

HB

100

<TARGET><BILL>HB 100</BILL><SUBJECT>HB
100</SUBJECT><COMM>HRES29</COMM></TARGET>

Alaska State Legislature

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REPRESENTATIVE MIKE CHENAULT SPEAKER OF THE ALASKA STATE HOUSE SPONSOR STATEMENT

HOUSE BILL 100: "An Act establishing a credit against the net income tax for an in-state processing facility that manufactures urea or ammonia; and providing for an effective date."

House Bill 100 seeks to incentivize the production of certain value-added products that use as their feed stock natural gas from state leases.

HB 100 allows a company that produces urea or ammonia to credit their taxes under AS43.20 if they purchase gas from a state lease. The credit is only available for a limited time, and the value of the credit cannot exceed the amount the state receives for royalty.

It is my belief that this credit will be viewed favorably by the market and will act as an incentive for capital to flow to the Kenai Peninsula and Alaska.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: HB 100
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB100-DOR-TAX-3-9-15
Title: UREA/AMMONIA FACILITY TAX CREDIT
Sponsor: CHENAULT
Requester: House Resources Committee

Department: Department of Revenue
Appropriation: Taxation and Treasury
Allocation: Tax Division
OMB Component Number: 2476

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues				***	***	***	***
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? n/a

Why this fiscal note differs from previous version:

Prepared By: Ken Alper, Director
Division: Tax
Approved By: Jerry Burnett, Deputy Commissioner
Agency: Department of Revenue

Phone: (907)465-8221
Date: 03/09/2015 03:00 PM
Date: 03/09/15

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. HB100

Analysis

The bill adds a section to DOR's corporate income tax statutes, creating a new corporate income tax credit for owners of facilities used in the manufacture and sale of urea and ammonia. This analysis is limited to the tax credit created in this bill and does not consider the broader economic activity that would result from the business development that it may incentivize.

Urea and ammonia are typically manufactured by harvesting nitrogen from the atmosphere. This process is highly energy intensive and in Alaska has historically used large amounts of natural gas as "feedstock." The tax credit envisioned in this bill is limited to the amount of state royalty paid on natural gas that would be delivered to the manufacturing facility. As written, the tax credit could not be used to reduce a taxpayer's liability below zero, and cannot be carried forward to a subsequent tax year.

Although the owner of the facility is not expected to be the gas producer who is responsible to pay the state royalty, it is expected that the owner would be able to obtain that information for the purpose of using the credit.

Although available statewide to any facility engaged in the manufacture of urea and ammonia, this legislation is widely understood to be for the purpose of assisting the Agrium fertilizer plant in Nikiski to retool and reopen. The sponsor has provided the Department of Revenue with a recent study by the McDowell group entitled "Potential Impacts of Agrium's Operations on State of Alaska Revenues." This study has been used as a source document for this fiscal note. If passed, it is not expected that there will be any other facilities in Alaska who use this tax credit.

According to the McDowell study, a reopened Agrium plant utilizing a single production train would consume 28 BCF / year of gas with 21 BCF coming from state leases. Assuming a wellhead value of \$5.70 / mcf the total royalty payment to the state would be \$14.96 million / year. This is the maximum annual tax credit liability envisioned by this legislation. Assuming two years to get the plant ready for reopening, we assume no revenue impact prior to FY18. Unlike other tax credit programs, there would be no tax benefit for the facility owner during the time they are under construction. The tax benefit would not begin accruing until they began actually purchasing gas for the purpose of manufacturing.

Assuming a corporate income tax rate of 9.4%, it would require taxable profits of \$159 million per year to generate a tax liability equal to the maximum credit available under this bill. A recent article in the Peninsula Clarion estimated a corporate income tax liability for Agrium at \$3 to \$4 million per year. Since the actual anticipated profits are unknown, this fiscal note is an indeterminate revenue impact beginning in FY18, with an actual amount of foregone revenue between zero and \$14.96 million per year, and with a likely figure in the \$3 to \$4 million range. If the plant did not reopen and begin actually purchasing gas, the state's obligation would be zero.

This tax credit sunsets after calendar year 2026.

Expenditures:

The department can implement the provisions of this bill with existing resources.

Regulations:

The department does not anticipate that it will need to adopt additional regulations to implement this bill.

AMENDMENT

OFFERED IN THE HOUSE

TO: HB 100

1 Page 1, line 10, following "delivered":

2 Insert "in the taxable year of the taxpayer"

3

4 Page 1, line 13, following "zero.":

5 Insert "An unused tax credit or portion of a tax credit received under this section may
6 not be carried forward for use in a taxable year of the taxpayer after the taxable year in which
7 the credit is earned."

AMENDMENT

OFFERED IN THE HOUSE

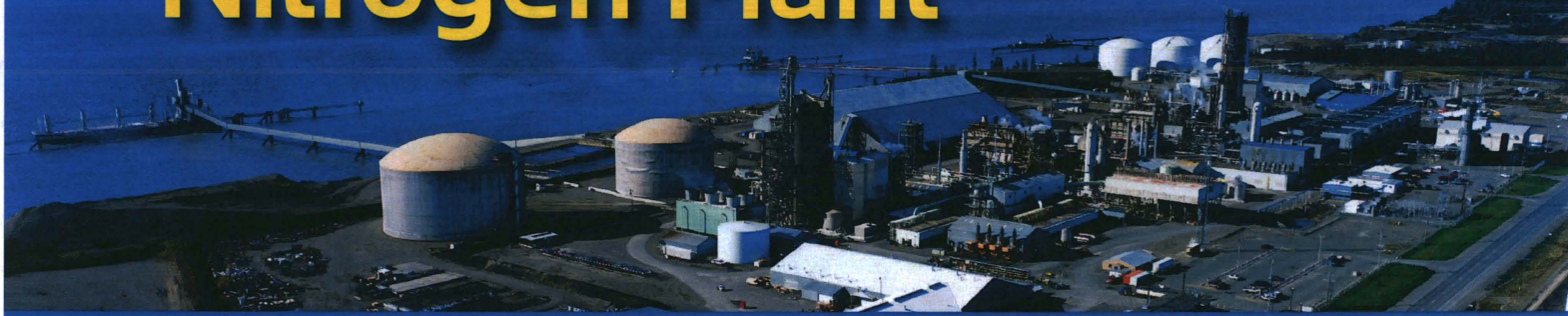
TO: HB 100

- 1 Page 1, line 10, following "to":
- 2 Insert "the in-state processing facility owned by"



