O. Box 328 -- Angoon, Alaska 99820

Phone: (907)788-3411 - Fax: (907)788-3412

IRA COUNCIL MEMBERS

Wally Frank, Sr., President
Alan Zuboff, Vice-President
Floyd Jim, Secretary
George Nelson, Jr., Treasurer
Kevin Frank, Council Member
Albert Howard, Council Member
Travis See, Council Member

RESOLUTION OF THE ANGOON COMMUNITY ASSOCIATION OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUTES AND ELIMINATING WATER RESERVATIONS NO. 13-07

WHEREAS: The Angoon Community Association (ACA) is the tribal governing body of the Community of Angoon as authorized by an Act of Congress of June 18, 1934, (48 Stat. 984), and May 1, 1936 (49 Stat. 1250) approved by the Secretary of the Interior on May 10, 1939 and ratified by the membership and Angoon Community Association by an election on November 15, 1939, ACA is a Federally Recognized Tribe as authorized by an Act of Congress of June 18, 1934, and

WHEREAS: ACA enjoys a government-to-government relationship with the Federal Government, 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 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 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 Alaska Department of Natural Resources (DNR) the authority to issue an endless series of temporary water use permits for single project, without opportunity for public review or voting, and

WHEREAS: H.B. 77 expands the DNR's 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

NOW, THEREFORE BE IT RESOLVED, the Council of Angoon Community Association does oppose 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, and

BE IT FURTHER RESOLVED, the Council of Angoon Community Association does authorize Wally Frank or his designee to negotiate on behalf of the Tribe, and

BE IT FINALLY RESOLVED, that this authorizing resolution shall stay into effect until rescinded by action of the Angoon Community Association Council.

CERTIFICATION

SIGNED: Wally Frank Sr.
Wally Frank Sr., President

I, the undersigned, as the Secretary of the Angoon Community Association hereby certify that the Council of the Angoon Community Association is composed of seven (7) members, of whom 4 constitutes a quorum were present at a meeting duly and regularly called, noticed, convened and held this 17 day of October, 2013; and that the foregoing resolution No. 13-06 was adopted at such meeting by a vote of 7 Yeas, Nays, 0 abstentions and absence(s)

ATTEST:

Floyd Jim
Floyd Jim, Secretary



CHALKYITSIK VILLAGE COUNCIL

P.O. BOX 57, CHALKYITSIK, ALASKA 99788

TELE: 1-907-848-8117 FACSIMILE: 1-907-848-8986

"Home of the Draanjik Gwich'in



Resolution 2013-23

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

WHEREAS, Chalkyitsik Village Council is the governing body of Chalkyitsik, Alaska 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 Chalkyitsik Village Council 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 Chalkyitsik Village Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Chalkyitsik Village Council 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 Chalkyitsik Village Council 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:

We the undersigned officers and members of the council for the Chalkyitsik Village Council hereby certify that the Board which is made up of 7 members, of whom 4 constitutes a quorum, were present at the meeting held July 24, 2013, that this Resolution has passed by the affirmative vote of 4 members and that this Resolution has not been rescinded or amended in any way.

Stephanie Herbert
Stephanie Herbert, First Chief

7-26-2013
Date

Mary Nathaniel
Mary Nathaniel, Secretary

July 26, 2013
Date

CITY OF ALEKNAGIK
Resolution 13-19

**A RESOLUTION OF THE CITY COUNCIL OF ALEKNAGIK OPPOSING HOUSE BILL 77
AMENDING STATE PERMITTING STATUES AND ELIMINATING WATER RESERVATIONS**

- WHEREAS:** the City Council of the City of Aleknagik herein called the Council, is the duly elected governing body of Aleknagik, Alaska; and
- WHEREAS:** the City Council, as the duly recognized governing body pursuant to the Constitution of _____, has the authority of establishing relationships and entering into contracts for the benefit and well being of the community; and
- WHEREAS:** the City Council is a duly recognized governing body in Alaska, with full power and authority to negotiate with the Federal Government; and
- WHEREAS:** the City Council 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 Traditional identity; and
- WHEREAS:** the subsistence rights of Alaska's Indigenous People are protected under the International Covenant on Civil and Political Rights, of which the United States Government is a signatory, reads in part: No peoples may be deprived of their own means of subsistence; 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,

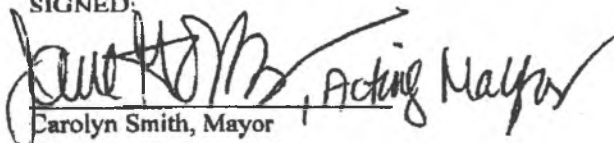
THEREFORE, BE IT FURTHER RESOLVED, the City Council opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native peoples' ability to participate in collaborative resource 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 considered and adopted by the City Council of the City of Aleknagik, Alaska on this 23rd day of September, 2013 at which a quorum of Council members were in attendance.

For <u>4</u>	Against <u>0</u>	Abstain <u>0</u>
Present <u>4</u>	Absent <u>3</u>	

SIGNED:


Carolyn Smith, Mayor, Acting Mayor

ATTEST:


Jeri Alakayak, City Clerk



Curyung Tribal Council
PO Box 216 • 531 D Street
Dillingham, Alaska 99576
Phone: (907) 842-2384
Fax: (907) 842-4510

Curyung Tribal Council
Resolution 2013-27

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

- WHEREAS:** Curyung Tribal Council is the federally recognized Alaska Native tribe serving its tribal members and the community of Dillingham; and
- WHEREAS:** Curyung Tribal Council, acting as the duly recognized governing body pursuant to the Constitution of Curyung, has the authority of establishing relationships and entering into contracts for the benefit and well being of the Tribe; and
- WHEREAS:** the Curyung Tribal Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and
- WHEREAS:** the Curyung Tribal Council 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 subsistence rights of Alaska's Indigenous People are protected under the International Covenant on Civil and Political Rights, of which the United States Government is a signatory, reads in part: No peoples may be deprived of their own means of subsistence; 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:** the Curyung Tribal Council has eleven pending in-stream flow applications on the Kuktuli River for which we have invested significant time and resources to; 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 Curyung Tribal Council 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.

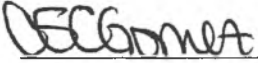
CERTIFICATION:

This resolution was duly considered and adopted by the Curyung Tribal Council in Dillingham, Alaska on August 13th, 2013 at which a quorum of Council members were in attendance.

For <u>7</u>	Against <u>0</u>	Abstain <u>0</u>
Present <u>7</u>	Absent <u>0</u>	


Thomas Tilden, 1st Chief

ATTEST:


Courtenay Gomez, 3rd Chief

[City of Elim]

[Resolution #13-10]

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

WHEREAS, [City of Elim] is the governing body of [Elim] 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 [City of Elim] 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 [City of Elim] is a Federally-recognized Municipal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the [City of Elim] 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 [City of Elim] 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:

We the undersigned officers and members of the council for the [City of Elim] hereby certify that the Board which is made up of 7 members, of whom 0 constitutes a quorum, were present at the meeting held August 20, 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.

[Handwritten Signature] 9/12/13
City of Elim - Mayor Date

Crystal Alamy 9/12/13
City of Elim Secretary— Date
Clerk



CHULOONAWICK NATIVE VILLAGE

FAX COVER SHEET

PO Box 245 Emmonak, Alaska

TO: Hal Shepherd	FROM: Aprii
COMPANY: Center for Water Advocacy	DATE: 11/25/13
FAX NUMBER: 1877-977-6026	TOTAL # OF PAGES WITH COVER: 1 of 3
PHONE NUMBER: (907) 224-3887	SENDER'S PHONE NUMBER: (907) 949-1845
RE: Resolution	SENDER'S FAX NUMBER: (907) 949-1346

Urgent
 For Review
 Please Comment
 Please Reply
 Please Recycle

NOTES/COMMENTS

Good afternoon Hal.
 Here is the resolution from the tribe
 (")
 Have a good day

**Native Village of Chuloonawick
Resolution # 13-06**

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

WHEREAS, Chuloonawick Native Village is the governing body of Emmonak as recognized by the Tribal citizens, and address any needs in its community; and

WHEREAS, Chuloonawick Native Village is qualified to exercise powers of self-government by reason of it's original Tribal sovereignty as passed down from its ancestors since time immemorial; and nothing in this resolution shall be in conflict therewith;

WHEREAS, Chuloonawick Native Village is Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, Chuloonawick Native Village 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, marine environments 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 on states lands without any public input; and,

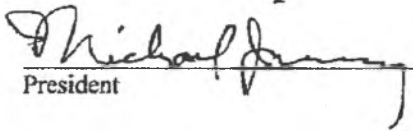
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 Chuloonawick Native Village opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, give 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:

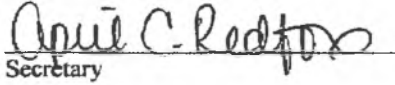
We the undersigned officers and members of the council for the Chuloonawick Native Village hereby certify that the Board which is made up of 5 members, of whom 5 constitutes a quorum, were present at the meeting held November 22, 2013, that this Resolution has passed by the affirmative vote of 5 members and that this Resolution has not been rescinded or amended in any way.



President

11-25-13

Date



Secretary

11/25/13

Date

**Aleknagik Traditional Council
Resolution 2013-30**

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

- WHEREAS:** Aleknagik Traditional Council is the federally recognized Alaska Native tribe serving its tribal members and the community of Aleknagik; and
- WHEREAS:** Aleknagik Traditional Council, acting as the duly recognized governing body pursuant to the Constitution of the Native Village of Aleknagik, has the authority of establishing relationships and entering into contracts for the benefit and well being of the Tribe; and
- WHEREAS:** the Aleknagik Traditional Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and
- WHEREAS:** the Aleknagik Traditional Council 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 subsistence rights of Alaska's Indigenous People are protected under the International Covenant on Civil and Political Rights, of which the United States Government is a signatory, reads in part: No peoples may be deprived of their own means of subsistence; 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:** the Aleknagik Traditional Council has 0 pending in-stream flow applications on the Koktuli River for which we have invested significant time and resources to; and **Only Include if you have applications filled.*
- 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,

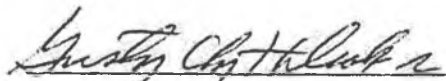
THEREFORE, BE IT FURTHER RESOLVED, the Aleknagik Traditional Council opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native peoples' ability to participate in collaborative 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 considered and adopted by the Aleknagik Traditional Council in Aleknagik, Alaska on _____, 2013 at which a quorum of Council members were in attendance.

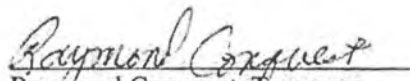
For <u>4</u>	Against <u>0</u>	Abstain _____
Present <u>4</u>	Absent _____	

SIGNED:



Gusty Chythlook, Sr., President

ATTEST:



Raymond Conquest, Treasurer

*CHINIK ESKIMO COMMUNITY
Native Village of Golovin
P.O. BOX 62020
Golovin, Alaska 99762
(907) 779-2214 Fax (907) 779-2829*

**RESOLUTION
2013-06**

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

WHEREAS, Chinik Eskimo Community is the governing body of Golovin 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 Chinik Eskimo Community 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 Chinik Eskimo Community is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Chinik Eskimo Community 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,

NOW, THEREFORE, BE IT RESOLVED the Chinik Eskimo 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:

We the undersigned officers and members of the council for the Chinik Eskimo Community hereby certify that the Board which is made up of 7 members of whom 5 constitutes a quorum, were present at the meeting held September 5, 2013, that Resolution has passed by the affirmative vote of 5 members and that this Resolution has not been rescinded or amended in any way.

Irene A. Navatso

Irene A. Navatso
CEC President

09/11/13
Date

Norma J. Lewis

Norma J. Lewis
CEC Secretary

9/12/13
Date



CHICKALOON VILLAGE TRADITIONAL COUNCIL

*Chickaloon Native Village
(Nay'dini'aa Na')*

Gary Harrison,
Traditional Chief
and Chairman

Rick Harrison,
Vice-Chairman

Penny Westing,
Secretary

Albert Harrison,
Treasurer/Elder

Doug Wade,
Elder Member

Larry Wade
Elder Member

Burt Shaginoff,
Elder Member

Shawna Larson,
Member

Lisa Wade,
Member

RESOLUTION TO OPPOSE BILL (HOUSE BILL 77 / SENATE
BILL 26), AS WRITTEN AND INTRODUCED BY GOVERNOR
SEAN PARNELL ON JANUARY 27, 2013

RESOLUTION 130220-01

WHEREAS, Chickaloon Village Traditional Council is an Indigenous Government with full power and authority to act for the Chickaloon Native Village, Chickaloon Traditional Village, and/or Chickaloon Village (Nay'dini'aa Na'); and

WHEREAS, Chickaloon Village is part of the Athabaskan Nation and is a distinct, independent political community, and as such is qualified and exercises 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, Chickaloon Village is a Federally-recognized Tribal Government in Alaska (Federal Register, Volume 67, Number 134, Friday, July 12, 2002, Notices, page 46332), with full power and authority to negotiate with the Federal Government; and

WHEREAS, Chickaloon Village Traditional Council did not cede, terminate, extinguish, or relinquish their original, possessory and aboriginal rights; and

WHEREAS, Chickaloon Village Traditional Council is the governing body of Chickaloon Village as recognized by the Chickaloon Tribal citizens; and has a responsibility to provide a government for the good health and welfare of its Tribal citizens, address any needs in its community; and

WHEREAS, Chickaloon Village Traditional Council has a long-term goal in their strategic plan to protect, enhance and restore our ancestral lands, water and air and ensure respectful, healthy development; and

WHEREAS Chickaloon Village Traditional Council, together with the U.S. Fish and Wildlife Service and other partners, has invested over \$1 million

Jennifer D. Harrison,
Executive Director

to restore fish passage and salmon habitat in Moose Creek after habitat was damaged and fish passage blocked by past coal mining operations; and

WHEREAS the Moose Creek Fish Passage Restoration Project has been highly successful, with two species of salmon repopulating miles of historic spawning habitat upstream from the project; and

WHEREAS, Chickaioon Village Traditional Council and partners including the Alaska Department of Fish and Game and the U.S. Fish and Wildlife Service have funded nine years of stream flow data collection on Moose Creek to support Chickaioon Village Traditional Council's application for an in-stream flow reservation for fish and wildlife; and

WHEREAS, to ensure adequate water for salmon to continue to thrive in Moose Creek, Chickaioon Village Traditional Council applied in 2009 for an instream flow reservation; and

WHEREAS, Chickaioon Village Traditional Council by its timely application has secured a priority right to water in Moose Creek superior to subsequent appropriators; and

WHEREAS House Bill 77 and Senate Bill 26 would repeal the rights of Tribes and Alaskan citizens to obtain in-stream flow reservations and would nullify Chickaioon Village Traditional Council's application, its priority of appropriation, and its substantial investment in restoring and protecting Moose Creek salmon and habitats; and

WHEREAS, Alaskan citizens currently have the right to apply for an "instream Flow Reservation" a water right that benefits all Alaskans by protecting critical habitats for salmon and the economy salmon support; and

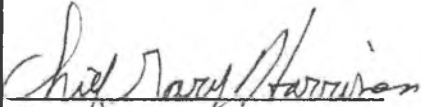
WHEREAS, House Bill 77 and Senate Bill 26 introduced by Governor Sean Parnell, January 27, 2013, is designed to strip Alaskan citizens of their rights to assure enough water is left in streams to support healthy salmon runs. If passed by the Alaska Legislature, the governor's bill will restrict the public's right to defend in-stream flows for salmon and reduce impacts by resource development projects; and

NOW THEREFORE BE IT RESOLVED, that Chickaioon Village Traditional Council opposes bill (HB77/SB26), as written and introduced by Governor Sean Parnell on January 27, 2013; and

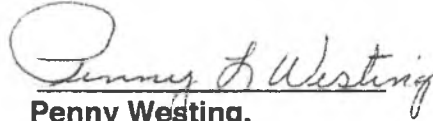
THEREFORE BE IT FURTHER RESOLVED, that Chickaioon Village Traditional Council authorizes and delegates authority to the Traditional Chief and Chairman, and/or Vice-Chairman, and/or the Executive Director to act on behalf of the Chickaioon Village Traditional Council for this

program.

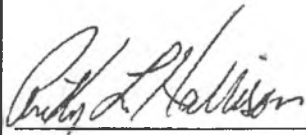
It is hereby certified that this resolution was duly considered and approved this 20th day of February, 2013 with a majority vote of 5 affirmative; 0 negative; 0 abstention, and/or 4 absent votes.



Gary Harrison,
Traditional Chief and Chairman



Penny Westing,
Secretary



Rick Harrison,
Vice-Chairman



KENAITZE
INDIAN
TRIBE

Kenaitze Indian Tribe
P.O. Box 988
Kenai, AK 99611-0988

Resolution No. 2013-03

A Tribal Resolution opposing bill (HB77/SB26), introduced by Governor Sean Parnell January 27, 2013, designed to strip Alaskan citizens of their rights to assure enough water is left in streams to support healthy salmon runs.

Whereas, the Kenaitze Indian Tribe is a federally recognized Tribal Government reorganized under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and in accordance with the preamble to the Tribal Constitution, "is responsible for the social welfare of its 1,345 Tribal Members and 3,250 Alaska Native residents of the central and upper southern Kenai Peninsula of south central Alaska"; and,

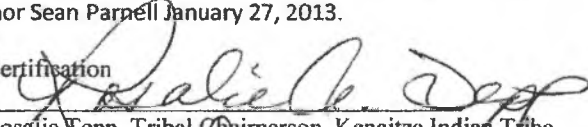
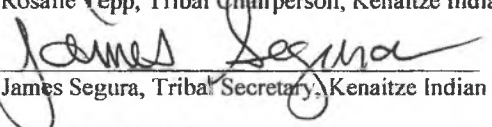
Whereas, the Kenaitze Indian Tribe has established long term goals which relate to the collective and individual, social, economic and governmental concerns of its people; and,

Whereas, Alaskan citizens currently have the right to apply for an "Instream Flow Reservation." This water right benefits all Alaskans by protecting salmon and the economy salmon support.

Whereas, bill (HB77/SB26), introduced by Governor Sean Parnell, January 27, 2013, is designed to strip Alaskan citizens of their rights to assure enough water is left in streams to support healthy salmon runs. If passed by the Legislature, the governor's bill will restrict the public's right to assure salmon habitat impacts are mitigated by resource development projects.

Now Therefore Be It Resolved that the Kenaitze Indian Tribe opposes bill (HB77/SB26), as written and introduced by Governor Sean Parnell January 27, 2013.

Voting For: _____
Voting Against: _____
Abstaining: _____
Absent: _____

Certification

Rosalie Tepp, Tribal Chairperson, Kenaitze Indian Tribe

James Segura, Tribal Secretary, Kenaitze Indian Tribe

02-15-2013
Date

WWW.KENAITZE.ORG

PHONE: (907) 335-7200 • FAX: (907) 335-7239

P.O. Box 988 • KENAI, AK 99611

**Asa'carsarmiut Tribal Council
P.O. Box 32249
Mountain Village, Alaska 99632
(907) 591-2814 Telephone
(907) 591-2811 Facsimile**

Resolution No. 14-02

**A RESOLUTION OPPOSING HOUSE BILL 77, AN ACT DETRIMENTAL TO ALASKAS
PUBLIC REVIEW AND INPUT PROCESS**

WHEREAS: The Asa'carsarmiut Tribal Council (ATC) is the federally recognized governing body representing the best interests of the Asa'carsarmiut Tribe; and

WHEREAS: The Asa'carsarmiut Tribe, like all Alaskan Tribes, is inherently sovereign-having the right and responsibility to steward its traditional lands, waters and other natural resources so as to preserve a cultural-subsistence way of life for our future generations; and

WHEREAS: Governor Parnell's administration is promoting legislation, H.B. 77, which will amend Alaska's state permitting laws, changing how the state's commonly held resources will be managed; and


WHEREAS: H.B. 77 also expands the State Department of Natural Resources' authority to issue general permits for NR development on state lands without public input and makes it more difficult for all Alaskans to access the judicial process concerning these developments; and

WHEREAS: H.B. 77 also ignores Tribal Sovereignty by eliminating the ability of Alaska's Federally Recognized Tribes to acquire water reservations to protect salmon and other very important fish streams.


NOW THEREFORE BE IT RESOLVED THAT: the Asa'carsarmiut Tribe hereby opposes H.B. 77 and urges the Alaska State Senate NOT to support the legislation as it: fails to recognize Tribal Sovereignty, gives the Department of Natural Resources broad, unprecedented permitting powers at the expense of all Alaskans, creates loopholes to remove public opinion and establishes significant barriers to the judicial appeal process.

CERTIFICATION:

Passed and approved by a quorum of the Asa'carsarmiut Tribal Council this 24th day of January, 2014, by a vote of 6 in favor, 0 opposed, 1 absent, 0 abstaining and 0 vacant.


James C. Landlord, 1st Chief

ATTEST:


Carol A. Redfox, Secretary/Treasurer

EGEGIK VILLAGE TRIBAL COUNCIL



289 Airport Road
PO Box 29
Egegik, AK 99579
Ph: 907-233-2211 FAX 907-233-2312
E-mail: egagikvillage2013@yahoo.com

Resolution 11-13

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

WHEREAS, Egegik Village Tribal Council is the governing body of Egegik 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 Egegik Village Tribal Council 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 Egegik Village Tribal Council is a Federally-recognized Tribal Government in Alaska with full power and authority to negotiate with the Federal Government and

WHEREAS, the Egegik Village Tribal Council 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 (HB 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 to substantiate applications for in-stream flow rights and are appropriators of the rights for those water reservations and

WHEREAS, HB77 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, HB77 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, HB 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, HB 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, HB 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 Egegik Village Tribal Council opposes HB 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:

We the undersigned officers and members of the council for the Egegik Village Tribal Council hereby certify that the Board which is made up of 7 members, 4 of whom constitute a quorum, were present at the meeting held November 22, 2013, that this Resolution has passed by the affirmative vote of 6 members and that this Resolution has not been rescinded or amended in any way.



Kevin E. Deigh, 1st Chief

November 22, 2013



Roberta Alto, Secretary

November 22, 2013

Igiugig Tribal Village Council

Resolution # 14-08

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

WHEREAS, Igiugig Tribal Village Council is the governing body of Igiugig 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 Igiugig Tribal Village Council 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 Igiugig Tribal Village Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Igiugig Tribal Village Council 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,

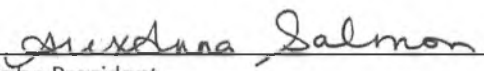
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 Igiugig Tribal Village Council 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:

We the undersigned officers and members of the council for the Igiugig Tribal Village Council hereby certify that the Board which is made up of 5 members, of whom 5 constitutes a quorum, were present at the meeting held February 21, 2014, that this Resolution has passed by the affirmative vote of 5 members and that this Resolution has not been rescinded or amended in any way.


Tribe President

2-21-14
Date


Tribe Secretary

2-21-14
Date

A RESOLUTION BY KATMAI SERVICE PROVIDERS:

Whereas, HB77 is a wide sweeping and dangerous bill that was originated under the guise of "Streamlining the permitting process"

And whereas HB77 would, among other things, give the Commissioner of the Alaska Department of Natural Resources the authority to grant General Permits without public notice and at his sole discretion, thereby taking away the public's right to ensure that enough water remains in streams to keep fisheries healthy.

And Whereas, HB77 as written, takes away the ability to voice concerns when it comes to water and fishery issues.

Therefore, it is resolved that the members of Katmai Service Providers are opposed to HB 77.

There were no dissenting votes.

Members

Air Madura

Mark Madura
3705 Arctic Blvd. #400
Anchorage, AK 99503
907 243-7133
619 994-5590
airmadura@earthlink.net

Alaska Adventures

Charles & Helen Summerville
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King Salmon, AK 99613
alaska.charlie@gmail.com
www.alaska-fly-fishing.net

Alaska Bear Adventures with K-Bay Air

Michael Hughes & Dee Hughes
PO Box 1531
Fritz Creek, AK 99603
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Phone: 907-299-4690
kbayair@gmail.com

www.kbayair.com

Alaska Enchanted Lake Lodge Inc.

Daren & Tracy Erickson
PO B ox 111249
Anchorage, AK 99511-1249
Phone: 907-694-6447
enchantedlake@earthlink.net
www.enchantedlakelodge.com

Alaska Fishing Adventures, LLC

Philip Johnston & Brad Giroux
4145 Kingston Drive
Anchorage, AK 99504
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Phone: 907-439-3035
philipsjohnston@gmail.com
www.katmaitrophyllodge.com

Alaska Fly Anglers, Inc

John Hohl
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Soldotna, AK 99669-0421
Phone: 907-252-2868
Cell: 907-252-2868
hohljohn@yahoo.com
www.alaskaflyanglers.com

Alaska Leader Tours, LLC

Kimberly Riedel-Byler
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www.alaskaleadertours.com

Alaska Rainbow Lodge

Ron Hayes
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Fax: 817-236-1696
info@alaskarainbowlodge.com
www.alaskarainbowlodge.com

Alaska Sportsman Lodge

Brian Kraft

P.O. Box 231985
Anchorage, AK 99523
bkraft@alaskasportsmanslodge.com
www.alaskasportsmanslodge.com

Alaska Wilderness Lodge

Alan Rider
P.O. Box 700
Sumner, WA 98390
Phone: 800-835-8032
Fax 800-835-8032
fishawl@att.net

Alaska West Air Inc.

Doug Brewer
P.O. Box 8553
Nikiski Alaska 99635
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Fax: 907-776-5623
Cell: 907-398-4989
akwest@alaska.net
www.alaskawestair.com

Alaska Sportsman's Bear Trail Lodge

Nancy Lyon
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King Salmon, AK 99613
907-246-2327
907-246-7297 fax
beartrailodge@starband.net
www.beartrailodge.com

Alaskan Adventures

Charles and Helen Summerville
summer mailing address:
P. O. Box 31
King Salmon, AK 99613
winter mailing address:
4296 Camp Leach Road
Washington, NC 27889
winter telephone 252-923-9939
summer telephone 877-801-2289
alaska.charlie@gmail.com
alaska-fly-fishing.net

Andrew Airways, Inc.

Dean Andrew

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Phone: 907-487-2578
Fax: 907-487-2516
andrewair1@aol.com
www.andrewairways.com

Bald Mountain Air Service, Inc.

Gary & Jeanne Porter
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Fax: 907-235-6602
baldmt@ptialaska.net
www.baldmountainair.com

Battle River Wilderness Retreat

Tim Conway
655 University Ave #127
Sacramento, CA 95825
916-922-2827
916-922-2906 fax
timconway@msn.com
www.batrivier.com

Bear Quest Aviation

Dave Hilty & Heather Johnson
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Phone: 907-486-2327
hlij@chugach.net
www.bearquestaviation.com

Branch River Air

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Fax: 907-248-3837
bras@alaska.net
www.branchriverair.com

Canyon Creek Photography

John Trautner
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Girdwood, AK 99587
Phone: 907-783-2717

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Cavner& Julian Inc.

Preston and Stacie Cavner
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Port Alsworth, AK 99653
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Cavner@starband.net
www.adventureinalaska.com

Chignik Bay Adventures

John Rantz
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Crystal Creek Lodge

Dan Michels
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Grand Frisson

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www.grandfrisson.com

Grizzly Skins of Alaska, Inc.

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www.grizzlyskinsofalaska.com

Hallo Bay Bear Camp

Clint Hlebechuk
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Phone: 907-235-1599
bears@hallobay.com
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Harvey Flying Service
Steve & Mary Ann Harvey
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Katmai Air Service
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Katmai Coastal Tours
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Mission Creek Lodge, LLC
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fax: 707-283-7753
depriest@fishingpursuits.com

www.missionlodge.com

Newhalen Lodge

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newhalenlodge@gci.net

No See Um Lodge, Inc.

John Holman
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Phone: 907-376-9394
www.noseeumlodge.com
flynfishr@yahoo.com

Ouzel Expeditions, Inc.

Paul & Sharon Allred
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Pere Marquette Outfitters.LLC

David Roller
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231-134-0049 cell
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Raspberry Island Remote Camps

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adventure@mvsinglestar.com
www.raspberryisland.com

Royal Wolf Lodge

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www.royalwolf.com

Sea Hawk Air, Inc.

Rolan Ruoss & Jo Murphy

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Phone: 907-486-8282

Fax: 907-486-2516

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www.seahawkair.com

Sky Trekking Alaska, LLC

Lori Egge-Michels

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Phone: 907-746-4966

Cell: 907-232-3360

lori@skytrekkingalaska.com

www.skytrekkingalaska.com

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907-235-1501 fax

claire@smokeybayair.com

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Steller Air Service

Mark Munro

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Cell: 907-299-8206

stellerair@gmail.com

Tikchik Narrows Lodge

Bud Hodson

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Anchorage, AK 99502

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Summer- 907-644-3961

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www.tikchiklodge.com

Trail Ridge Air, Inc

Jim Jensen

3961 Floatplane Dr
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907-248-2658 fax
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www.trailridgeair.co

Women's Flyfishing

Cecilia "Pudge" Kleinkauf
P.O. Box 243963
Anchorage, AK 99524
Phone: 907-274-7113 fax same
pudge@womensflyfishing.net
www.womensflyfishing.net

**New Stuyahok Tribal Council
Resolution # 13-10**

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

WHERE AS, New Stuyahok Tribal Council is the governing body of New Stuyahok 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 New Stuyahok Tribal Council 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 New Stuyahok Tribal Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the New Stuyahok Tribal Council 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 Government 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,

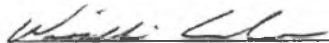
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources(DNR) authority to issue general permits for almost any project on state lands without any public input; and ,

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 New Stuyahok Tribal Council 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 he 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:

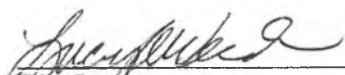
We the undersigned officers and members of the council for the New Stuyahok Tribal Council hereby certify that the Board which is made up of 7 members, of whom 4 constitutes a quorum, were present at the meeting held November 18, 2013, that this Resolution has passed by the affirmative vote of 6 members and that this Resolution has not been rescinded or amended in any way.



Tribe President

11/18/13

Date



Tribe Secretary

Nov. 18, 2013

Date

Levelock Village Council
Box 70
Levelock AK 99625
Ph. 287-3030 fax 287-3032
Email: levelock@gci.net

Levelock Village Council
Resolution# 11-20-13 B

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

WHEREAS, Levelock Village Council is the governing body of Levelock 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 Levelock Village Council 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 Levelock Village Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Levelock Village Council 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,

Levelock Village Council
Box 70
Levelock AK 99625
Ph. 287-3030 fax 287-3032
Email: levelock@gci.net

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 Levelock Village Council 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:

We the undersigned officers and members of the council for the [tribe] hereby certify that the Board which is made up of 5 members, of whom 3 constitutes a quorum, were present at the meeting held November 20th, 2013, that this Resolution has passed by the affirmative vote of 5 members and that this Resolution has not been rescinded or amended in any way.

Alexander Zallabak
Tribe President

November 20th 2013
Date

Credalim Womings
Tribe Secretary

NOV 20, 2013
Date



NATIVE VILLAGE OF KOYUK

IRA COUNCIL

P.O. BOX 53030 * KOYUK, ALASKA 99753-3030

PHONE: (907) 963-3651 * FAX: (907) 963-2353

Resolution #13-08-08-01

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

WHEREAS, The Native Village of Koyuk, a governing body of Koyuk as recognized by the Tribal members and 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 Native Village of Koyuk 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 Native Village of Koyuk is a Federally---recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Native Village of Koyuk 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 Natives and other peoples depend on abundant salmon runs in healthy rivers for food security in subsistence lifestyles; 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 Native Village of Koyuk 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.

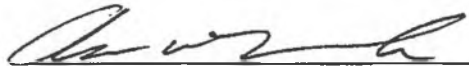
CERTIFICATION:

We the undersigned officers and members of the council for the Native Village of Koyuk hereby certify that the Council which is made up of seven (7) members, of whom four (4) constitutes a quorum, seven (7) were present at the meeting held August 8, 2013 and that this Resolution has passed by the affirmative vote of seven (7) members.