The Economic Benefits of Reopening the

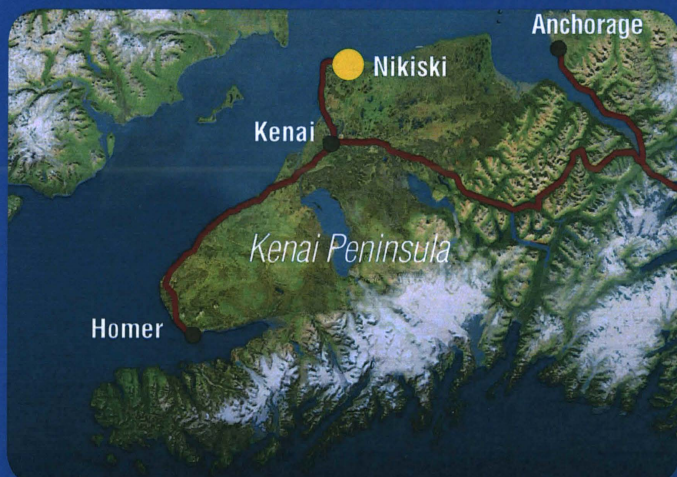
Agrium Kenai Nitrogen Plant



Agrium U.S. Inc. is considering reopening its Agrium Kenai Nitrogen Operations located near Nikiski in the Kenai Peninsula Borough.

Prior to its closing in 2007 due to an insufficient supply of natural gas, the Agrium plant was one of the region's largest private sector employers and among the top sources of tax revenue to the borough. If the plant were to reopen, it could bring hundreds of new jobs and millions of dollars in new payroll, to the Kenai Peninsula Borough and Alaska economies.

If an economically viable supply of natural gas can be secured, a return to production would begin with a single-train operation requiring 140 permanent full-time employees who could earn a total of \$14 million in annual labor income. At full production (two trains) 240 workers would be required, with annual labor income totaling \$24 million. Each production train consists of an ammonia plant and a urea plant.



Expected Benefits

Single-train Production

- ▶ 140: Direct jobs
- ▶ \$14 million: Direct payroll
- ▶ 340: Total jobs (direct, indirect, and induced) in Alaska
- ▶ \$30 million: Total payroll (direct, indirect and induced) in Alaska

Full/Two-train Production

- ▶ 240: Direct jobs
- ▶ \$24 million: Direct payroll
- ▶ 600: Total jobs in Alaska
- ▶ \$50 million: Total payroll in Alaska

- ▶ \$100,000: Estimated average employee wage (excluding benefits)
- ▶ 100%: Employees living in Alaska

History & Redevelopment Phase Impacts

Our History

When the Agrium Kenai Nitrogen Operations complex was built in 1968 (production started in 1969), it consisted of a urea and ammonia plant. In 1977, the complex doubled in size, adding another urea and ammonia plant with supporting utilities. Agrium purchased the plant from Unocal in 2000.

At the time of its closure in 2007, the Kenai plant was the second largest producer of ammonia and urea in the U.S. The complex had an annual production capacity of nearly 2 million metric tons. Much of Agrium's Kenai production was destined for overseas markets, including South Korea, Mexico, Taiwan, Thailand, Australia, Chile, New Zealand, and the Philippines. Within Alaska, urea was distributed and sold in small quantities for de-icing purposes and agricultural use.

Economic Impacts

The economic impact of reopening Agrium Kenai Nitrogen Operations will occur at three levels:

- ▶ **Direct impacts** — Agrium's own employment and payroll
- ▶ **Indirect impacts** — jobs and income generated in businesses that provide goods and services to Agrium Kenai Nitrogen Operations
- ▶ **Induced impacts** — jobs and income created as Agrium employees and employees of its contractors and vendors spend their payroll dollars in the local economy

Redevelopment Phase

The path toward re-opening operations includes inspection, assessment, and renovation of the existing facility.

Inspecting equipment and assessing operational readiness of the facility would take about a year, and create five full-time positions and employ about 40 to 50 local contract workers. During this phase, Agrium is seeking to identify and potentially secure the natural gas supplies needed to feed the plant. Agrium expects to invest approximately \$6 million in this phase.

Assuming plant rehabilitation is economical, and assuming an adequate supply of natural gas can be secured, Agrium would move into a 26-month renovation phase.

The \$200 million project would require a temporary labor force averaging approximately 440 workers. These workers would earn a total of \$75 million in direct labor income over the 2-year plant rehabilitation timeframe.

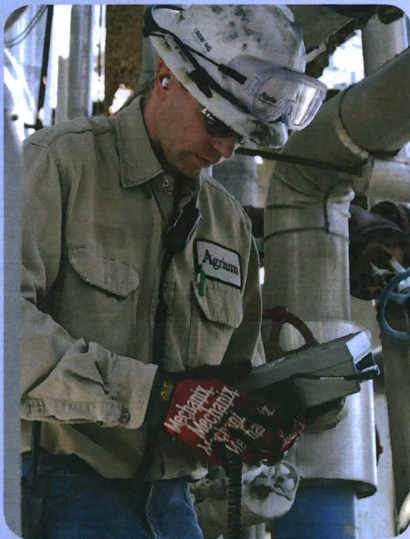
Including all multiplier effects (direct, indirect, and induced effects) the plant rehabilitation effort could account for an estimated 815 annual jobs and \$110 million in total labor income.



Production Phase Impacts

Agrium's Kenai complex includes two production trains comprised of six plants. Plants 1, 2 and 3 are the original train (the south train), which was installed in 1968. The second (north) train, plants 4, 5 and 6, was installed in 1977.