Tribe President

August 8, 2013
Date



Tribe Secretary IGAP COORDINATOR

August 8, 2013
Date



**NATIVE VILLAGE OF KOYUK
IRA COUNCIL**

**P.O. BOX 53030 * KOYUK, ALASKA 99753-3030
PHONE: (907) 963-3651 * FAX: (907) 963-2353**

***A Resolution by Native Village of Koyuk Supporting
Alaskans' Rights to Protect Wild Salmon Habitat***

WHEREAS, The Native Village of Koyuk is a federally-recognized Alaska Native Tribe formed in 1934;

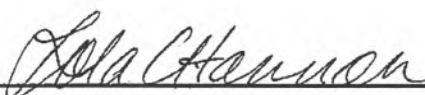
WHEREAS, Wild Alaska salmon are a vital resource to the Native Village of Koyuk, and its members rely on wild Alaskan salmon for important cultural and subsistence uses;

WHEREAS, bills pending in Juneau (HB 77 & SB 26) will strip away the rights of Alaska Native Tribes and others to secure instream flow reservations, which ensure salmon have enough clean water in their streams to survive;

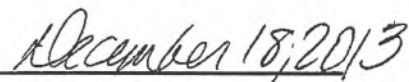
WHEREAS, the State of Alaska routinely processes out-of-stream diversions, and HB 77 & SB 26 expands rights for corporations and other businesses to take water from salmon streams without adequate public review; and

WHEREAS, Alaska Native Tribes and other Alaskans have an obligation and a right to protect salmon habitat so our fisheries remain sustainable for current and future generations.

NOW, THEREFORE, THE NATIVE VILLAGE OF KOYUK DOES HEREBY CALL ON THE ALASKA LEGISLATURE TO PROTECT THE RIGHTS OF ALL ALASKANS TO APPLY FOR AND SECURE INSTREAM FLOW RIGHTS WITHIN THE STATE OF ALASKA TO PROTECT OUR WILD SALMON HABITAT AND SALMON LIFE CYCLE.



Signed



Date

VILLAGE OF KOTLIK
PO BOX 20210
KOTLIK, ALASKA 99620
(907)899-4326 / 4836 FAX (907)899-4790

RESOLUTION 2013-25

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

- WHEREAS:** the Kotlik Tribal Council (COUNCIL) is a federally recognized governing body for the Native Village of Kotlik; and,
- WHEREAS:** the Kotlik Tribal Council is qualified to exercise powers of self-governing 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 Kotlik Tribal Council 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.

NOW THEREFORE BE IT RESOLVED THAT: the Kotlik Tribal Council 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

PASSED AND APPROVED BY CONSTITUTED QUORUM OF THE KOTLIK TRIBAL COUNCIL ON THIS 5 DAY OF NOVEMBER, 2013 BY A VOTE OF 4 FOR, 0 ABSTAIN AND 0 AGAINST.

Theresa M. Prince
Theresa M. Prince, Vice President

ATTESTED BY Elaine Savetilik
Elaine Savetilik, Secretary

Manokotak Village Council
Resolution 13-12

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

WHEREAS, Manokotak Village Council is the governing body of Manokotak 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 Manokotak Village Council 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 Manokotak Village Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Manokotak Village Council 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 Manokotak Village Council 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:

We the undersigned officers and members of the council for the Manokotak Village Council hereby certify that the Board which is made up of 7 members, of whom 4 constitutes a quorum, 7 were present at the meeting held on September 3, 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.

Maes Tomalak S
Tribe President

9-4-13
Date

Melissa A. Paul
Tribe Secretary

9-4-13
Date

Native Village of Chuathbaluk

Chuathbaluk Traditional Council

#1 Teen Center Trail

Chuathbaluk, Alaska 99557-8999

Resolution # 2013-25

WHEREAS, The Chuathbaluk Traditional Council is an Alaska Native Village recognized as an Indian tribe pursuant to the previous Public Law 93-638; Indian Self Determination and Education Assistance Act (88 Stat. 2203, 25 U.S.C. 450 et seq), also pursuant to Public Law 95-608, Indian Child Welfare Act, 25 CFR 23.26; and

WHEREAS, The Chuathbaluk Traditional Council is the duly authorized governing body for the Native Village of Chuathbaluk; and

WHEREAS, the Chuathbaluk Traditional Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Chuathbaluk Traditional Council is a Federally-recognized Tribal Government in Alaska, and has jurisdiction over its land and resources, be them transient or sedimentary; and

WHEREAS, the Native Village of Chuathbaluk 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, our Elders taught us to respect our environment and act conservatory regarding its resources, since we depend upon 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 [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 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.

THEREFORE BE IT FURTHER RESOLVED, PASSED AND APPROVED BY A QUORUM OF THE CHUATHBALUK TRADITIONAL COUNCIL THIS 24th DAY OF October, 2013, with

5 members voting yes,

0 members voting no,

0 members voting abstain, and

1 members absent.

Tracy Smeets

Tribe President

10/24/13

Date

[Signature]

Tribe Secretary

10/24/13

Date

Native Village of White Mountain (907) 638-3651 Ph.
P.O. Box 84090 (907) 638-3652 Fax
White Mountain, AK 99784 dbarr@kawerak.org



Fax

To: Darcie Warden **From:** Dorothy Barr, Tribal Coordinator

Fax: (866) 862-2073 **Pages:** 3

Phone: **Date:** August 22, 2013

CC:

Urgent For Review Please Comment Please Reply Please Recycle

Good morning:

Attached is the resolution passed at the Native Village of White Mountain's regular meeting last night.

Dorothy Barr
Tribal Coordinator
Native Village of White Mountain

**Native Village of White Mountain
Resolution No. 2013-11**

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

WHEREAS, the Native Village of White Mountain is the governing body of White Mountain by the Tribal citizens and has responsibility to provide a government to protect the good health, welfare of its Tribal citizens, and address any needs in its community; and

WHEREAS, the Native Village of White Mountain 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 Native Village of White Mountain is a Federally recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Native Village of White Mountain 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 people 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 people to access the judicial process and prevents Alaska Native people from having their day in court; and

NOW THEREFORE BE IT RESOLVED THAT, the Native Village of White Mountain opposes H.B.77 and urges the Alaska State Senate to reject the legislations 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

We the undersigned officers and members of the council for the Native Village of White Mountain hereby certify that the Board is made of up 8 members of which 4 constitutes a quorum, were present at the meeting held on August 21, 2013 that this resolution was passed by the affirmative vote of 7, 1 absent, and 0 abstaining.

Willa Ashenfelter
Willa Ashenfelter, President

ATTEST: Amos W. Brown Sr.
Amos Brown Sr., Secretary



Village of Lower Kalskag
PO Box 27
Lower Kalskag, AK 99626
NEW Phone #: (907) 471-2300 Fax #: (907) 471-2378
Email: village_of_lower_ta@yahoo.com

Resolution 13-009

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

WHEREAS, Village of Lower Kalskag is the governing body of Lower Kalskag 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 Village of Lower Kalskag 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 Village of Lower Kalskag is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Village of Lower Kalskag 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,

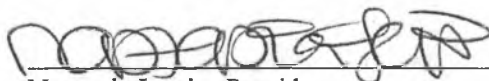
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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,

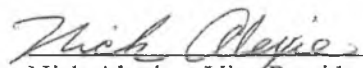
THEREFORE, BE IT FURTHER RESOLVED, the Village of Lower Kalskag opposes H.B. 77 and urges the Alaska State Senate to reject the legislation as it fails to recognize tribal sovereignty, gives DNR new broad and unchecked powers at the expense of Alaska Native peoples' ability to participate in collaborative 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 passed and approved by a *poll vote* of the Village of Lower Kalskag Tribal Council, in which the vote 5 Yes, 0 No, 0 absent, and 0 abstaining; this 22nd day of November, 2013.



Nastasia Levi – President



Nick Alexie – Vice President

Nondalton Tribal Council
P.O. Box 49
Nondalton, A.K. 99640
Ph. (907) 294-2257
Fax (907) 294-2271
nondaltontribe@yahoo.com

[Resolution # 11-25-13-1]

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

WHEREAS, Nondalton Tribal Council is the governing body of Nondalton 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 Nondalton Tribal Council 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 Nondalton Tribal Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Nondalton Tribal Council 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 voting; and,



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p.2

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 Nondalton Tribal Council 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:

We the undersigned officers and members of the council for the Nondalton Tribal Council hereby certify that the Board which is made up of 7 members, of whom 7 constitutes a quorum, were present at the meeting held November 25, 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.

William Evans
Tribe President

11-25-13
Date

Krista Johnson
Tribe Secretary

11-25-13
Date



*P. O. Box 1301
Bethel, AK. 99559
Ph: (907)543-2887 (Bethel) / (907)222-5058 or 222-6084 (Nap.)
(907) 543-2877 (Cell)
Email: napaimute@gci.net
Website: www.napaimute.org*

Resolution 13-10

**A RESOLUTION FROM THE NATIVE VILLAGE OF NAPAIMUTE OPPOSING HOUSE BILL 77
AMENDING STATE PERMITTING STATUTES AND ELIMINATING WATER RESERVATIONS**

WHEREAS, the Napaimute Traditional Council is the governing body of the Native Village of Napaimute 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 Native Village of Napaimute 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 Native Village of Napaimute 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, the Native Village of Napaimute has been collecting water quality and in-stream flow data on the Holokuk River for over two years with the purpose of protecting salmon and other aquatic resources for future generations; and,

WHEREAS, H.B. 77 would eliminate the rights of Alaska Native peoples to apply for in-stream flow rights and in effect render our efforts on the Holokuk River meaningless; and,

WHEREAS, H.B. 77 would 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 Native Village of Napaimute 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 passed at a duly convened meeting of the Napaimute Traditional Council on November 15, 2013 by a vote of 5 in favor, 0 opposed, and 0 abstaining.

Devron Hellings
Devron Hellings, President

11/21/2013
Date

TSK
Brook B. Kristovich, Secretary

11/15/2013
Date

PEDRO BAY VILLAGE COUNCIL

P.O. Box 47020, Pedro Bay, AK 99647

Resolution 2013-09

A RESOLUTION OF THE PEDRO BAY VILLAGE COUNCIL OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUES AND ELIMINATING WATER RESERVATIONS.

WHEREAS, Pedro Bay Village Council is the governing body of Pedro Bay 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 Pedro Bay Village Council 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 Pedro Bay Village Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Pedro Bay Village Council 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,

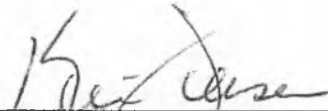
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 Pedro Bay Village Council 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.

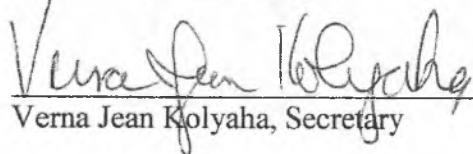
CERTIFICATION:

The foregoing resolution was duly approved and adopted by the Pedro Bay Village Council this 8th day of October, 2013, a quorum being present for a legal vote, with 3 in favor, and 0 opposed.



Keith D. Jensen, President

ATTEST:



Verna Jean Kolyaha, Secretary



SELDOVIA VILLAGE TRIBE

Tradition Integrated with Technology

RESOLUTION NO. 2013-12

A RESOLUTION OF THE COUNCIL OF THE SELDOVIA VILLAGE TRIBE OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUES AND ELIMINATING WATER RESERVATIONS

WHEREAS, Seldovia Tribal Council is the governing body of Seldovia Village Tribe 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 Seldovia Village 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 Seldovia Village Tribe is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Seldovia Village 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,

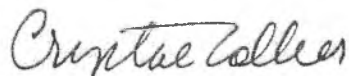
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 Seldovia Village 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 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.

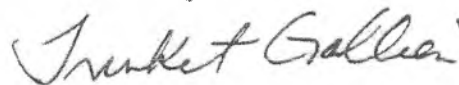
This Resolution was duly adopted at a regular Seldovia Tribal Council meeting held September 26, 2013 by the following vote: 9 Ayes 0 Nays 0 Abstain.

APPROVED:

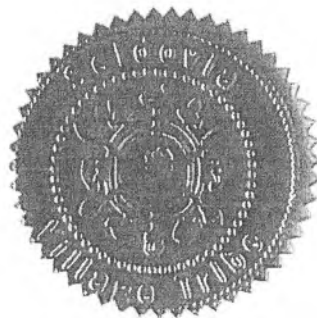


**Crystal Collier
President**

ATTEST:



**Trinket Gallien
Secretary**



Native Village of Eek · PO Box 89 · Eek, Alaska 99578-0089
Resolution No. 14-01

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

Whereas, the Native Village of Eek is a Federally recognized Tribal Government; and,

Whereas, the Native Village of Eek is inherently sovereign and 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 Native Village of Eek seeks to accurately represent the concerns of the Tribe; and,

Whereas, the Parnell administration is promoting legislation, 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, H.B. 77 expands the State Department of Natural Resources 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,

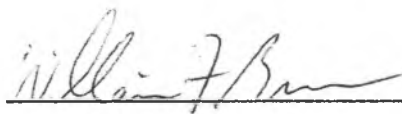
Whereas, H.B. 77 gives DNR the authority to issue an endless series of temporary water use permits for a single project, without opportunity for public review or vetting; and,

Whereas, H.B. 77 ignores Tribal sovereignty rights by eliminating the process for Alaska's Federally recognized Tribal Governments to acquire water reservations to protect productive salmon streams,

Therefore, be it resolved, the Native Village of Eek opposes H.B. 77 and urges the Alaska State Senate not to support the legislation as it fails to recognize tribal sovereignty, gives DNR new broad, 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:

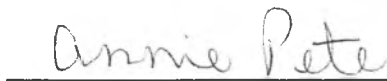
I, the undersigned Secretary, do hereby certify that members of the Tribe passed the foregoing resolution at a duly called and noticed meeting on the 12th day of FEB 2014, and that a quorum was present.



Tribe President

2/12/14

Date



Tribe Secretary

2/12/14

Date

**NATIVE VILLAGE of ELIM
ELIM IRA COUNCIL
P. O. Box 70
Elim, Alaska 99739
P 907-890-3737/Fax 3738**

A Resolution of the Native Village of Elim

Resolution #2013 - *04*

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

WHEREAS, the Native Village of Elim IRA Council (NVE) is the governing body of Elim 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 NVE 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 NVE is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the NVE 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,

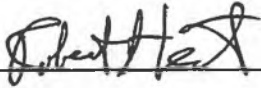
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 [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 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:


We the undersigned officers and members of the council for the [tribe] hereby certify that the Board which is made up of 7 members, of whom 7 constitutes a quorum, were present at the meeting held _____, _____, 2013, that this Resolution has passed by the affirmative vote of _____ members and that this Resolution has not been rescinded or amended in any way.



Tribe President

Date

Sept 10 2013



Tribe Secretary

Date

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 Native Village of St. Michael 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

We the undersigned officers and members of the council for the Native Village of St. Michael hereby certify that the IRA Village Council which is made up of seven members of whom four constitutes a quorum were present at the meeting held September 5, 2013 that this resolution has passed by the affirmative vote of four member and that this Resolution has not been rescinded or amended in any way.



IRA Village Council President

9-5-13

Date



IRA Village Council Secretary

9-5-13

Date



Native Village of St. Michael

P.O. Box 59050 - St. Michael, Alaska 99659 Phone: (907) 923-2304/2405

Fax: (907) 923-2406

Resolution #13-09-05 (b)

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

WHEREAS, The Native Village of St. Michael, IRA Village Council is the governing body of St. Michael as recognized by the Tribal citizens and has a responsibility to protect the good health and welfare of its Tribal citizens, and address any needs in its community; and

WHEREAS, The Native Village of St. Michael 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 Native Village of St. Michael is a Federally recognized Tribal Government in Alaska with full power and authority to negotiate with the Federal Government; and

WHEREAS, The Native Village of St. Michael 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

Norton Bay Inter-Tribal Watershed Council
Resolution #: 2013-2

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

WHEREAS, The Norton Bay Inter-Tribal Watershed Council (NBITWC) is a non-profit corporation that has been organized to operate, exclusively, as a public interest entity for public benefit purposes including but not limited to protecting water resources of the Norton Bay Watershed located on the Seward Peninsula, Alaska for the benefit of the Norton Bay Inter-Tribal Watershed Council's (NBITWC's) members and the public.; 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,

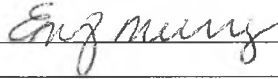
WHEREAS, H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 NBITWC 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.