Operating at 50 percent of capacity, the operation would consume approximately 75-80 million cubic feet of gas per day (75-80 mmcf/day) or about 26- 28 billion cubic feet annually (bcf/year). It will produce 630,000 metric tons of ammonia and 620,000 metric tons of urea. With both trains in operation, gas consumption and production of ammonia and urea would be double these amounts.



Direct Impacts

Agrium's current plan is to restart just the newer train, employing 140 full-time workers with an annual labor income of approximately \$14 million.

The second train could start up at a later date, determined largely by the availability of natural gas. A two-train operation would employ 240 workers on a permanent, full-time basis. Annual labor income would increase to \$24 million.

Agrium employees are expected to earn among the highest wages in the Kenai Peninsula Borough, perhaps two and half times the Borough's average wage.

Total Impacts

Including direct, indirect, and induced employment, operation of a single train could account for approximately 340 jobs and \$30 million in annual labor income in Alaska.

Including direct, indirect and induced effects, at full production (two trains), Agrium's Kenai operations could account for approximately 600 jobs and \$50 million in annual labor income in Alaska.



Plant "Turnaround" Impacts

Approximately every four years the plant will be shut down to undergo major maintenance and equipment overhaul, a process called a "turnaround."

The turnaround may employ as many 1,000 workers over a labor- and capital-intensive four-week period, with total spending ranging between \$25 million and \$30 million.

Turnaround contractors may employ nonresidents with specialized skills; however, spending by these workers on lodging, food, and other goods and services, will have a substantial short-term impact on the local economy.

Average Annual Wage Agrium Kenai Operations and Kenai Peninsula Borough, 2011

\$104,600



Agrium Kenai Operations
(current value)

\$42,156



Kenai Peninsula Borough

Source: Agrium and Alaska Department of Labor and Workforce Development

Strengthening Communities

Generating Government Revenue

Investment in plant rehabilitation and re-start of operations would once again place Agrium among the top local taxpayers. Estimates of the assessed value of the re-commissioned facility, coupled with the current property tax mill rate, indicate an annual tax payment of \$2.2 million to the Kenai Peninsula Borough, equivalent to about 4 percent of KPBB's current property tax revenue.

If the second train is re-commissioned, Agrium would likely become the largest property tax payer in the KPBB.

All of Agrium's employees are expected to live in the Kenai Peninsula Borough and pay property taxes for their homes. Agrium homeowners could pay a combined total ranging from \$243,000 (single-train scenario) to \$416,000 (full production scenario) in Borough property taxes.

Agrium and Agrium's families will also pay sales tax to KPBB and city governments for locally purchased goods and services.

Total annual sales tax revenue to the Borough related to the Agrium workforce may range from approximately \$265,000 (single-train scenario) to \$467,000 (full production scenario). These estimates do not include sales tax revenues paid by the Agrium-related population to the City of Kenai or the City of Soldotna, where no doubt some Agrium payroll dollars will be spent.



Other Socioeconomic Benefits

COMMUNITY CONTRIBUTIONS: If the plant re-opens, Agrium expects to resume its community investment role, supporting local nonprofit organizations and projects. It is also anticipated that future employees would actively give back to their community in volunteer hours, cash and in-kind donations.

SCHOOL DISTRICT REVENUE: A portion of Agrium's employees are expected to have school-age dependents enrolled in Kenai Peninsula Borough School District schools. This enrollment could represent approximately \$700,000 (single-train) to \$1.2 million (full production) in state education funding to the District. Additionally, as Agrium employees spend money in the community and pay property taxes, and Agrium pays its own property taxes, its presence in the Borough will have a positive impact on local revenue the Borough contributes to the District.

Want to know more?

Visit us online at www.agrium.com, or contact us at: 907.776.5579

Agrium[®]

This handout was prepared for Agrium U.S. Inc. by McDowell Group, Inc. ©2013. Sources for the data in this brochure include Agrium, U.S., and *The Economic Benefits of Reopening the Agrium Kenai Nitrogen Plant* prepared by McDowell Group, Inc., 2013.



Alaska Corporation Net Income Tax Return

Form **6000**

For calendar year 2014 or the taxable year beginning _____, 2014, ending _____, 20____

2014

EIN		NAICS Code	Contact Person	
Name			Title	
Mailing Address		<input type="checkbox"/> Check if new address	Contact Email Address	
City	State	Zip Code	Contact Telephone Number	Contact Fax Number
Return Information (check applicable boxes)		<input type="checkbox"/> Federal extension is in effect (attach a copy of Form 7004) <input type="checkbox"/> Public Law 86-272 applies <input type="checkbox"/> Affiliated group includes tax haven corps <input type="checkbox"/> Carryback is waived for net operating loss		<input type="checkbox"/> Small corporation exemption (see instructions) <input type="checkbox"/> Exempt organization (see instructions) <input type="checkbox"/> S Corporation (attach Form 1120S) <input type="checkbox"/> Homeowners association (attach Form 1120H) <input type="checkbox"/> Personal Holding Company
<input type="checkbox"/> Final Alaska return <input type="checkbox"/> Consolidated Alaska return <input type="checkbox"/> Amended return				
If amended return box above is checked, then check the following boxes, if applicable:				
<input type="checkbox"/> amended return is filed to report IRS audit change		<input type="checkbox"/> this is a protective claim		

SCHEDULE A – NET INCOME TAX SUMMARY

1. Alaska income (loss) from Schedule H, line 12	1	
2. Alaska net operating loss utilized: carryover (_____) carryback (_____). Total	2	(_____)
3. Alaska taxable income. Add lines 1–2	3	
4. Alaska income tax from Schedule D, line 7	4	
5. Other taxes from Schedule E, line 6	5	
6. Total tax. Add lines 4–5	6	Total Tax
7. Other Alaska incentive credits from Form 6300, line 35	7	- Alaska Incentive credits
8. Federal-based credits from Form 6390, line 33	8	- Federal Credits
9. Net Alaska income tax. Subtract the sum of lines 7–8 from line 6. If more than \$500, attach Form 6220-	9	Net tax
10. Payments from page 3, Schedule C	10	
11. Alaska credit for prior year minimum tax (see instructions)	11	
12. Alaska refundable incentive credits from Form 6300, line 27	12	
13. Tax due (overpaid). Subtract the sum of lines 10–12 from line 9	13	
14. Penalty for underpayment of estimated tax (see instructions)	14	
15. Total amount due (overpaid). Add lines 13–14. If greater than zero, STOP	15	
16. Overpayment credited to 2015 estimated tax (enter as positive number).	16	
17. Refund. Add lines 15–16	17	

I declare, under penalty of perjury, that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Check if the DOR may discuss this return with the preparer (see instructions)

Officer's Signature		Date	Title	
Preparer's Signature		Date	<input type="checkbox"/> Check if self-employed	Preparer's SSN or PTIN
Preparer firm's name (or yours if self-employed) and address			EIN	Phone
City	State	Zip Code		

Alaska Incentive Credits

Form **6300**

2014

EIN	Name Shown On Return
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Part I: Order of Application

	1. Alaska income tax before credits. Enter amount from line 4 of Form 6000, 6020, 6100, or 6150	1	
Gas Exploration AS 43.20.043	2a. Gas exploration and development tax credit (AS 43.20.043) current year. Enter amount from Form 6320, line 4	2a	
	2b. Gas exploration and development tax credit carryover (attach schedule)	2b	
	2c. Tentative credit before tax limitation. Add amounts on lines 2a-2b	2c	
	3. Multiply line 1 by 75% and enter here	3	
	4. Gas exploration and development tax credit allowed in current year. Enter lesser of line 2c or line 3, here and on line 29	4	
	5. Subtract line 4 from line 1	5	
	6. Alaska other taxes (see instructions)	6	
	7. Add lines 5 and 6	7	
Education AS 43.20.014	8. Income tax education credit (AS 43.20.014). Tentative credit before tax limitation. Enter amount from Form 6310, line 6	8	
	9. Income tax education credit allowed. Enter lesser of line 7 or line 8, here and on line 30	9	
	10. Subtract line 9 from line 7	10	
O & G Service Industry AS 43.20.049	11. Oil and gas service industry expenditure credit (AS 43.20.049) Enter amount from Form 6327, line 3	11	
	12. Reserved	12	
	13. Tentative credit before tax limitation. Add lines 11-12	13	
	14. Oil and gas service industry expenditure credit. Enter lesser of line 10 or line 11, here and on line 31	14	
	15. Subtract line 14 from line 10	15	
Exploration AS 43.20.044	16. Exploration incentive credit (AS 43.20.044). Enter amount from Form 665	16	
	17. Exploration incentive credit (AS 43.20.044) allowed. Enter lesser of line 15 or line 16, here and on line 32.	17	
	18. Subtract line 17 from line 15	18	
Veterans AS 43.20.048	19a. Veteran employment tax credit (AS 43.20.048) Enter amount from Form 6325, line 5	19a	
	19b. Veteran employment tax credit carryover (attach schedule)	19b	
	19c. Tentative credit before tax limitation. Add amounts on lines 19a-19b	19c	
	20. Veteran employment tax credit allowed against tax. Enter lesser of line 18 or line 19c, here and on line 33	20	

EIN	Name Shown On Return
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	21. Subtract line 20 from line 18	21	
<div style="border: 1px solid black; padding: 2px;"> Film AS 43.98.030 </div>	22. Film production tax credit (AS 43.98.030). Tentative credit before tax limitation	22	
	23. Film production tax credit allowed against tax. Enter lesser of line 21 or line 22, here and on line 34	23	
	24. Subtract line 23 from line 21	24	

Refundable Credits

	25. Gas storage facility tax credit (AS 43.20.046). Enter amount from Form 6321, line 8	25	
<div style="border: 1px solid black; padding: 2px;"> Gas Storage AS 43.20.046 </div>	26. LNG storage facility tax credit (AS 43.20.047). Enter amount from Form 6323, line 3	26	
	27. Total refundable incentive credits allowed. Add lines 25–26, and enter here and on Form 6000, 6020, 6100, or 6150, Schedule A, line 12	27	
<div style="border: 1px solid black; padding: 2px;"> LNG Storage AS 43.20.047 </div>	28. Tax against which federal-based credits may be allowed. Subtract line 27 from 24, but not less than zero (see instructions)	28	

Part II: Summary of Incentive Credits Allowed in Current Year (not refundable)

	29. Gas exploration and development tax credit (AS 43.20.043). Enter amount from line 4	29	
	30. Income tax education credit (AS 43.20.014). Enter amount from line 9	30	
	31. Qualified oil and gas service industry expenditure credit. Enter amount from line 14	31	
	32. Exploration incentive credit (AS 43.20.044). Enter amount from line 17	32	
	33. Veteran employment tax credit (AS 43.20.048). Enter amount from line 20	33	
	34. Film production tax credit (AS 43.98.030). Enter amount from line 23	34	
	35. Total incentive credits allowed. Enter on Form 6000, 6020, 6100, or 6150, Schedule A, line 7	35	

**Corporation Income Tax Credit
Manufacture and Sale of Urea or Ammonia
Produced from Natural Gas from State Leases
HB 100**

Qualification for the credit

- 1) Taxpayer must own the processing facility
- 2) The facility must be in the state
- 3) The primary function of the processing facility is the manufacture and sale of urea or ammonia
- 4) Sale of urea or ammonia must be to a third party
- 5) Sales transactions must be at arm's length
- 6) Gas must be delivered to the processing facility from state leases
- 7) The producers must pay royalty to the state on gas delivered to the processing facility

Calculation of the Amount of Credit

- 1) Identify amount of gas delivered from state leases
- 2) Determine the royalty paid by the producer to the state on the production of that gas
- 3) Taxpayer must be told the amount of the royalty received by the state
- 4) Available tax credit is the amount of royalty paid to the state