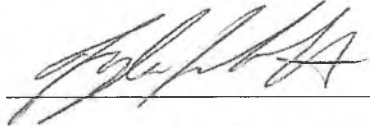
CERTIFICATION:

We the undersigned officers and members of the council for the NBITWC hereby certify that the Board which is made up of 5 members, of whom 3 constitutes a quorum, were present at the meeting held August, 30, 2013, that this Resolution has passed by the affirmative vote of 3 members and that this Resolution has not been rescinded or amended in any way.



Emily Murray, President

Date September 5, 2013



Tyler, Ivanoff, Treasurer

Date 5 Sept 13

CLARKS POINT VILLAGE COUNCIL
BOX 90
CLARKS POINT ALASKA 99569

RESOLUTION 2013-13

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

WHEREAS, Clarks Point Village Council is the governing body of Clarks Point 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 Clarks Point Village Council 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 Clarks Point Village Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the Clarks Point Village Council 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 Clarks Point Village Council 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:

We the undersigned officers and members of the council for the Clarks Point Village Council hereby certify that the Board which is made up of 5 members, of whom 3 constitutes a quorum, were present at the meeting held Oct 14, 2013, that this Resolution has passed by the affirmative vote of 5 members and that this Resolution has not been rescinded or amended in any way.

Signature for Betty Gardiner
Tribe President

10/14/2013
Date

Signature
Tribe Secretary

10-14-13
Date



IRA Council
P.O. Box 100
Shaktoolik, Alaska 99771-0100

RESOLUTION #13-28

Phone (907) 955-370.

Fax (907) 955-235.

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

WHEREAS, The Native Village of Shaktoolik I.R.A. Council is the governing body of Shaktoolik 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 The Native Village of Shaktoolik I.R.A. Council 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 The Native Village of Shaktoolik I.R.A. Council is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and

WHEREAS, the The Native Village of Shaktoolik I.R.A. Council 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,



IRA Council
P.O. Box 100
Shaktoolik, Alaska 99771-0100

Phone (907) 955-3701

Fax (907) 955-2351


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 [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 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 #13-28

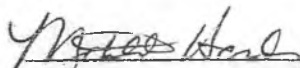
We the undersigned officers and members of the council for the Navtive Village of Shaktoolik I.R.A. Council hereby certify that the Board which is made up of 7 members, of whom 4 constitutes a quorum, were present at the meeting held August 28, 2013, that this Resolution has passed by the affirmative vote of 5 members and that this Resolution has not been rescinded or amended in any way.



Tribe President Axel Jackson

8-29 2013

Date



Tribe Secretary Matilda Hardy

8-29-2013

Date

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 310

DILLINGHAM, ALASKA 99576

Ph. (907) 842-5257 Fax (907) 842-5932

RESOLUTION 2013-15

**A RESOLUTION OPPOSING HOUSE BILL 77 AMENDING STATE WATER RIGHTS
AND PERMITTING STATUTES**

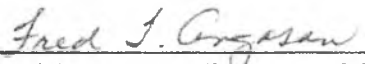
- WHEREAS: the Bristol Bay Native Association is an Alaska Native regional non-profit corporation and a consortium of the 31 federally recognized tribes of the Bristol Bay region; and
- WHEREAS: a bill has been introduced in the Alaska Legislature and heavily promoted by the Parnell Administration, House Bill 77, which would strip Tribes and individual citizens of their rights to claim in-stream flow water rights and which would create significant barriers for Alaskans to participate in resource development decisions; and
- WHEREAS: the proposed legislation gives the DNR commissioner broad authority to authorize activities through issuance of a general permit without a public process for determining activities that may be suitable for a standardized authorization, and it also greatly weakens the due process appeal rights of the general public; and
- WHEREAS: the proposed legislation gives the DNR commissioner unilateral authority to issue an unlimited number of new temporary water use authorizations for the same project, which means the use of a significant amount of water may be permitted for decades without the public ever having an opportunity to comment on the use or appeal the decision; and
- WHEREAS: the proposed legislation removes the ability of Tribes, non-municipal organizations, and individuals to apply for a reservation of water and thus undercuts one of the most basic principles of water law in Alaska; and
- WHEREAS: some 16 tribes in Alaska including Bristol Bay tribes have filed for in-stream water flow rights and invested millions of dollars in substantiating such applications, and House Bill 77 would strip such tribes of their property interests in such water; and

WHEREAS: BBNA itself has invested more than \$500,000 in hydrological data for fourteen of the pending water reservation applications filed with DNR which would be nullified by the proposed legislation; and

WHEREAS: taking away a Tribe's right to water, and vesting those rights solely in state and federal agencies or municipal governments, sets the stage years of litigation between the state and Tribes and the federal government (on behalf of Tribes) over particular watersheds; and

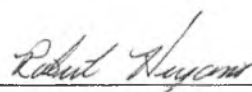
WHEREAS: these water reservation applications were filed to protect fish and wildlife habitat since Alaskan residents, particularly Alaska Natives living in our region, are highly dependent upon adequate stream flow and clean water to support the salmon returns vital to subsistence and commercial fishing harvests in our region.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Bristol Bay Native Association that it opposes HB 77 as it extends overreaching discretionary authority to the DNR commissioner, limits public involvement opportunities in decisions affecting water rights and land use, and strips individuals, tribal governments and other entities from securing legally enforceable rights to maintain water levels critical for the life stages of salmon and other fish.


Fred T. Angasan, Chairman of the Board

CERTIFICATION:

I, the undersigned Secretary of the Bristol Bay Native Association, do hereby certify that the Board of Directors of the Bristol Bay Native Association passed the foregoing resolution at a duly called and noticed meeting on this 24th day of September, 2013, and that a quorum was present.


Robert Heyano, Secretary

**EKWOK VILLAGE COUNCIL (EVC)
P.O. BOX 70
EKWOK, ALASKA 99580.
Ph. (907) 464-3336 Fax (907) 464- 3378.**

RESOLUTION 2013-014

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

- WHEREAS:** EVC is the federally recognized Alaska Native tribe serving its tribal members and the community of Ekwok; and
- WHEREAS:** EVC, acting as the duly recognized governing body pursuant to the Constitution of EVC, has the authority of establishing relationships and entering into contracts for the benefit and well being of the Tribe; and
- WHEREAS:** the EVC is a Federally-recognized Tribal Government in Alaska, with full power and authority to negotiate with the Federal Government; and
- WHEREAS:** the EVC 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 subsistence rights of Alaska's Indigenous People are protected under the International Covenant on Civil and Political Rights, of which the United States Government is a signatory, reads in part: No peoples may be deprived of their own means of subsistence; 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,

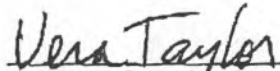
WHEREAS: H.B. 77 expands the Alaska Department of Natural Resources (DNR) authority to issue general permits for almost any project on state lands without any public input; and,

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 EVC 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:

I, the undersigned Secretary of the Ekwok Village Council, do hereby certify that EVC officials passed the foregoing resolution at a duly called and noticed meeting on this 1st day of October, 2013, and that a quorum was present with 5 yes, 0 no, and 0 abstain votes.


Secretary Vera Taylor


President: Luki Akelkok Sr.

HB 77 Opposition Documents Index Group #14

1. Karen Cauble – March 14th
2. Gary Fandrei – March 14th
3. Harvey Shields – March 14th
4. Ray Friedlander – March 12th
5. Marsh Skeele – March 12th
6. Harriet Beleal – March 12th
7. Lorraine Inez Lil – March 12th
8. Jeff Farvour – March 12th
9. Paul Reichardt – March 23rd
10. Frank H. Kreger – March 12th
11. John Murray – March 14th
12. Gail Heineman – March 14th
13. Joanna Perensovich – March 13th
14. Garvin Bucaria – March 14th
15. Jamie Miller – March 14th
16. Val Glooscherko – March 12th
17. Lisa Wade – March 12th
18. James L. Chesbro Sr. – March 12th
19. Penny L. Westing – March 12th
20. Paulette Moreno – March 14th
21. Helen Woodings – March 12th
22. Tina Tinker – March 14th
23. Billy Maines – March 14th
24. Daniel Chythlook – March 14th
25. Morris Nakarak – March 10th
26. Emily Murray – March 14th
27. Sharon Lowe – March 12th
28. Tom Meacham – 12th
29. Warren Keogh – March 12th
30. Patricia Chesbro – March 12th
31. Jessica Winnestaffer – March 12th
32. Seawan Gehlbach – March 12th
33. David Janka – March 12th
34. Barclay Kopchak – March 12th

WRITTEN TESTIMONY

Name: KAREN CAUBLE
Representing: self
Bill No./Subject: HB 77
Committee: Senate Resources
Date of Hearing: 3/14/14

Dana

Long time coastal resident of Alaska.
Am speaking to encourage
Amendment to this bill to be
sure to provide opportunities for
input on decisions affecting our
coastal regions. Alaska's Constitution
makes us ALL owners of our
coastal resources. We have the
right for public notice & meaningful
participation. as it stands HB 77
undermines our rights.

Please make it better



COOK INLET

AQUACULTURE ASSOCIATION

40610 KALIFORNISKY BEACH ROAD

KENAI, AK 99611

(907) 283-5761

FAX: (907) 283-9433

email: info@ciaanet.org

<http://www.ciaanet.org>

Senator Peter Micciche
Alaska State Legislature
State Capitol, Room 125
Juneau, Alaska 99801

March 14, 2014

Dear Senator Micciche,

Cook Inlet Aquaculture Association (CIAA) is a private, non-profit corporation organized under the laws of the State of Alaska, engaged in salmon enhancement work throughout the Cook Inlet Region. We are strong proponents of protecting and preserving salmon resources and the habitat these fish rely upon. The purpose of this letter is to thank you for taking a leadership role on HB 77 to amend the bill to assure salmon and salmon habitat are protected.

Although we have not taken a position on HB 77, we understand that there are many provisions in the bill that have caused concern among organizations and individuals across the state of Alaska. We support your efforts to make sure salmon streams are protected and that avenues to preserve this protection are open and transparent.

We hope you will continue to advocate for amendments that will lead to good stewardship of salmon resources and habitat.

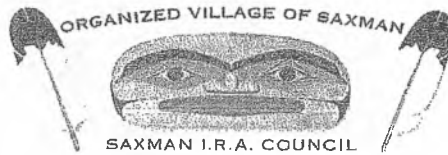
Thank you again, and please let us know if there is anything we can do to support your work.

Sincerely,

Gary Fandrei
Executive Director

Cc: Representative Mike Chenault
Representative Kurt Olson
Senator Gary Stevens
Senator Fred Dyson

Senator Cathy Giessel
Representative Eric Feige
Representative Tammie Wilson



ROUTE 2, BOX 2 – SAXMAN, KETCHIKAN, ALASKA 99901 • FAX: (907) 247-2504 • PHONE (907) 247-2502

RESOLUTION 2014-01-181

A RESOLUTION BY THE ORGANIZED VILLAGE OF SAXMAN, SAXMAN I.R.A. COUNCIL OPPOSING HOUSE BILL 77 AMENDING STATE PERMITTING STATUES AND ELIMINATING WATER RESERVATIONS

Whereas, the Organized Village of Saxman is a federally recognized Tribal Government; and,

Whereas, the Organized Village of Saxman is inherently sovereign and 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 Organized Village of Saxman seeks to accurately represent the concerns of the Tribe; and,

Whereas, the Parnell administration is promoting legislation, 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, H.B. 77 expands the State 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,

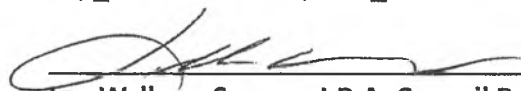
Whereas, H.B. 77 gives DNR the authority to issue an endless series of temporary water use permits for a single project, without opportunity for public review or vetting; and,

Whereas, H.B. 77 ignores tribal sovereignty rights by eliminating the process for Alaska's federally recognized tribal governments to acquire water reservations to protect productive salmon streams,

THEREFORE, BE IT RESOLVED, the Organized Village of Saxman opposes H.B. 77, and urges the Alaska State Senate not to support the legislation, because it fails to recognize tribal sovereignty, gives DNR new broad, 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 for Natives.

CERTIFICATION:

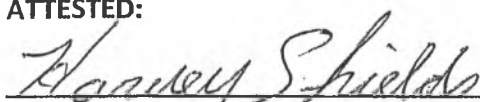
PASSED and **APPROVED** by a duly constituted quorum of the Saxman I.R.A. Council on the 3RD day of FEB, 2014 by a vote of _ YES votes, _ AGAINST votes, and _ ABSTAINING.



Lee Wallace, Saxman I.R.A. Council President

2/4/14
Date

ATTESTED:



Harvey Shields, Saxman I.R.A. Council Secretary

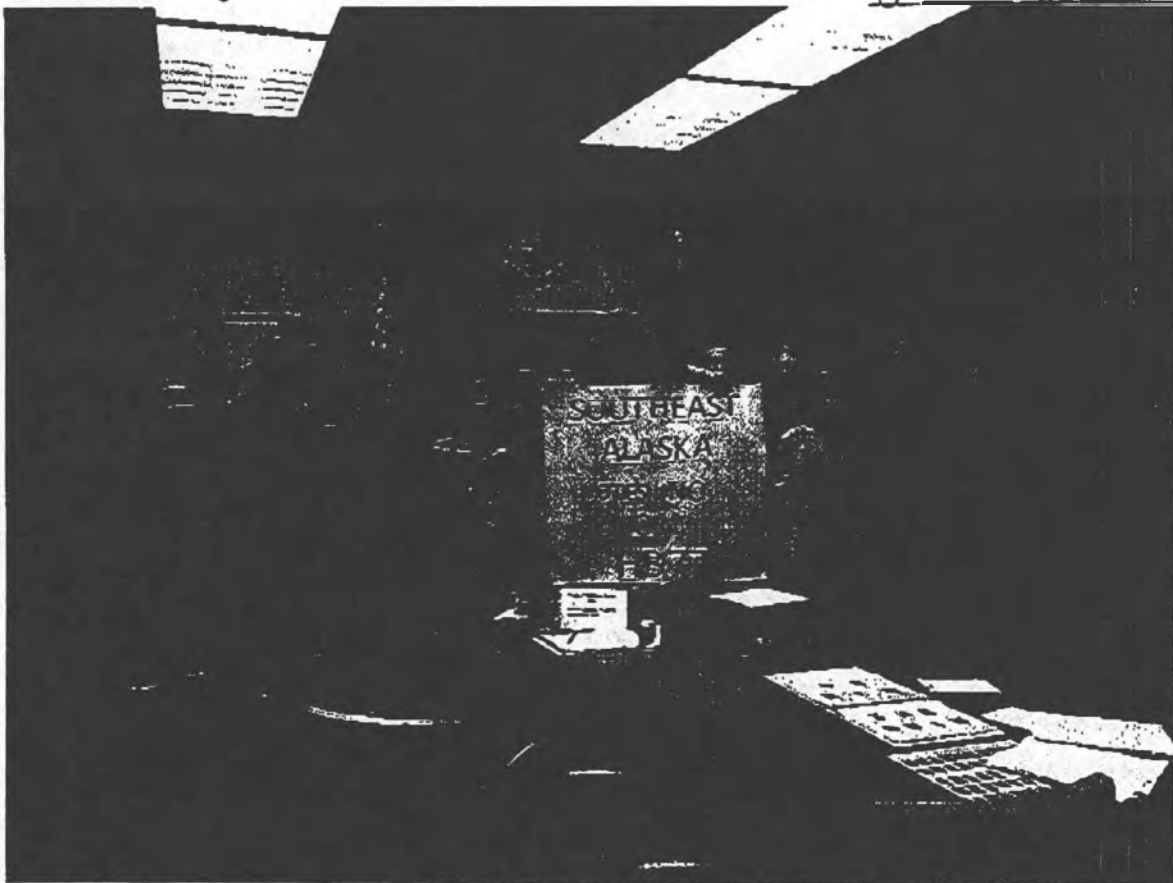
2-4-14
Date

Mar. 12. 2014 5:58PM
March 12 2014

No. 2682 P. 8

Dear Senator Giessel and Senate Resources Comm,

I write to you as a community organizer in Sitka, Alaska that has personally worked with over 50 people that oppose HB 77. Today's public testimony at our LIO office turned out around 20 people - all of whom wanted to share their opposition to HB 77 with you and staff. Here is a photo of some of the people that attended, standing strong & proud for our Alaska. We are counting on you to stand up for your Alaskan constituency.



Vote no on HB 77. Thank you.
Ray Friedlander, 117 Jeff Davis St, Sitka, AK 99835


3/12/14

My name is Marsh Skeele
and I oppose House Bill 77.

I am a commercial fisherman
and co-owner of Sitka Salmon Shares.

As a fisherman I rely
on healthy watersheds for my livelihood.

This bill threatens that
and silences Alaskans when their
rights are taken away. Thank
you for your time.



Marsh Skeele

507 Katlian St.

Sitka, AK 99835

March 12, 2012

I, Harriet Miyasato Bebeal oppose HB 77.
 I am native Alaskan + grew up in a subsistence
 lifestyle + would want to be able to continue
 with my rights to subsistence (hunting /
 fishing / gathering). I am 80 years old.

(power)

1. Too much ~~power~~ to DNA + its commissioners
2. Consider 41 Tribal resolutions oppose HB 77
3. HB 77 not protecting tribal rights
4. Not enough public oversight
5. You represent us a U.S. Citizen.
6. Kill HB 77 + continue to protect
 our private, tribal rights +
 rights of all Alaskans, esp. those
 who depend on subsistence of our

7. Adequate time to testify.

These are my personal thoughts. My grandchildren
 + great-grandchildren live in the bush area
 + this affects them + generations to come.

Sincerely,

Harriet Miyasato Bebeal
 1710 Edgewood Drive
 Sitka, Alaska 99835
 (907) 738-3470

HB 77

3-12-14

Senator Cathy Gressel

All the wording in HB 77 on any bill needs to be legally defined and clear so all Alaskans understand it and DNR can be held accountable to remain within the law.

Alaskans need to have clean water and need to have the right to defend their rights for clean water.

A corporation or mine (any development) should be made to have a clear plan to prove how they will provide clean water. There should be no land give aways, especially without public opinion expressed.

I am against HB 77, Please vote no on HB 77

105 Austin Street

Sitka, Alaska

99835

Lorraine Inez Lil

Lorraine Inez Lil

907-747-3309

Jef Farve, Sitka, AK.

907-738-0898

jefarve@gmail.com

HB 77

Pruden

Chair members of the
Good afternoon Mr / Mrs / Members of the Committee

Thank you for this opportunity to testify
My name is Jeff Farve, I live here in
Sitka, my livelihood is 100% dependent on
commercial fishing.

do not

HB 77 or
the previous

I am here to ask that you do not support
the amended version of HB 77. I believe that
it would be bad for salmon ^{and habitat} which I am
very dependent on for food and livelihood.

I believe that the authority given to the
DNR commissioner in Section One to issue
General Permits would allow him to
supersede DNR's own laws and statutes and
I believe that is an excessive overreaching
authority of power. Further, after a General
Permit is issued, subsequent activities do not
require any public notice.

HB 77 does not define "likely significant or
irreparable harm" and is weak on the
definition of "substantially and adversely impacted".

— OVER! —

I would add that ~~even~~ if "separable" usually has grave consequences for fish habitat, and generally implies an ~~act~~ activity will leave a big ~~eternity~~ mess.

We really should be looking at legislation that protects ~~fish~~ fish, habitat and the ~~fisher~~ Alaskan's rights to be meaningfully involved in DNR's permitting process. Those are our needs and this bill clearly does not offer that. In summary, I would say that this bill is bad for fish, bad for habitat, bad for ~~the~~ fisherman and bad for Alaska. If its otherwise then I'd be glad to listen.

Thank you,

Jeff Farrow

JEFF FARROW

HB77 does not offer the level of stewardship we desire.

Date: March 23, 2014 at 10:15:46 PM AKDT

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

Cc: <Sen.Lyman.Hoffman@akleg.gov>, <Rep.David.Guttenberg@akleg.gov>

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

Dear Senator Giessel:

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

Although I realize that some of the most problematic aspects of HB77 have been addressed by amendments, I am still opposed to the bill in its present form. In my view this attempt to "streamline decision-making" within the Department of Natural Resources (DNR) unnecessarily infringes on the rights and responsibilities of all Alaskans to participate in decisions about public lands. I am particularly concerned about three points:

1. The authority given to DNR to issue general permits for activities on state land is too broad and encompassing. For example, the DNR is given the authority to determine "likely significant or irreparable harm" without necessarily considering opinions held by the citizens of the state (who are the actual owners of the land).
2. The "substantially and adversely impacted" qualification to appeal a DNR decision is not defined. When it comes to State lands, I think it is a qualification held by each citizen, but I am pretty certain that many DNR staff members would have a different interpretation.
3. I object to what really amounts to unlimited discretion given to DNR to any consideration of applications for water reservations, a well-established and effective way to ensure that some portion of a stream's flow is reserved for fish habitat and public uses.

In summary, I am opposed to the present version of HB77 because it transfers some essential rights and responsibilities from all Alaskans to the DNR.

Thank you for your hard work as a State Senator and for your consideration of my position on HB77.

Paul Reichardt

Fairbanks, AK

12 March 2014

Dear Senator Huggins:

Dear Representative Gattis:

Senate Resources Committee

I communicate my concerns to you because I am an Alaskan who resides and votes in District 9-E.

In simple terms House Bill 77 is corrupt. Why? Because its essence is to CUT OUT THE PEOPLE from any active participation in Department of Natural Resources' decisions. A cursory glance at wording of a new subsection like "(f) In this section [i.e., AS 44.37.011 on DNR Functions], in order for a person to be adversely affected, a final decision made by the department must create or impose an adverse and direct effect or detriment on the person or the interests of that person" provides instant proof of my claim to any half-conscious person. For, no longer can an "aggrieved" citizen file a petition or an appeal, but now only one who is "substantially and adversely affected" (Cf. AS 44.37.011(b)&(c)). And who will make the "substantially and adversely affected" decision? Why, the commissioner, of course!

So then, if you pass HB77, in order for me to have a bureaucratically acceptable avenue via which to voice my objections and have them be deemed worthy by the commissioner, I will now likely have to either live or own land in the area of the State that some corporation wants to rape.

Dear Legislator, if you cannot smell this rat that stinks to high heaven, something is wrong.

And HB77 gets worse, with the rot being even more evident. Specifically, Sec. 44.37.011 is entitled "Additional procedures for administrative appeals and petitions for reconsideration to the commissioner of natural resources." The changes in this "appeals and petitions" section remove the word "petition." Because all citizens are allowed to petition government, when the government wants to CUT OUT THE PEOPLE, then the word "petition" has to be gotten rid of.

Just glance over the egregious bill. Clearly, HB77 has been designed to empower the Commissioner of Natural Resources, or some of his selected minions, one of whom is the commissioner-appointed "director," to sell Alaska to any corporation they might choose. It takes little speculative ability to imagine into whose pockets some of the money trails will then lead.

Therefore, you cannot in good conscience—indeed, you MUST NOT—make Alaska a **SLAVE to corporations**—as our very own Governor is trying to do! And providing "jobs" is not a reason for enslaving Alaska and her people. It would be better to let all Alaskans revert to a subsistence life style than to give DNR the power to let corporations rape the State, which is the intention of HB77.

Material to my position are these points:

1. I do not trust Governor Parnell; nor should you (and I am conservative, very).
2. I do not trust bureaucrats.
3. Now the big one: Ought I trust you?

Page 1

Kraeger

Kreger to Senator Huggins, 12March2014
Kreger to Representative Gattis, 12March2014

Page 2

To fulfill the trust we Alaskans have placed in you, our legislator, you must act to provide:

1. More, not less, room for people participation.
2. More, not less, control over the bureaucracy—especially by means of legislatively requiring them to report to the public more often, in specifically formatted ways designed to constrain their gift for smoke-and-mirror answers.

And in the process of doing the two things above, please act on the two below:

1. Give NO MORE power to the bureaucracy—especially DNR—especially about water. In other words, burn HR77.
2. The man who sent you HR77 was the Governor. In the act of so doing, he violated his oath of office by not protecting the Alaska Constitution which allocates the natural wealth to the people of the State. Therefore, is a move to impeach Parnell as oath violator warranted? In truth, yes. Please, will you act at once to do so?

The favor of a reply is requested.

In the interest of the people of the State of Alaska and its Constitution, I wish you

Kind regards,

Frank H. Kreger
645 E. Chickaloon Way
Wasilla, Alaska 99654
907-376-0112
SaintIndeFarm@yahoo.com

Page 2
Kreger

March 14, 2014 Comments on HB 77 In opposition to HB77 (D) as written

To: Senate Resources Committee

Comments on HB 77 work draft D

Sec. 14, line 25-27 (page 12)

This Section just does not work for seasonal harvesters..."within 20 days after issuance of the determination." Some language needs to be added to address this. Many of us have intense summers putting together our season or harvesting. This short window doesn't work. Sec. 39 (B) line 19 (page 22)

I find (B) suspect. I suggest new language as "(B) the effect on the economic activity from not having the proposed reservation."

Sec. 39, (B) line 19 (page 22)

I find (B) suspect. I suggest new language such as (B) the effect on economic activities from not having the proposed reservation.

Sec. 42, line 25 (page 23)

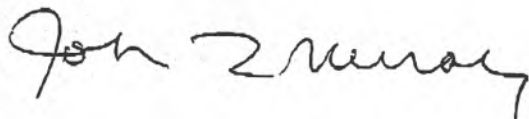
I disagree with the language presented. We are talking about a "use of a significant amount of water" with a TWUA which can be issued one or more times. This open ended language could lead to abuse. Can the "person" appeal this Section?

SEC 46, line 10 (page 24)

This is a wise direction to proceed, thanks for this new Section.

As far as the State's need to hold the water reservation for the "person" ...the reason given by Mr. Wyn Menefee, Deputy Director, was that companies, non-governmental agencies and individuals don't always stick around and this would insure the reservation persisted. This is weak rationale. This Section of the bill needs to be fully debated. If DNR cannot come up with solid reasons the "person" should be able to hold the water reservation.

After listening to two teleconferences, reading what was available, trying to keep up with the CS and work drafts on the bill, I am still confused. For something this important to so many people, more outreach, education and communication still needs to happen.



Sincerely, John Murray, 224 Observatory Street, Sitka, AK 99835

907-738-2075

Gail Heinenman

3-14-2014

- had to leave before speaking

I oppose HB77.

Among many problems it gives too much power to the Commissioner.

Reservation for fish & wildlife are not guaranteed contrary to our Constitution.

You did extend public comment but not enough.

You did ~~not~~ revise the bill but not enough.

DNR has made ~~no~~ progress with its backlog of permits. Keep it up!

Reestablish the citizen advisory committee to work with DNR if changes to law are needed.

Please let the public know how you (the committee) will address all the oral & written comments about HB77 and explain to the public what will happen next & when.

Thank you,

Gail Heinenman

2732 W 67th Ave

Anchorage AK 99502

gail_heinenman@yahoo.com

3/13/14

Comments concerning Proposed HB 77

I am opposed to HB 77 in its original or amended version.

This bill precludes the basic rights of the residents of Alaska. A strong democracy is built on access to good information, timely notice, a process of public input and transparent action on any issue of public concern.

HB 77 is an attempt to deny the residents of Alaska a voice in the important Natural Resource issues that face the state.

I object to the overbroad definition of general permits issued for "an activity." I object to Alaskans having to prove being "significantly adversely affected" in order to have their voice heard in a decision. I object to putting control of water reservations in the lap of DNR, with all certificates to be held by the ADFG.

The people of Alaska should not have to shoulder the burden of litigation in order for their opinion to be heard. The State of Alaska is shirking ~~their~~^{its} duty to its residents, and disregarding its own constitution to protect the general reservation of fish and wildlife, if it passes this bill in any form!

Please register my position as
strongly opposed to HB 77 in
either the original, or ammended
version.

Most sincerely,

Joanna H. Pevnevich

506 Baranof St

Sitka AK 99835

907-747-5108

Voter ID # 03017038



Alaska State Legislature

1 of 2

Please enter into the record my testimony to the

Senate Resources

Committee name

Committee on

2d Senate CS For CS HB # 77 (RES) dated 03/14/2014

Bill/Subject

I am opposed to this bill! Of modest economic means it is unlikely I could afford bonding costs should I desire a legitimate appeal. I don't want to be classed as indigent to afford an appeal. The Kobuk River and tributaries, particularly the ~~Kobuk~~ Anambler, need protection for its Sheefish, our magnificent, gigantic, predaacious whitefish.

Back in 1968 when I obtained mineral samples from a Kenacott corporation geologist working at Bornite near the village of Kobuk. ^{These samples were} ~~Collected~~ at a depth of 975 ft were Bornite (Cu_5FeS_4) with a 63.3% copper content, and chalcopyrite ($CuFeS_2$) with 34.5% copper. Values from large ore bodies are clean but these copper sulfides I have just described are sources of acid mine drainage, and heavy metal contamination of soil and water. Such ores are found at Superior, Arizona; Magma Mine, Arizona; Jerome, Arizona; Bingham, Utah and Butte, Montana. These desert areas of Arizona have low rainfall, yet heavy metal contamination persists. Montana has a much different rainfall regime and serious water quality and mine drainage continues to occur. In Alaska both Red Devil, and Red Dog Mines pose containing heavy metal and mine drainage problems. When active mining occurs pollution control is more likely. Post mining history is less sure - mine ownership changes, companies go bankrupt, change ownership occur or responsible parties just disappear. Then the State (the people) pick up the Tab.

Signed:

William Buller

Testifier

Self & grand children

Representing (Optional)

P.O. Box 870298 Wasilla, AK 99687

Address

373-4974

Phone number



Alaska State Legislature

282

Please enter into the record my testimony to the Senate Resources
Committee name

Committee on 2d Senate CS for CS HB*77 (RES), dated 03/14/2014

^{Bill/Subject}
If the State of Alaska can subsidize the costs of access roads to minerals the State must not disallow the right to appeal mine problems based solely on financial concerns for bonding

Signed: Lauran Bussaris
Testifier

Self & grandchildren
Representing (Optional)

P.O. Box 870299 Wasilla, AK 99687
Address

373-4974
Phone number



Alaska State Legislature

Please enter into the record my testimony to the Senate Resources Committee
Committee name

Committee on HB 77(H), dated March 12, 2014
Bill/Subject

1. Please again consult Article 1, Section 2 of the Alaska Constitution
2. Do not move HB 77 (version H) out of committee - it needs far more public exposure. Do Not Pass HB 77!!
3. Display this version as a flow chart to visualize the functions of the Commissioner, each of the DNR Directors, opportunities to appeal these permits
4. changes must give a fair shake to notification of the public - remember rural Alaska!
5. Provide equal response time periods to the public as are provided to DNR administrators.
6. Public oversight opportunities must be provided after General permits are issued.
7. Hydroelectric development is not compatible with the wood-tikchik Lakes State park based on
 - a) fluctuating water levels
 - b) unnecessary expenditure of state funds for feasibility studies
 - c) incompatibility with scenic, recreational & natural resource values of a public state park.
 - d) Adverse effects to fisheries spawning/younging & migration areas
 - e) Transmission line viewed incompatibilities.

Signed:

Testifier
Gerrard Brewer, self

Representing (Optional)

P.O. Box 970298 Wasilla, AK 99697
Address

(907) 373-4974

Phone number



Alaska State Legislature

Please enter into the record my testimony to the

Senate Resources

Committee name

Committee on

HB 77

, dated

3-14-14

Bill/Subject

- p. 5, line 26 the director shall
- p. 7, line 19 omit if add when
- p. 14 line 15 subsection shall
- p. 14 line 22 The commissioner shall
- p. 16 line 23 The director shall

The changes would force the state to give certainty for the public, that the state is doing its job for the public benefit

Signed:

Jamie Miller

Testifier

self

Representing (Optional)

P.O. Box 870151

Wasilla, AK 99687

Address

907-376-5636

Phone number

ANCHORAGE LEGISLATIVE INFORMATION OFFICE

Email: Anchorage_LIO@akleg.gov 907-269-0111/ phone, 907-269-0229/fax

WRITTEN TESTIMONY

NAME: VAL GLOOSCHERKO 6817 Dowcastle Dr
 REPRESENTING: SELF Anchorage 99504
 BILL#/ SUBJECT: HB 77 VREARUP@VALHOD-CO
 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 have worked professionally 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 speed up on behalf of our rights as Alaskans.