Applying the Tax Credit

- 1) Determine amount of corporate income tax due before application of credits
- 2) Determine total amount of all tax credits against the tax
- 3) Deduct the credit for royalty from state leases and other credits from the total tax
- 4) Limitation: The amount of credit for gas from state leases may not reduce the taxpayer's liability for tax under AS 43.20 (Alaska Net Income Tax Act) below zero (the bill is silent as to whether an unused part of the credit may be applied in a subsequent tax year)

Royalty Received from the Producer

- 1) Producer pays royalty to the state either in kind or in value
- 2) Royalty paid to the state in value is a percentage of the value, commonly about 1/8 or 12.5 percent
- 3) Part of the royalty is deposited in the Alaska Permanent Fund—25 percent under art. IX, sec. 15, Constitution of the State of Alaska and possibly up to an additional 25 percent under AS 37.13.010 depending on when leases were issued
- 4) Part of the royalty may be subject to deposit in the mental health trust fund if from mental health trust land (AS 37.14.031), and part may be subject to deposit in the public school trust fund (0.5 percent (one-half of one percent) AS 37.14.150)
- 5) Balance to the general fund unless there is some other required allocation

Effect of Credit for Urea and Ammonia Manufacture and Sale on State Treasury

- 1) Taken as a credit before payment of tax, there is no payment from the State; taxpayer just pays less tax
- 2) There is no direct link between royalty payments and the credit; the credit is based on the amount of royalty paid to the state but is no different than determining the amount of credit as a percentage of what the taxpayer pays for the gas from state leases

Example of Applying Credit on Alaska Corporation Net Income Tax Return (Form 6000)

- 1) Taxpayer determines total tax on line 6
- 2) Taxpayer determines total Alaska Incentive Credits of which the urea or ammonia credit would be one of several on Form 6300
- 3) The total Alaska incentive credits are inserted on line 9
- 4) The total Alaska credits and federal-based credits are subtracted from the total tax
- 5) If the net Alaska income tax is less than zero, not all credits may be taken; some credits may be refundable to the taxpayer if they are eligible as a refundable credit; the credit for urea or ammonia manufacture is not a refundable credit

Sec. 38.05.135. Leasing generally; royalty and net profit share payments and interest.

(a) Except as otherwise provided, valuable mineral deposits in land belonging to the state shall be open to exploration, development, and the extraction of minerals. All land, together with tide, submerged, or shoreland, to which the state holds title to or to which the state may become entitled, may be obtained by permit or lease for the purpose of exploration, development, and the extraction of minerals. Except as specifically limited by AS 38.05.131 - 38.05.181, land may be withheld from lease application on a first-come, first-served basis, and offered only on a competitive bid basis when determined by the commissioner to be in the best interests of the state.

(b) When mineral land is to be leased, in addition to any other notice given, notice must also be given as provided in AS 38.05.945.

(c) Payment of a royalty or a net profit share payment to the state under a lease issued under AS 38.05.135 - 38.05.181 becomes due on the date and in the manner specified in the lease or in a regulation adopted by the commissioner.

(d) If a royalty or net profit share payment to which the state is entitled under AS 38.05.135 - 38.05.181 is not paid or is underpaid when it becomes due under (c) of this section, the unpaid amount of the royalty or net profit share payment bears interest in a calendar quarter at the rate of five percentage points above the annual rate charged member banks for advances by the 12th Federal Reserve District as of the first day of that calendar quarter, or at the annual rate of 11 percent, whichever is greater, compounded quarterly as of the last day of that quarter.

(e) If a royalty or net profit share payment to which the state is entitled under AS 38.05.135 - 38.05.181 is overpaid, interest at the rate and compounded in the manner provided in (d) of this section shall be allowed and paid on the overpayment. The interest allowance is subject to the following:

(1) if the state grants a credit against future payments for the overpayment, the state shall pay interest on the overpayment

(A) from the date that is the later of the date the overpayment was

(i) due; or

(ii) received;

(B) to the date that is the earlier of the date

(i) of notice to the lessee of the credit; or

(ii) on which the lessee actually takes the credit;

(2) if the state refunds the overpayment, the state shall pay interest on the overpayment

(A) from the date that is the later of the date the overpayment was

(i) due; or

(ii) received;

(B) to the date the state issues the refund.

(f) The issuance by the state and acceptance by a lessee of a credit or refund of an overpayment under (e) of this section does not affect any right of the state or lessee to claim an adjustment and interest on the overpayment.

(g) [Repealed, Sec. 1 ch 37 SLA 2001].

History -

(Sec. 1 art VIII ch 169 SLA 1959; am Sec. 1 ch 30 SLA 1964; am Sec. 1 ch 91 SLA 1967; am Sec. 2 ch 71 SLA 1971; am Sec. 10 ch 257 SLA 1976; am Sec. 2 ch 155 SLA 1978; am Sec. 1 ch 23 SLA 1991; am Sec. 3 ch 35 SLA 1994; am Sec. 1 - 3 ch 114 SLA 1998; am Sec. 1 ch 37 SLA 2001)

Decisions -

Cited in Kirkpatrick v. Commissioner, Dep't of Natural Resources, 391 P.2d 7 (Alaska 1964); Moore v. State, 553 P.2d 8 (Alaska 1976).

Collateral Refs -

38 Am. Jur. 2d, Gas and Oil, Sec. 59-77, 104-129, 211-234; 53A Am. Jur. 2d, Mines and Minerals, Sec. 1, 21-67; 72 Am. Jur. 2d, States, Territories, and Dependencies, Sec. 64-68.

73B C.J.S., Public Lands, Sec. 287-295.

Prohibiting or regulating removal or exploitation of oil and gas, minerals, soil, or other natural products within municipal limits. 10 ALR3d 1226.

Grant, lease, exception, or reservation of oil and/or gas rights as including oil shale. 61 ALR3d 1109.

Article Notes -

Administrative Code. For disposition of royalty oil, gas, or gas liquids, see 11 AAC 03.

For oil and gas leasing, see 11 AAC 83.

For other leasable minerals, see 11 AAC 84.