I also attended the last hearing for HB 77 here in Anchorage - there were so many people wanting to speak that the line went out the door!! Noon was in favor! The resulting adjustments are only window dressing and HB 77 remains an unacceptable TIME BOMB!

Kill it! Don't let it out of committee!

Val Glooscherko



Alaska State Legislature

Please enter into the record my testimony to the Senate Resources
Committee name

Committee on HB/77 dated 3/12/14
Bill/Subject

This hearing was rushed and not enough time allocated for testimony. You skipped the Mat-Su lio office numerous times. 18 people showed up to testify and only 4 were heard. The atmosphere was that of frustration and the Silencing of our Voice. Also, 48 hours was inadequate time to meaningfully digest and respond to the charges. The revisions to this bill fall short and it needs to be scrapped! This bill was not crafted for Alaskans. This was clearly crafted for industry at the expense of the owners of this state. My tribe passed one of 41 resolutions in opposition of this proposed resolution. The revisions have made it no less harmful to the previous version.

Specific reasons for my opposition,

- 1) It does not allow Tribes the ability to hold water rights and does not allow due process in terms of who is deemed "significantly and adversely impacted." It does not provide a clear definition of financial and physical harm and makes no allowance for subsistence as a value.
- 2) It affords too many powers to the DNR and fosters a

Signed: Lisa Wade lack of transparency in resource management decisions.
Testifier

Self - Property Owner, Registered Voter, Tribal citizen of
Representing (Optional) Chickaloon Native Village

9510 N. Glenn Hwy, Palmer, AK 99645
Address

982-7541

Phone number

Kill This Bill!



Alaska State Legislature

Please enter into the record my testimony to the Senate Resources
Committee name

Committee on HB 77, dated 3-12-14
Bill/Subject

The role of government in a democracy is protection for all and empowerment of citizens. HB 77 violates both. Kill this bill!

Signed: James L. Chesbro Sr. James L. Chesbro Sr.
Testifier

Representing (Optional)
3260 S. Purvey, Wasilla AK 99645
Address

907-374-5433
Phone number



Alaska State Legislature

Please enter into the record my testimony to the Senate Resource Committee
Committee name

Committee on HB 77/H, dated 5-12-2014
Bill/Subject

I strongly OPPOSE this bill as a registered voter,
home owner with a small stream + a Tribal Citizen
of Chickaloon Native Village.

Two minute limit on testimony is a racist
way to exclude Alaska Natives from testifying. Our
brains don't operate on a western continuum.
Watching half your committee get up + leave during
testimony is very Disrespectful!

Kill the Bill!!

HB 77 in all forms
must be "Trashed"!

Signed:

Denny A. Weating
Testifier

Representing (Optional)

P.O. Box 3437 Palmer, AK 99645-3437

Address

907-746-5248

Phone number

HR 77 Proposed Amendment Changes – Public Testimony**Paulette Moreno – Sitka 3/14/2014**

Madame Chair & Members of the Senate Resource Committee, thank you for this additional public opportunity to comment of HB 77 amendments, I do so with respect to all parties involved. First of all I would like to thank all that have come before me and recognized the wisdom their words carried

We the 12th Player, the public, are in the room as promised. We have our human voice and our here to use it

I am opposed to the attempt to amend our rights as Alaskans. I believe that at this moment, when all is at stake, I would gently remind all presence of Alaska native peoples successful stewardship of Alaska and her resources for ten's of thousands of years.

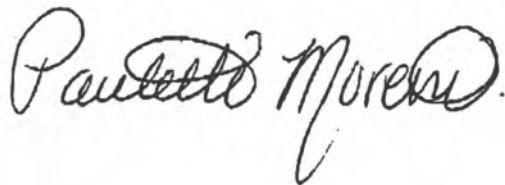
As we join our fellow Alaskans today, in regards to HB 77, I ask at what date, time and minute did we give so much power to so few?

- **The amendments still give DNR to much control**
- **Even through tribes are mentioned, the language is not strong, enough to promote equality to all and respect Alaska 's ancestral voice to responsible stewardship**
- **Several Sessions of the Bill would still make it difficult to challenge DNR decisions**
- **As a member of Sitka Tribe of Alaska, I support STA's, opposition to the newly released amendments**
- **Yesterday Gov. Parnell mentioned in his press release the duty of the office to uphold the Alaska constitution. It was said in morning legislative prayer this morning that the all Alaskans should be treated fairly. We are only asking that this be respected in deed**

This bill should be defeated and the message exhalted should be one of that truly reflects the " best interest" of Alaskans and her people

Your moment in history is now, may the creator of the land, protect and guide your final decision

Paulette Moreno

A handwritten signature in black ink that reads "Paulette Moreno". The signature is written in a cursive, flowing style with a large initial 'P' and a long, sweeping underline.

My name is Helen Woodings. I am a 60 year resident whose call to fame is "The Volunteer". My three daughters reside in Mat Su Borough Their five children were educated in Alaska; three of whom earned a degree at UAF. We enjoy living in this land with its many freedoms, clean water, clear air, quiet places.

But more important, we reside in a community where our abilities and leadership are respected. We belong to community action groups, and our opinion counts.

I attended the work shops and hearings in Palmer and Anchorage, in regards to the very bad bill, HB 77. On Wednesday,, March 12th, I drove to Wasilla, the LIO office, and signed in to testify. 1 ½ hours later, we were told to go home. Thirty folks across the state just said the "same old stuff" and the committee did not want to hear any more.

History shows us the importance of water and what happens when you lose clean water, or your source for you livelihood and recreation. Other states face these same problems. Can't we learn from these examples the battles caused by over appropriated out of stream water use?

I am fighting for water laws for the good of the residents of this great State of Alaska.

Now, I am shouting for the right to be heard.
Dump HB 77, It was not good in the first place, and now it is worse.

My name is Tina Tinker I work for Aleknagik Traditional Council in the Environmental Department; I also am a member of the Nushagak/Mulchatna Watershed Council.

I participated in collecting water quality samples for the in-flow stream data collection in 2005 until 2010; at the same time that the Pebble Mine was doing their exploration. We helped the hydrologist to set up two flow station Koktuli and Swan, and went up every month in the summer to collect the inflow stream data which is now complete.

At the beginning of the project we saw salmon swimming at the Swan River below Akelkok, s cabin which was very abundant with salmon. Once the project was over; there was no fish or very few fish in that river system. I believe that since pebble was taking water out for their exploration this has had a detrimental effect to the fish and other land mammals in that area.

House Bill 77 is not protecting the people of the State of Alaska but is undermining the local voices who are doing work to protect the resources we depend on. We've had to find money to conduct this work in partnership with Bristol Bay Native Association and the Tribes that belong to the Nushagak/Mulchatna Watershed Council. We see HB 77 as a way to make changes without consulting us, Alaskans, who are directly affected by the changes to the water law as proposed in HB 77. Why didn't DNR come out and meet with us in Bristol Bay. We have 11 water reservations on file. They should have come to discuss our current applications before proposing any changes. Our applications were completed in good faith, following the rules and guidelines established by the State, and some cases with the encouragement of ADF&G. We shouldn't be punished for doing so.

I oppose HB 77 as it is currently written and I request Senate Resources to investigate why DNR has not met with the people of Bristol Bay who will be impacted by this bill.

Senate Resources Committee

HB 77 Testimony

Chair Giessel and fellow members of the Senate Resources Committee, my name is Billy Maines. I am a member of the Curyung Tribal Council, work for them as the Tribal Environmental Coordinator and represent them on a number of committees within the BB Region, the State of Alaska and Nationally. I am here to speak on in the importance or lack of importance placed on in-stream flow reservations and/or federally recognized tribes. I appreciate the fact that someone was kind enough to admit that the tribes in Alaska should be considered Alaskan residents and placed them back into the language of the bill but at the same time take away their right as an Alaskan resident and give it to a state entity. So I see saying it is okay you Alaskan to go and do, let alone pay for, the work for filing an application but you have to turn around give it to some state, municipality, or borough office.....I understand the state feels it can't fully fund its obligations on education but to take credit for the work, time and money involved in putting together a water reservation application which at any time can be thrown out because some individual feels it doesn't adequately illustrate the water quantity, flow or protective usage. There is something wrong with that philosophy.

Curyung Tribal Council is a founding member of the Nushagak Mulchatna Watershed Council. This Council represents federally recognized tribes and municipalities in and around the Nushagak & Mulchatna Rivers of Bristol Bay.....We have 11 preliminary applications filed with the State of Alaska Department of Natural Resources. We started our work as back as 2005 in gathering data sufficient to file an application with the first 2 being filed in 2007. From 2005 and still gathering data to date, we have spent over one million plus dollars, from federal grants and private foundations. Our work has been to ensure adequate flow and water quantity for our renewable resources, primarily the 5 species of wild Alaskan Salmon that spawn in our rivers. Things are changing, climate change is real, development or not, our water is being influenced and we just want to ensure adequate and proper response to those changes can happen with our water reservations. If nothing else happens with this bill, my Council hopes that their time, their resources and money will have been for not.....that they are allowed to maintain ownership of those applications and sometime down the road see them adjudicated by the state. They should be grandfathered.

Hello my name is Daniel Chythlook and I am an Alaskan Native who has lived in this area since I was born.

Our Yupik ancestors have constantly told us about the importance of keeping our water resources clean because all our natural resources we depend upon for sustenance from the land, air and water all need clean and healthy water; including us to survive and remain healthy.

I was fortunate to be asked by an employee of our local Bristol Bay Native Association, if I was willing to conduct in-stream flow data collection along with hydrology work on the lower reaches of the Koktuli and Swan River. The in-stream flow reservation was applied for by BBNA and we conducted this work for a period of five years. We also tested the waters for any presence of heavy metals, and we went up to conduct this work for approximately five months on an annual basis.

I also worked with fish biologists, hydrologists and scientists to conduct anadromous salmon and fresh water fish surveys on the head waters of creeks and streams near the proposed Pebble Mine to assure that the water quality is healthy along with the fish species which migrate to these headwaters on an annual basis to spawn.

The existing law for in stream flow reservations does not prevent development. The commissioner already has the power to cancel or reduce an in stream flow reservation in favor of a subsequently filed water withdrawal application. It is very likely that in most cases a decision will not be required as the water levels will be enough to accommodate both needs. Yes, the in stream flow reservation can be a hindrance or nuisance, but that is how it should be.

It provides the pause needed to fully appreciate how one resource use can affect another. An in stream flow reservation, however, is not absolute under existing law. It does not block development. The real problem is DNR is underfunded, or uninterested enough to address the reservations in a timely and efficient manner and wants this law to effectively eliminate them altogether.

HB 77 as it is currently written is worse now than what is existing in the law

March 10, 2014

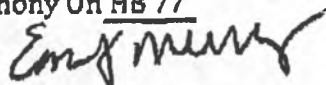
House bill 77 gives me the jitters
the way it is written, with no
government to government consultation.

This means to me, that I may
have to give up my traditional foods
IF and when the clean water
can no longer sustain life of native
plants, fish and wildlife in rural
Alaska, I subsist mostly on traditional
foods around my area and clean water
is vital to my subsistence. House
bill 77 is telling me my subsistence
is at the will and say so of
DNR.

Momms Nabard
~~Former~~ Native Village of Elim
Council Member
Elim Native Corp. - President

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!

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

THOMAS E. MEACHAM
ATTORNEY AT LAW

9500 PROSPECT DRIVE
ANCHORAGE, ALASKA
USA 99507-5924

ALASKA BAR NO. 7111032
1971

TELEPHONE: 907/346-1077
FACSIMILE: 907/346-1028
tmeacham@gcl.net

March 12, 2014

**Testimony before Alaska Senate Resources Committee
on
2d Senate CS for CS for House Bill No. Bill 77**

Madam Chair and Members of the Committee:

My name is Tom Meacham. I am an attorney living in Anchorage, beginning in 1967-68, and continuously since 1971. I have practiced law in Anchorage for 43 years. During all of that time my law practice has concentrated almost exclusively on Alaska natural resources law: mining, oil and gas, water, federal and state public lands, ANCSA and ANILCA issues, and easements and rights-of-way.

I request that a written copy of this testimony be filed with the public comments on this Bill.

I was an appointed member of the Alaska Water Use Board (AS 46.15.190 - .220) from 1982 through 1990. Sadly, that Board exists in theory only, and no longer meets. The instream-flow reservation (IFR) provisions of existing Alaska law (AS 46.15.145) were enacted in 1980 and amended in 1986, and the Water Board assisted in that process.

I am confining my remarks today solely to the amendments proposed to the IFR statute by the HB 77 of 2013, and the proposed changes to those IFR amendments contained in the 2nd Senate CS announced on March 10. I am gratified that the Dept. of Natural Resources (DNR) and the Governor have listened to the hundreds of Alaskans who have spoken out on this issue, and other issues, presented by the HB 77 of last year.

Nevertheless, I believe that the new proposed amendments would still turn the IFR program on its head – just perhaps not as drastically as before.

The concept of the IFR provision (AS 46.25.145) in 1980 was that an agency or a person could file for an IFR certificate to protect **certain specified public uses**, that a **priority date would be established** under Art. 8, Sec. 13 of the Alaska Constitution **as of the date of filing**, and that the IFR application would be processed to a conclusion (either denial, or issuance of a certificate) in much the same way that DNR processes an application for a water appropriation certificate.

Testimony of:
Tom Meacham
March 12, 2014
Page 2

SCS CSHB 77 (2013) would have eliminated most of the intended and existing procedural parallels between IFRs and appropriative water rights, and would have extinguished many existing applications filed by non-governmental entities.

Sec. 42 of HB 77 of 2013 would also have extinguished the existing right of any non-public individual or entity to even file for an IFR. Thankfully, Sec. 42 of the 2d Senate CS will recognize that non-governmental "persons" will be able to apply for an IFR.

However, I have several specific suggestions for amendments to the 2d Senate CS that I strongly urge the Committee to adopt, to clarify the law and to preserve the concept and intent of the IFR statute. These are:

1. Sec 42, p. 23, lines 15-17: The IFR certificate applied for by a "person" (as "person" is newly defined in Sec 45) is to be issued to the "appropriate state agency". However, the definition of "person" is now so broad in Sec. 45 that it covers public corporations, state agencies, political subdivision, and the United States. **It makes no sense that public entities' IFR certificates should be held by another public agency, the "appropriate state agency."** As I will show later, the definition of "person" is too broad.

As a compromise position, I believe that non-public entities and individuals should agree that an issued IFR certificate should be held by "the appropriate state agency." **However, the IFR applicant should clearly have standing to defend the IFR in appropriate proceedings, if the IFR is later proposed to be altered or eliminated. To this extent, a non-governmental IFR applicant *must* be recognized as having a right, or interest, or legal standing in the continuation of the issued IFR certificate it had originally applied for, and had funded.**

The denial of any property interest in an IFR application, and in an issued certificate, appear to conflict with the Water Use Section of the Alaska Constitution Art. 8, Sec. 13). This Section recognizes that priority of application "shall give prior right." **This amendment would purport to make an IFR application, when issued as an IFR certificate, as not a being a property "right" of any type. At the least, the amendment should clearly recognize the right of a person applying for the IFR legal standing to defend the wisdom of that reservation.**

Testimony of:
Tom Meacham
March 12, 2014
Page 3

2. Sec. 42, p. 23, line 16: An “approved certificate of reservation” has no legal meaning. It is either a pending “IFR application,” or a DNR-issued “certificate of reservation.” By its terms, an issued “certificate” has been “approved;” there is no such animal as a certificate that has not been “approved.”

3. Sec. 42, p 23, line 18-20: The case of *Chuitna Citizens Coalition and Cook Inletkeeper vs. Alaska Dept. of Natural Resources*, No. 3AN-11-12094CI (Superior Ct., Anchorage) has held that DNR’s long inaction on pending IFR applications has resulted in the denial of Constitutional due process to the applicant. Any grant of discretion to the Commissioner to “determine when and in what order” IFR applications are to be processed, **must be made “consistent with Constitutional due process considerations.”** I urge that this amendment be added.