Editors Notes. Section 18, ch. 75, SLA 1987 provides that "[a] minerals management or disposal decision made before June 16, 1987, is valid, whether or not the land was classified if other requirements of law were met."

Sec. 38.05.137. Leasing agreements.

The commissioner is authorized to enter into cooperative mineral leasing agreements with the United States regarding land which is the subject of a title dispute between federal and state authorities. Any such lease need not conform to the provisions of state law applicable to state leases issued under the authority of this chapter.

History -

(Sec. 2 ch 30 SLA 1964)

Collateral Refs -

38 Am. Jur. 2d, Gas and Oil, Sec. 211-232.



The Economic Benefits of Reopening the Agrium Kenai Nitrogen Plant

Prepared for:
Agrium U.S. Inc.



Research-Based Consulting

Juneau
Anchorage



May 2013

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Executive Summary

Agrium U.S. Inc. contracted with McDowell Group, an Alaska research-based consulting firm, to quantify the economic impact of reopening the Agrium Kenai Nitrogen Operations located near Nikiski in the Kenai Peninsula Borough.

Before its closure in 2007, Agrium Kenai Nitrogen Operations was one of Alaska's few major manufacturing operations (outside the seafood industry) and contributed significantly to the local and statewide economies. The facility was also the United States' second largest producer of ammonia and urea, consisting of two urea and two ammonia plants, a tidewater port facility, and a power cogeneration facility. At capacity, the plant could use as much as 155 million cubic feet daily (or 53 billion cubic feet annually) of Cook Inlet natural gas.

With reopening of the plant, there are substantial economic benefits to the Kenai Peninsula Borough and Alaska economies. A summary of these impacts are highlighted below:

Redevelopment Phase Impacts

- Redevelopment will include inspection, assessment and renovation of the existing facility, a process that is expected to last 26 months.
- The plant rehabilitation project will require an annual average labor force of approximately 440 workers. The \$200 million project will generate about \$75 million in direct labor income over the redevelopment phase.
- Including all multiplier effects (direct, indirect, and induced effects) the plant rehabilitation effort will account for an estimated 815 annual jobs and \$110 million in total labor income.

Production Phase Impacts

DIRECT IMPACTS

- The production workforce required for a single-train operation (three plants) is estimated at 140 permanent, full-time employees. At full production (a two-train operation, all six plants), 240 workers will be required.
- Annual labor income for the single train operation would total approximately \$14 million. Annual labor income would increase to \$24 million with re-commissioning of the second train. Agrium employees are expected to earn among the highest paid wages in the Kenai Peninsula Borough, perhaps two and half times the Borough's average wage.

TOTAL IMPACTS

- Spending in support of production operations (including purchases of natural gas, as well as variety of other goods and services) will create additional jobs and income in Alaska (indirect impacts). In addition, payroll dollars attributed to Agrium's economic activity circulate throughout the economy creating jobs and income (induced impacts).
- Including direct, indirect, and induced employment, operation of a single train will account for a total of 340 jobs and \$30 million in annual labor income in Alaska.
- Including direct, indirect and induced effects, at full production (two trains), Agrium's Kenai operations will account for approximately 600 jobs and \$50 million in annual labor income in Alaska.

PLANT "TURNAROUNDS" IMPACT

- Most inspection, maintenance and minor repair work is conducted while the facility is operating. However, approximately every four years the plant will be shut down to undergo major maintenance and equipment overhaul, a process called a "turnaround."
- The turnaround may employ as many 1,000 workers over a labor- and capital-intensive four-week period. A budget estimate for this work could range between \$25 million to \$30 million (about which half would be spent on capital equipment).
- Turnaround contractors may employ nonresidents with specialized skills; however, spending by these workers on lodging, food, and other goods and services, have a substantial short-term impact on the local economy.

OTHER ECONOMIC BENEFITS

Kenai Peninsula Borough Tax Revenue

Agrium Property Tax Payments

- Agrium's Kenai operation was once among the largest property tax payers in the Kenai Peninsula Borough (KPB); however, the facility's assessed value declined after closure at the end of 2007. Investment in plant rehabilitation and re-start of operations will once again place Agrium among the top local taxpayers. Estimates of the assessed value of the re-commissioned facility, coupled with the current property tax mill rate, indicate an annual tax payment of \$2.2 million to the Borough, equivalent to about 4 percent of KPB's current property tax revenue.
- If the second train is re-commissioned, Agrium would likely become the largest property tax payer in the KPB.

Agrium Employee Property and Sales Tax Payments

- All of Agrium's employees are expected to live in the Kenai Peninsula Borough and pay property taxes for their homes. Agrium homeowners could pay a combined total ranging from \$242,760 (single-train scenario) to \$416,357 (full production scenario) in Borough property taxes.
- Agrium and Agrium's families will also pay sales tax to KPB and city governments for locally purchased goods and services.
- Total annual sales tax revenue to the Borough related to the Agrium workforce may range from approximately \$265,000 (single-train scenario) to \$467,000 (full production scenario). These estimates do not include sales tax revenues paid by the Agrium-related population to the City of Kenai or the City of Soldotna, where no doubt some Agrium payroll dollars will be spent.

Charitable Contributions and Membership Organization Support

- Once back in production, Agrium is expected to resume its community investment role, supporting local nonprofit organizations and projects. It is also anticipated that future employees will actively give back to their community in volunteer hours, cash and in-kind donations. Agrium is also expected to re-engage in their involvement in civic and business organizations.

SOCIAL IMPACTS

Population

- Re-development and production will directly and indirectly result in population migration into the Kenai Peninsula Borough. Under a single-train scenario, the 340 Agrium-related jobs would support a population of 530, or 0.9 percent of the Kenai Peninsula Borough population. Under full production, the 600 Agrium-related jobs would support a population of approximately 935, or 1.7 percent of the Borough's total current population.