4. Sec. 42, line 23: The appeal procedure cited as AS 46.15.133(e) does not, by its terms, apply to the appeal of IFR reservation applications. It applies only to an appeal of a Commissioner’s decision to “grant, deny or condition a proposed sale or an application for appropriation or removal in accordance with (c) of this section” [AS 46.15.133]. **It does not cover appeals from IFR decisions.** I recommend that the word “reservation” be added to AS 46.15.133(e), as follows: “a proposed sale or an application for an appropriation, reservation or removal...” Other subsections of AS 46.15.133 should be similarly amended to insure that the entire process established in this “Notices and objections” section also clearly covers the adjudication of IFR reservation appeals.

5. Sec 42, p. 23, line 26: The prohibition against the transfer or assignment of a right to appeal the subsequent administration by the commissioner of an issued IFR certificate appears to have no rational purpose. It could leave no one with standing to question a subsequent decision by the commissioner to reduce or eliminate an IFR certificate. (Perhaps that is DNR’s hidden purpose).

For example, if a city obtained an issued IFR, and it later merged with and became a unified borough, the borough would have no right to support the original IFR certificate if the commissioner later decided to reduce or eliminate it. All entities, both public and private, undergo legal changes during their existence. I do not object to a prohibition against assignment of the right to appeal an issued IFR certificate to an unrelated entity, but **the right to have standing to appeal and support an IFR certificate should lawfully pass to the “successor in interest” of an IFR applicant.** I urge that this change be made.

Testimony of:
Tom Meacham
March 12, 2014
Page 4

6. Sec. 42, p. 23, lines 27-29: The requirement for “not less than five years of data” is onerous, and is far in excess of any data requirement imposed on an applicant for an appropriation of water under the Water Use Act. Further, it may pose a significant burden when submitting data for IFR reservations on lakes.

7. Sec. 42, p. 23, line 29: The phrase “nonproprietary public domain hydrologic data” is nonsensical. If it were “proprietary,” it could not be publicly disclosed or submitted in any event.

8. Sec. 43, p. 23, line 31, p. 24, lines 1-6: This section would permit the Commissioner to permit the temporary uses of “a significant amount of water” for five-year periods, one after the other. **This would be a complete evasion of the water-rights process specified in Art. 8, Sec. 13 of the Alaska Constitution.** The Commissioner would be granted this authority in all instances in which “the water applied for has not been appropriated.” This amendment should be changed to specify that a temporary water use authorization may be issued **only when the water applied for “has not been appropriated, or is not the subject of a pending application for appropriation or reservation.”**

Without this amendment, the Commissioner could “establish priorities” by delaying indefinitely DNR’s adjudication of a pending appropriation application or an IFR application (under authority he seeks elsewhere in HB 77), while continuing to issue serial temporary water use permits for “significant quantity of water” from the same water source. **This would be a complete perversion and evasion of the “first in time, first in right” requirement of Art. 8, Sec. 13 of the Alaska Constitution.** It should not be allowed to occur.

In addition, because under this amendment temporary water uses could involve “significant quantities of water,” the issuance of temporary use permits should be required to undergo the public notice and comment procedures that are routinely required of DNR for other disposals of state lands and resources.

9. Sec. 44, p. 24, lines 7-9: An applicant for an IFR reservation should be recognized as having a “property right” in the IFR application and certificate **to the extent that this person has legal standing to seek issuance of the certificate, to assert its priority, and to defend it if the Commissioner later takes steps to reduce or extinguish it.**

Testimony of:
Tom Meacham
March 12, 2014
Page 5

This denial of any “property right” in an IFR application would also include all state-agency IFR applicants. Would there remain no entity -- public or private -- with legal standing to seek issuance of an IFR certificate, to assert its priority, and to defend it? Without the statutory recognition of this minimal legal standing, all IFR certificates become meaningless. **The denial to all IFR applicants of any “property right” in the application or certificate is simply the denial of the “first in time, first in right” requirement for water management under Art. 8, Sec. 13 of the Alaska Constitution.**

10. Sec. 45, p. 24, lines 10-13: This definition of “person” is sloppy drafting. The existing AS 46.25.145(a) already permits “an agency or political subdivision of the state, [and] an agency of the United States” to file an IFR application. **There is no need to also define these entities as “persons,” as the amendment would do.** This would only add confusion to the definition of “person.”

The remaining non-public entities in the proposed definition of “person” (“individual, partnership, association, federally recognized tribe, public or private corporation”) are appropriate, and should be included in this definition.

Thank you for this opportunity to present this testimony regarding 2d SCS CSHB 77.

/s/ Thomas E. Meacham
9500 Prospect Drive
Anchorage, Alaska 99507

tmeacham@gci.net

Page 1 Keogh

HB 77 Oral Comment to Senate Resources Committee

Public Hearing of 03/12/2014

I'm Warren Keogh, speaking only for myself, as a private land owner with a stream running through my property, as a water right holder of surface and subsurface waters, and as the former water rights coordinator for the Fish and Wildlife Service in Alaska.

HB 77 is a multifaceted, Medusa-like bill that is fundamentally flawed. I had hoped that the public outcry in several public meetings over the past few months would result in significant changes to the bill. Unfortunately, the meager changes brought forward by the Department of Natural Resources in Monday's committee meeting are more superficial than substantive. The overused saying "Lipstick on a pig" comes to mind.

I'll address only two aspects of the many, many problems with this bill. They regard changes to Alaska's Water Use Act.

First, in regard to Temporary Water Use permits. The language added to Section 43 explicitly allowing repeated issuance of 5 year-long "temporary" water use permits for projects that may go on for decades defies the definition of temporary. Temporary means short term; it does not mean long term or indefinite... It should not mean an indefinite number of 5 year DNR permits issued for projects that continue on for decades while the DNR commissioner avoids adjudicating a water reservation application for the same body of water.

Second, in regard to water reservations. The term "person" has been rightfully returned to the bill's language. However, not allowing an applicant to hold the water reservation, but instead mandating transfer of the reservation to a public agency makes no sense. This amended language is an exercise in semantic smoke that disenfranchises the applicant and disincentivizes anyone from applying for an instream flow reservation in the first place. What is my incentive for expending time, effort and money to reserve a small amount of water in the stream that flows through my property for the purpose of protecting fish passage/spawning/rearing habitat in perpetuity if I cannot hold the water reservation? I expend the effort to acquire the individual property right of reserving water only to have it transferred to a state agency? It makes no sense.

Finally, we have established water law in our water rich state allowing for water reservations that is the envy of many other states that mismanaged their water resources and/or lacked foresight to create good water law early in their histories. Alaska's late entry to the Union as a sovereign state afforded it an opportunity to avoid the historical mistakes of other states and establish good water law some three decades ago in the form of Alaska's Water Use Act. Let's not go the way of other unfortunate states of the Pacific coast and the western United States that have irrevocably ruined fishery rich waters. Parts of HB 77 is a misguided attempt to undo, in a piecemeal fashion, important parts of our good water law. I urge you not to weaken

pg 2 Keogh

Alaska's existing water law and to reject HB 77. (Volunteer to visit Juneau on my own dime to discuss Alaska water law and the untoward impacts of this bill.)

I had the honor of facilitating the public forum on HB 77 in Palmer earlier this year. I was impressed with the number people who testified and their articulate arguments against many portions of this bill. One citizen reminded us that we are an owner state, an intentional and uncommon element of our Constitution. Being an owner state means that we own the resources of our state in common. That is different from being the owner of ones house or land, it means that we all own the resources. Therefore, we are more likely to be "aggrieved" by decisions made by the Department of Natural Resources rather than "substantially and adversely affected." Of course, substantial and adversely affected would be much more difficult to prove by an individual or group, therefore removing their standing in the appeal process. This clause, then, effectively substantially and adversely affects an Alaskan citizen's right to address issues of concern regarding our own resources. This bill neither protects Alaska nor empowers its citizens to care for our resources. As all who testified in Palmer noted, this is a bad bill and it just needs to go away.

Patricia Chesbro
3260 S. Purkey
Wasilla, AK

907-376-5433

LIO Mat-Su

From: Jessica Winnestaffer <jessica@chickaloon.org>
Sent: Thursday, March 13, 2014 12:30 AM
To: Sen. Cathy Giessel; Sen. Click Bishop; LIO Mat-Su
Cc: Jessica Winnestaffer
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

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CORDOVA LEGISLATIVE INFORMATION OFFICE

Email: Cordova_LIO@legis.state.ak.us
Phone 907-424-5461 Fax 907-424-5462

WRITTEN TESTIMONY

NAME: Seawan Gehlbach

REPRESENTING: self

BILL#/ SUBJECT: HB 77

COMMITTEE &
HEARING DATE: SRC 3/12/2014

I am opposed to HB77. Ours is a commercial fishing family living in Cordova, Alaska. Activities on state lands and navigable waters affect our business of commercial fishing, subsistence harvest and recreation. Notification of citizens and ^{the process of} public input are vital responsibilities of the State of Alaska to its citizens. Decreasing access to information & input of Alaskans in the permitting process is unacceptable. We have understanding and knowledge of the land and sea we live from, ~~that~~ important nuances that would not be known to permit writers miles away. There is a process in place now for permitting and it is sufficient.

Thank you for your consideration of public testimony.

Seawan

CORDOVA LEGISLATIVE INFORMATION OFFICE

Email: Cordova_LIO@legis.state.ak.us
Phone 907-424-5461 Fax 907-424-5462

WRITTEN TESTIMONY

NAME: DAVID JANKA

REPRESENTING: SELF

BILL#/ SUBJECT: HB77

COMMITTEE &
HEARING DATE: SRES 3/12/14

I DONOT FEEL THAT THIS WOULD BE GOOD FOR ALASKA, IT'S
COMMONSENSE, LAND OWNERS, INDIVIDUALS AND ESPECIALLY OUR
SALMON. PLEASE DO NOT THIS BILL TO MOVE FORWARD.
Thank you.

CORDOVA LEGISLATIVE INFORMATION OFFICE

Email: Cordova_LIO@legis.state.ak.us
Phone 907-424-5461 Fax 907-424-5462

WRITTEN TESTIMONY

NAME: BARCLAY KOPCHAK

REPRESENTING: SELF

BILL#/ SUBJECT: HB 77

COMMITTEE &
HEARING DATE: Senate Resources Committee

We Alaskans pride ourselves on our civic mindedness & our ability to offer input in the decision making process. I oppose HB 77 because it replaces meaningful opportunities to participate in renewable resource decisions with over broad latitude for the SNR Commissioners.

From: John Mahoney
Sent: Saturday, April 05, 2014 8:34 AM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel, If a person who is objective and observing the actions of the governor in proposing this Disgusting legislation, it would appear that our governor and also the majority of our legislators' main objective is to roll out the red carpet for every carpetbagger corporation that wants to harvest the resources of our beautiful land with ABSOLUTELY NO LIABILITY OR RESPONSIBILITY to preserve the waters and lands for future generations and wildlife which are essential for their own survival. It has become abundantly clear, in light of the senate bill 21, that our legislature has become a PAWN and MOUTHPIECE of FAT CAT CORPORATIONS!! You do not represent the wishes of ALASKANS!!! You should be ashamed of yourselves!!!!.

John Mahoney
M18 S Knik-Goose Bay Rd
Wasilla, AK 99623

From: George Menard
Sent: Thursday, April 03, 2014 2:57 PM
To: Sen. Cathy Giessel
Subject: NO!!! to HB77

Dear Senate Resources Committee,

Sometimes I feel like this legislature has totally taken leave of its senses! You are not there to promote your own personal ideologies or agendas or those of the big business and corporate special interests. THE VOTERS OF ALASKA HAVE MADE IT VERY CLEAR THAT THIS IS A TERRIBLE PIECE OF LEGISLATION IN ANY WAY, SHAPE OR FORM! GET OVER IT, DUMP IT ONCE AND FOR ALL! Move on to the greater issues that face the people of this state --- education, village safety issues, a comprehensive energy policy that emphasizes renewables over polluting fossil fuel technologies, the list goes on and on.

Respectfully Submitted,

George Menard
P. O. Box 13168
Trapper Creek, AK 99683
733-2515; 250-3618; geom73@juno.com

George Menard
E Petersville Rd 1/4 Mi
Trapper Creek, AK 99683

From: bob banks
Sent: Thursday, April 03, 2014 9:24 AM
To: Sen. Cathy Giessel
Subject: Please make sure Alaskans can comment on changes to HB77

Senator Giessel,

You can see from the overwhelming opposition to HB77 that Alaskans like me are deeply concerned about the implications the bill would have on our ability to participate in the public process. Please make sure we have the opportunity to comment on any amendments before you pass it out of committee, and please share this with the rest of the Resources Committee.

bob banks
326 Center Ave 100
kodiak, AK 99615

From: Harry and Shirley Forquer
Sent: Wednesday, April 02, 2014 8:19 AM
To: Sen. Cathy Giessel
Subject: HB77 - a bad bill

Dear Senator Giessel and Resources Committee,

We remain opposed to HB77 even with the changes we've seen. Why is this bill still alive after all the public testimony against it? This bill goes way too far to "streamline" the process by making it easier for DNR to ignore the concerns of Alaskans in favor of Outside corporations. Please do not "streamline" this bill out of your committee.

Harry and Shirley Forquer
41545 Dewberry Pl
Homer, AK 99603

From: Rachel Irons
Sent: Friday, April 04, 2014 4:45 PM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel,

In its current form HB77 makes too many changes that keep Alaskans out of land and water use decisions. As part of our democratic system, all citizens have a right for their voices to be heard. I urge you not to pass it out of the Senate Resources Committee. Please share this comment with the Committee and make it a part of the public record.

Rachel Irons

Anchorage

From: John Shedd
Sent: Thursday, April 03, 2014 7:33 PM
To: Sen. Cathy Giessel
Subject: HB77

Dear Senate Resources Committee,

I am writing to make sure you know that Alaskans like me are still very concerned about HB77. The bill is too big and makes too many sweeping changes to the permitting process. Please don't pass this bill out of your Committee.

John Shedd
Pob 240654
Douglas, AK 99824

From: Cathy Teich
Sent: Thursday, April 03, 2014 5:17 PM
To: Sen. Cathy Giessel
Subject: HB77 Comment - Please share with Committe

Dear Senator Giessel,

In its current form, HB77 still gives too much authority to the DNR Commissioner and takes Alaskans out of the public processes designed to give us a role in decisions that affect the places we hunt, fish, live and recreate.

Cathy Teich
Box 155
Talkeetna 99676

From: Margaret Tileston
Sent: Thursday, April 03, 2014 4:26 PM
To: Sen. Cathy Giessel
Subject: HB77 Comment - Please share with Committe

Dear Senator Giessel,

As a member of the Water Resources Board, we worked very thoughtfully to develop the Instream Water Reservation and get it through the legislature. It is important that not only agencies have the ability to reserve instream flow but also individuals and organizations.

Alaskans should be encouraged to be involved in decisions affecting them, not cut out of the process. Response times are getting shorter and shorter, particularly from DNR and DEC. In fact, some events and deadlines listed in public notices have already occurred before the notice is posted on the state website.

Giving the Commission of Natural Resources the broadened authority as listed in HB77 is absolutely unacceptable. Consider if the Commissioner does not have the same philosophy you hold.

This is a terrible piece of legislation and I urge you to let it die.

Sincerely, Peg Tileston

Margaret Tileston
4780 Cambridge Wy
Anchorage 99503

From: Jennifer Fonkert
Sent: Thursday, April 03, 2014 1:56 PM
To: Sen. Cathy Giessel
Subject: Comment on HB77

Senator Giessel,

I am writing to ask that you ensure Alaskans have the opportunity to review and comment on any proposed changes to HB77 before it passes out of your committee. Please share with the rest of the committee.

Alaskans oppose the silencing Alaskans Act!

Thank you,
Jen Fonkert

Jennifer Fonkert

Homer, AK

From: Jennifer Fonkert
Sent: Thursday, April 03, 2014 1:56 PM
To: Sen. Cathy Giessel
Subject: Comment on HB77

Senator Giessel,

I am writing to ask that you ensure Alaskans have the opportunity to review and comment on any proposed changes to HB77 before it passes out of your committee. Please share with the rest of the committee.

Alaskans oppose the silencing Alaskans Act!