Student Enrollment and School District Revenue

- A portion of Agrium's employees are expected to have school-age dependents that will be enrolled in public schools in the Kenai Peninsula Borough.
- Approximately 130 students (the equivalent of 1.5 percent of current student enrollment) are expected to be enrolled by Agrium families under a single-train production scenario. Under a full production scenario, approximately 220 students (or 2.5 percent of enrollment) are expected to be enrolled.
- This enrollment could represent approximately \$692,250 (single-train) to \$1,171,500 (full production) in state education funding to the District.
- Additionally, as Agrium employees spend money in the community and pay property taxes, and Agrium pays its own property taxes, its presence in the Borough will have a positive impact on local revenue the Borough contributes to the District.

Summary of Economic Impacts of Re-opening Agrium Kenai Operations

Economic Activity	Impacts
Redevelopment Phase	
Expected length of plant rehabilitation	26 months
Direct employment (annual average)	440
Total annual employment (annual average direct, indirect and induced impacts)	815
Direct payroll (Redevelopment Phase)	\$75 million
Total payroll (Redevelopment Phase direct, indirect and induced payroll impacts)	\$110 million
Production Phase (Single-Train Scenario)	
Direct annual employment	140
Total employment (direct, indirect and induced impacts)	340
Direct annual payroll	\$14 million
Total payroll impacts (direct, indirect and induced impacts)	\$30 million
Agrium property tax payment to KPB	\$2.2 million
Total Agrium employee property tax payments to KPB	\$242,760
Total population impacts	531
KPB School District student enrollment	130
KPB School District State foundation revenue	\$692,250
Production Phase (Two-Train – full production – Scenario)	
Direct annual employment	240
Total employment (direct, indirect and induced impacts)	600
Direct annual payroll	\$24 million
Total payroll impacts (direct, indirect and induced impacts)	\$50 million
Agrium employee property tax payment to KPB	\$416,357
Total population impacts	935
KPB School District student enrollment	220
KPB School District State education funding	\$1.2 million

Source: Direct employment estimates from Agrium. All others figures are McDowell Group estimates.

Chapter 1. Introduction

Background on Agrium Kenai Nitrogen Operations

The Agrium Kenai Nitrogen Operations complex is located near Nikiski, 10 miles north of Kenai. When it was built in 1968 (production started in 1969), it consisted of one urea and one ammonia plant. In 1977, the complex doubled in size, adding another urea and ammonia plant with supporting utilities. Agrium purchased the plant from Unocal in 2000, along with Unocal's entire agricultural products business.



At the time of its closure in 2007, the Kenai plant was the United States' second largest producer of ammonia and urea. The Agrium Kenai Nitrogen Operations complex had an annual production capacity of nearly 2 million metric tons. Much of Agrium's Kenai production was destined for overseas markets, including South Korea, Mexico, Taiwan, Thailand, Australia, Chile, New Zealand, and the Philippines. Within Alaska, urea was distributed and sold in small quantities for deicing purposes and agricultural use.

Redevelopment Phase

Inspection and Assessment

The path toward re-initiating operations at the plant will begin with a year-long process of inspecting equipment and assessing the operational readiness of the facility. In addition to creating five full-time positions on the Agrium payroll, this phase will employ 40 to 50 local contract workers to conduct the top-to-bottom inspections. These inspections will provide information necessary to accurately determine the cost associated with returning the plant to production-ready status. This phase will also include initial efforts to identify and potentially secure the natural gas supplies needed to feed the plant. Agrium expects to invest approximately \$6 million in this phase.

Renovation

Assuming plant rehabilitation is not cost prohibitive, and assuming an adequate supply of natural gas can be secured, Agrium would move into a 26-month renovation phase. Preliminary estimates indicate an investment of \$200 million will be required to rehabilitate or replace equipment, machinery and ancillary

facilities, to make the plant production-ready. Approximately \$160 million of this investment is expected to be spent in Alaska. The balance will be spent on equipment manufactured outside Alaska. These numbers are subject to change, pending the outcome of the plant's inspection and assessment phase.

Production Phase

Agrium's Kenai complex includes two production trains comprised of six plants. Plants 1, 2 and 3 are the original train (the south train), which was installed over 40 years ago (in 1968). The second (north) train, plants 4, 5 and 6, was installed in 1977. Agrium will initially restart just the newer train, employing 140 full-time workers. Agrium would restart the second train at a later date, determined largely by the availability of natural gas. The two-train operation would employ 240 workers on a permanent, full-time basis.



Operating at 50 percent of capacity, the operation will consume approximately 75 to 80 million cubic feet of gas per day (75 to 80 mmcf/day) or about 26 to 28 billion cubic feet annually (bcf/year). It will produce 630,000 metric tons of ammonia (about half of which is used in the production of urea) and 620,000 metric tons of urea. With both trains in operation, gas consumption and production of ammonia and urea would be double these amounts.

Chapter 2. Employment and Payroll Impacts of Redevelopment and Production

Economic Impact of Redevelopment Phase

Direct Redevelopment-Related Employment and Payroll

Rehabilitating the plant over a 26-month period will require a large, but temporary, workforce. While specific rehabilitation-phase workforce requirements have not been determined, it is possible to estimate labor requirements based on expected expenditures. Approximately 80 percent of the \$200 million redevelopment budget will be spent in Alaska (the balance will be spent on equipment manufactured outside the U.S.). Economic impact models can be used to estimate the employment effects of spending related to plant rehabilitation. IMPLAN is a widely-used model for measuring the employment and labor income effects of commercial and industrial activity. According to the IMPLAN model, a repair and construction project budgeted at \$160 million over 26 months would require approximately 440 workers. These workers would earn \$37.5 million in labor income annually or about \$75 million in total over the redevelopment-phase.

Indirect Employment and Payroll

The rehabilitation-phase would have additional employment and labor income multiplier effects. As money spent in Alaska in support of the project circulates through the economy, jobs and income are created in the support sector. Again based on IMPLAN analysis, the total employment effect (including all direct, indirect, and induced effects) of the rehabilitation effort would be an estimated 815 jobs and \$55 million in annual payroll over the course of the redevelopment phase.