Thank you,
Jen Fonkert

Jennifer Fonkert

Homer, AK

From: Debi Engholm
Sent: Thursday, April 03, 2014 1:55 PM
To: Sen. Cathy Giessel
Subject: Please make sure Alaskans can comment on changes to HB77

Senator Giessel,

You can see from the overwhelming opposition to HB77 that Alaskans like me are deeply concerned about the implications the bill would have on our ability to participate in the public process. Please make sure we have the opportunity to comment on any amendments before you pass it out of committee, and please share this with the rest of the Resources Committee.

Debi Engholm
PO Box 2424
Soldotna, AK 99669

From: barbara reilly
Sent: Thursday, April 03, 2014 1:46 PM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

barbara reilly
1800 Parkside Dr
Anchorage 99518

From: barbara reilly
Sent: Thursday, April 03, 2014 1:46 PM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

barbara reilly
1800 Parkside Dr
Anchorage 99518

From: Anthony Larson
Sent: Thursday, April 03, 2014 2:20 PM
To: Sen. Cathy Giessel
Subject: Comments on HB 77

Dear Senate Resources Committee,
Please do not rush this bill out of committee and ensure that we the people have enough time to understand changes and comment on them.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several committees, especially if additional changes to the bill are made. Please include this in public record.

Anthony Larson
4796 Mulls Drive
Anchorage, AK 99508

From: Ronald Stanek
Sent: Thursday, April 03, 2014 3:02 PM
To: Sen. Cathy Giessel
Subject: Comments on HB 77

Dear Senate Resources Committee,
Please do not rush this bill out of committee and ensure that we the people have enough time to understand changes and comment on them.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several committees, especially if additional changes to the bill are made. Please include this in public record.

Ronald Stanek
3623 Lynn Dr
Anchorage, AK 99508

From: James Graupmann
Sent: Thursday, April 03, 2014 5:39 PM
To: Sen. Cathy Giessel
Subject: Comments on HB 77

Dear Senate Resources Committee,
Please do not rush this bill out of committee and ensure that we the people have enough time to understand changes and comment on them.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several committees, especially if additional changes to the bill are made. Please include this in public record.

James Graupmann
PO box 672
Talkeetna, AK 99676

From: Yolanda de la Cruz
Sent: Thursday, April 03, 2014 6:01 PM
To: Sen. Cathy Giessel
Subject: Don't pass HB77 out of Committee

HB 77 has drawn broad-based opposition from a diverse range of Alaskans across the state and it should not be passed out of your Committee. If you are considering pushing this bill through, please provide opportunity for the public to understand and comment on the changes.

The natural resources belong to all Alaskans not to these manipulators and abusers politicians, who are acting like if the natural resources were belong to their properties. This is U.S.A. where we suppose to have democracy, this is not Russia, Venezuela, Syria or Cuba. All of these politicians are public servers, they should be working for Alaskans, and for the best interest of the state, instead they are implementing and dictating their own rules and bills which only benefit themselves and their special interest.

Yolanda de la Cruz
806 West 57th Avenue
Anchorage, Ak 99518

From: Jennifer Lynes
Sent: Thursday, April 03, 2014 6:30 PM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

As an Alaskan who is committed to ensuring our wild salmon resources remain strong for today & future generations, I strongly oppose HB 77 in its current form.

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

Sincerely,

Jennifer Lynes
1565 Sunrise Dr
Anchorage 99508

From: Mitchell Hrachiar
Sent: Thursday, April 03, 2014 7:46 PM
To: Sen. Cathy Giessel
Subject: House Bill 77 is bad for Alaskans

Dear Senator Giessel,

I oppose HB 77, even with the recent amendments, and request that the public have time to review and comment on any additional amendments before this bill leaves the Senate Resources Committee.

Taking Alaskans out of the public process is not an acceptable way to fix a problem. Please do not pass this bill out of your committee and share this comment with your committee. Please include this in public record.

Mitchell Hrachiar
41236 Volcano View Ct
Homer, AK 99603

From: Patrick Murray
Sent: Thursday, April 03, 2014 8:44 PM
To: Sen. Cathy Giessel
Subject: Don't pass HB77 out of Committee

HB 77 has drawn broad-based opposition from a diverse range of Alaskans across the state and it should not be passed out of your Committee. If you are considering pushing this bill through, please provide opportunity for the public to understand and comment on the changes.

I will add that it is clear, the state and DNR, are hard at work for the corporations that will profit by destroying our clean water and habitat. No regular citizen wants any version of HB77. Kill it. The Parnell administration HAS to go. Their vision of the future is frightening. Ted Stevens would never let this get anywhere. Thanks Mark Begich for following in Ted Stevens footsteps concerning clean water, and renewable resources. Which is a good word. Renewable. Think about the meanings of the words. Dont be short sighted. The future will be difficult enough for our decendents without being robbed of what we now have.

Patrick Murray
PO Box 843
Kasilof 99610

From: Esther Bower
Sent: Thursday, April 03, 2014 9:08 PM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

This bill is a serious matter and need not be taken lightly by the government and authorities. Alaskans need to have their rights bided by and fair justice for all, including the environment.

Why is it that all the people in charge, do not care about anything but profit? I could be in charge of the world and still care about clean water, air, ecosystems, habitats, food, oceans, streams, lakes, watersheds etc! The politicians of this state need to reconsider their values, which should be more focused on preserving the intrinsic value of our state than profits by our natural resources!

Thanks.

Esther Bower

Juneau

From: Ann Rappoport
Sent: Thursday, April 03, 2014 9:37 PM
To: Sen. Cathy Giessel
Subject: Comments on HB 77

Dear Senate Resources Committee,

Please do not pass HR 77!! I respectfully request that you provide ample public information and hearings so that we have enough time to understand changes that have been made to this bill and can comment on them.

I am very concerned that this bill would remove Alaskans' voices from the public process; write into law broad, expansive permitting powers for the Department of Natural Resources (DNR) letting them override their own laws and regulations; erode Alaskans rights to appeal DNR decisions even when vital areas like salmon habitats are threatened; and damage the current process for water reservations used to protect wild salmon habitat.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input, and review by several committees, especially if additional changes to the bill are made. Please include my comments in the public record.

Sincerely, Ann Rappoport

Ann Rappoport
17053 Aries Ct
Anchorage, AK 99516

From: Janet Kelly
Sent: Thursday, April 03, 2014 9:56 PM
To: Sen. Cathy Giessel
Subject: I oppose House Bill 77

Senator Giessel,

I am writing to ask that you ensure Alaskans have the opportunity to review and comment on any proposed changes to HB77 before it passes out of your committee.

A bill that is this complex and expansive deserves multiple public hearings to allow Alaskans to provide input and review by several committees, especially if additional changes to the bill are made. Please include this in public record.

Janet Kelly

AK 99516

From: Michael Lacey
Sent: Thursday, April 03, 2014 10:44 PM
To: Sen. Cathy Giessel
Subject: "NO!" on HB 77

Dear Senate Resources Committee,

Please do not rush this bill out of committee. It should not be passed in its present form, and we need time and opportunity to provide input.

Mike and Kathy Lacey

Michael Lacey
17100 Feodosia Dr
Anchorage 90511

From: Becky Breeding
Sent: Friday, April 04, 2014 7:45 AM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

Becky Breeding
PO Box 672569
Chugiak 99567

From: Cary Kopczynski
Sent: Saturday, April 05, 2014 8:55 AM
To: Sen. Cathy Giessel
Subject: NO on HB77

Senator Giessel,

As a landowner in Alaska and a person who has spent many decades there, I am deeply concerned about HB 77. PLEASE ensure that Alaskan citizens have the opportunity to comment on any amendments before you pass it out of committee. Also, PLEASE do all in your power to persuade other members of the Resources Committee to follow your lead.

Thank You.

Cary Kopczynski
4144 187th Ave SE
Issaquah, WA 98027

From: Julie Maxwell
Sent: Wednesday, April 02, 2014 2:24 PM
To: Sen. Cathy Giessel
Subject: HB77 Comment - Please share with Committe

Dear Senator Giessel,

In its current form, HB77 still gives too much authority to the DNR Commissioner and takes Alaskans out of the public processes designed to give us a role in decisions that affect the places we hunt, fish, live and recreate.

Julie Maxwell

Cincinnati

From: Gene Trapp
Sent: Tuesday, April 01, 2014 5:02 PM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel,

I love Alaska and do not want it destroyed by greedy corporations out to make a fast buck. In its current form HB77 makes too many changes that keep Alaskans out of land and water use decisions. I urge you not to pass it out of the Senate Resources Committee. Citizens need to have a voice in any decisions made by government that many affect them.

Gene R. Trapp and Jo Ellen Ryan
2313 Isle Royale Lane
Davis, CA 95616

Gene Trapp
2313 Isle Royale Ln
Davis, CA 95616

From: Joe Bearden [<mailto:chickadeebirders@gmail.com>]
Sent: Tuesday, April 01, 2014 4:18 PM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

Joe Bearden
1809 Lakepark Dr
Raleigh 27612

From: Tom Durrant
Sent: Tuesday, April 01, 2014 2:22 PM
To: Sen. Cathy Giessel
Subject: HB77 should not be rushed out of Committee

Senate Resources Committee:

I am writing now to ensure Alaskans have a meaningful opportunity to review and comment on any changes to HB 77 in the closing weeks of the session.

Tom Durrant
2016 N 27th
BOISE 83702

From: Alex Cavert
Sent: Tuesday, April 01, 2014 1:44 PM
To: Sen. Cathy Giessel
Subject: Don't pass HB77 out of Committee

HB 77 has drawn broad-based opposition from a diverse range of Alaskans across the state and it should not be passed out of your Committee. If you are considering pushing this bill through, please provide opportunity for the public to understand and comment on the changes.

Alex Cavert
6 Lakewood Meadows
Clifton Park 12065

From: Toby Pomeroy
Sent: Wednesday, April 02, 2014 7:08 AM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel,

We have an opportunity to take actions now that leave a legacy of conscious, responsible planning for a sustainable future. If we limit input to the decision-making process we undermine the foundations of a democratic society and the long-term wisdom of that society.

In its current form HB77 makes too many changes that keep Alaskans out of land and water use decisions. I urge you not to pass it out of the Senate Resources Committee.

Thank you,

Toby Pomeroy
Alliance for Responsible Mining (ARM) Board member Ethical Metalsmiths Advisory Council

Toby Pomeroy
4070 Sw Fairhaven Dr
Corvallis, OR 97333

From: Randy Sailer
Date: April 1, 2014 at 7:17:23 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: HB77
Reply-To: <rksailer@beu.midco.net>

Dear Senate Resources Committee,

I am writing to make sure you know that Alaskans like me are still very concerned about HB77. The bill is too big and makes too many sweeping changes to the permitting process. Please don't pass this bill out of your Committee.

Randy Sailer
1018 Cherry Lane
beulah, ND 58523

From: Ben Marchman
Date: April 1, 2014 at 6:03:10 PM AKDT
To: <Senator.Cathy.Giessel@akleg.gov>
Subject: House Bill 77
Reply-To: <Benmarchman@gmail.com>

Dear Senator Giessel,

I am still concerned that this bill, even in its current form, goes to far to streamline the permitting process. Taking Alaskans out of the public process is not an acceptable way to fix a problem. Please do not pass this bill out of your committee.

Ben Marchman

Hendersonville, NC

From: Lina Gingold
Sent: Wednesday, April 02, 2014 6:22 AM
To: Sen. Cathy Giessel
Subject: Please make sure Alaskans can comment on changes to HB77

Senator Giessel,

You can see from the overwhelming opposition to HB77 that Alaskans like me are deeply concerned about the implications the bill would have on our ability to participate in the public process. Please make sure we have the opportunity to comment on any amendments before you pass it out of committee.

Lina Gingold
28 Harrington St
New Paltz, NY 12561

From: James Mitchell
Sent: Wednesday, April 02, 2014 4:43 AM
To: Sen. Cathy Giessel
Subject: Don't pass HB77 out of Committee

I worked and lived in Alaska 20 years. HB 77 has drawn broad-based opposition from a diverse range of Alaskans across the state and it should not be passed out of your Committee. If you are considering pushing this bill through, please provide opportunity for the public to understand and comment on the changes.

James Mitchell

Sammamish 98074

From: Joan Clemens
Sent: Wednesday, April 02, 2014 4:38 AM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel,
In its current form HB77 makes too many changes that keep Alaskans out of land and water use decisions. I urge you not to pass it out of the Senate Resources Committee.

Joan Clemens
4286 Lance Lake Rd
Wolverine, MI 49799

From: Joan Clemens
Sent: Wednesday, April 02, 2014 4:38 AM
To: Sen. Cathy Giessel
Subject: HB77

Dear Senate Resources Committee,

I am writing to make sure you know that Alaskans like me are still very concerned about HB77. The bill is too big and makes too many sweeping changes to the permitting process. Please don't pass this bill out of your Committee.

Joan Clemens
4286 Lance Lake Rd
Wolverine, MI 49799

From: Mike Kiser
Sent: Wednesday, April 02, 2014 4:04 AM
To: Sen. Cathy Giessel
Subject: HB77

Dear Senate Resources Committee,

I am writing to make sure you know that Alaskans like me are still very concerned about HB77. The bill is too big and makes too many sweeping changes to the permitting process. Please don't pass this bill out of your Committee.

Mike Kiser
626 S Stillaguamish Ave Apt 3
Arlington, WA 98223

From: S Mumford
Sent: Wednesday, April 02, 2014 2:32 AM
To: Sen. Cathy Giessel
Subject: HB77 Comment - Please share with Committe

Dear Senator Giessel,

In its current form, HB77 still gives too much authority to the DNR Commissioner and takes Alaskans out of the public processes designed to give us a role in decisions that affect the places we hunt, fish, live and recreate.

S Mumford
Dalvait Rd
Balloch G83 8LB

From: Steve Smith
Sent: Wednesday, April 02, 2014 2:23 AM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel,
In its current form HB77 makes too many changes that keep Alaskans out of land and water use decisions. I urge you not to pass it out of the Senate Resources Committee.

Steve Smith
2042 N Ridge Rd
elyria, OH 44035

From: Karen Yoshitomi
Sent: Tuesday, April 01, 2014 5:13 PM
To: Sen. Cathy Giessel
Subject: Please make sure Alaskans can comment on changes to HB77

Senator Giessel,

You can see from the overwhelming opposition to HB77 that Alaskans are deeply concerned about the implications the bill would have on the ability to participate in the public process. Please make sure Alaskans have the opportunity to comment on any amendments before you pass it out of committee.

Karen Yoshitomi
620 N 63rd St
Seattle, WA 98103

From: Elizabeth Watts
Sent: Tuesday, April 01, 2014 5:14 PM
To: Sen. Cathy Giessel
Subject: Please make sure Alaskans can comment on changes to HB77

Senator Giessel,

You can see from the overwhelming opposition to HB77 that Alaskans like me are deeply concerned about the implications the bill would have on our ability to participate in the public process. Please make sure we have the opportunity to comment on any amendments before you pass it out of committee.

Elizabeth Watts
16 Starks Place
Lynbrook, NY 11563

From: James Nowack
Sent: Tuesday, April 01, 2014 5:24 PM
To: Sen. Cathy Giessel
Subject: HB77

Dear Senate Resources Committee,

I am writing to make sure you know that Alaskans like me are still very concerned about HB77. The bill is too big and makes too many sweeping changes to the permitting process. Please don't pass this bill out of your Committee.

James Nowack
PO Box 895
Marlboro, NY 12542

From: Teresa Koschmeder
Sent: Wednesday, April 02, 2014 6:18 PM
To: Sen. Cathy Giessel
Subject: HB77 still too flawed to fix

Dear Senator Giessel,
In its current form HB77 makes too many changes that keep Alaskans out of land and water use decisions. I urge you not to pass it out of the Senate Resources Committee.

Teresa Koschmeder
20384 Alpine Dr
Lawrenceburg, IN 47025



Alaska State Legislature

Please enter into the record my testimony to the Cathy GIESSEL
Committee name
Committee on HB 77, dated 4-10-14
Bill/Subject

Thank you for stopping this Bill
for now. I pray that more studies
are done before you move ahead
with ~~to~~ this plan.

Signed: Myrtle B. Heimrich
Testifier

Representing (Optional)

HC 89 Box 1572 Willow AK 99688
Address

907-495-5702
Phone number