Agrium Kenai Operations Redevelopment Related Spending, Employment and Payroll

Total Spending	Spending in Alaska	Direct Annual Average Employment	Total Direct and Indirect Employment	Direct Payroll*	Total Direct and Indirect Payroll *
\$200 million	\$160 million	440	815	\$75 million	\$110 million

*26 month total.

Source: McDowell Group estimates.

Economic Impact of Production

Direct Employment and Payroll

As described in Chapter 1, employment for a single-train operation will require a permanent production work force of 140 full-time employees. At full production, (a two-train operation) employment would increase to 240 workers.

Though Agrium has not yet established wage and salary schedules for the reopened plant, it is likely salaries would be among the highest paid in the KPB. In 2002, the average annual wage for Agrium Kenai Operations employees was \$82,584. In 2012 dollars, that would be an annual wage of \$104,634. Wages paid in Alaska's refinery sector may also provide a reasonable proxy for wages at a reopened Agrium plant. In 2011 (the most recent full-



year data), refinery workers in Alaska earned \$114,800, according to Alaska Department of Labor and Workforce Development (DOLWD) data.¹ For purposes of this study, it is conservatively assumed Agrium Kenai Operations wages will average about \$100,000 annually. Based on that average, annual payroll would total \$14 million for the single train operation and \$24 million for the two-train operation.

Total personnel costs, including payroll taxes and benefits, would be approximately 35 percent above payroll (wage) costs. At that labor overhead rate, annual personnel costs would total \$18.9 million for the single train operation and \$32.4 million for two-train production.

Indirect Employment and Payroll

PURCHASES OF GOODS AND SERVICES

Non-payroll spending in support of Agrium operations will create jobs and income in those businesses that provide the goods and services required to support the facility. The single largest expenditure will be for the natural gas that serves as feedstock for the ammonia and urea production process. While the source and price for feedstock natural gas is yet to be determined, it is possible to roughly estimate annual spending on natural gas.

Based on data published in previous studies conducted by McDowell Group, in 2003, Agrium spent \$60.9 million on approximately 38.5 bcf of gas. That averages to about \$1.583 per thousand cubic feet. That price was 69 percent below the prevailing value of Cook Inlet natural gas in 2003 (\$2.288). In 2001, Agrium spent \$80.2 million on approximately 54.2 bcf of gas. That price was 67 percent below the prevailing value of Cook Inlet natural gas in 2001 (\$2.197).

Over the most recent four quarters (2nd quarter 2012 through 1st quarter 2013), the prevailing value of Cook Inlet natural gas averaged \$5.449. If Agrium were to pay 68 percent of that value to secure its necessary feedstock gas, it would pay approximately \$102 million annually for 27 bcf per year to supply a single-train operation and \$204 million annually for approximately 55 bcf per year needed to supply a two-train operation.

¹ Alaska Department of Labor and Workforce Development, Quarterly Census of Employment and Wages, 2011.

In addition to natural gas, Agrium will purchase a variety of other goods and services in support of the Kenai operations. These purchases totaled \$15 million in 2001 (when the plant was operating at full capacity) and \$16 million in 2003 (when the plan was operated at about 75 percent of capacity). Adjusted for inflation, the 2003 expenditures have a current value of approximately \$20 million. While the magnitude of these non-gas expenditures is likely to be somewhat dependent on production volume, for purposes of this study non-gas purchases are assumed to total \$20 million for one and two-train operations.

In 2003, Agrium purchased goods or services from 384 different Alaska businesses scattered across most sectors of the economy. Approximately 210 of those businesses were located within the Kenai Peninsula Borough, with most of the remainder located in Anchorage.

INDIRECT AND INDUCED EMPLOYMENT AND PAYROLL

Spending on natural gas and other goods and services will create additional jobs in Alaska. Jobs and income that are generated as a result of business spending on goods and services are termed "indirect." Jobs and income are also created when workers employed by Agrium spend their payroll dollars in the local economy. This "induced" employment and income occurs throughout the economy wherever residents spend their income on household necessities, transportation, recreation, health care, other personal services, etc. Together indirect and induced impacts are termed "multiplier effects."

The most significant potential indirect employment impact would be related to the purchase of large volumes of Cook Inlet natural gas. Approximately 27 bcf/year will be required as feedstock for a single train operation and about double that for a two-train operation. As described previously, Agrium could spend \$102 million (single train) to \$204 million (two-train) annually to secure this gas.

Meeting Agrium's natural gas requirements locally would require a significant increase in Cook Inlet gas production, which in 2012 totaled 107 bcf. To the extent that new Agrium-related demand for natural gas spurs an increase in gas exploration and development activity, and ultimately an increase in Cook Inlet gas production, jobs will be created in the natural gas production sector. This would include jobs on production platforms and jobs with the wide variety of firms that provide goods and services to gas producers.

In previous studies, the IMPLAN model has provided multipliers for estimating the indirect and induced employment and payroll impacts of Agrium's Kenai operations. However, because the facility has not been in operation since 2007, up-to-date multipliers are not available. For purposes of this study, McDowell Group modified the older multipliers to account for inflation, changes in natural gas prices, and other factors to develop current multipliers that provide reasonable estimates of indirect and induced employment and payroll related to Agrium's Kenai operations. The results of the multiplier analysis are presented in the following table.

Production Employment and Annual Payroll Impacts

	Direct Employment	Indirect & Induced Employment	Total Employment	Direct Annual Payroll	Indirect & Induced Payroll	Total Annual Payroll
One Train	140	200	340	\$14 million	\$16 million	\$30 million
Two Trains	240	360	600	\$24 million	\$26 million	\$50 million

Source: Direct employment provided by Agrium. All others are McDowell Group estimates.

In total, restart of the north train will generate a total direct, indirect and induced employment impact of 340 jobs and \$30 million in annual payroll. Operation of both trains would have an employment effect of 600 jobs and approximately \$50 million in annual payroll.

Other Employment and Payroll Impacts

PLANT "TURNAROUNDS"

In addition to the ongoing direct and indirect employment associated with routine production operations (described above), approximately every four years a labor- and capital-intensive plant "turnaround" needs to be performed. Most inspection, maintenance and minor repair work on the plant can be conducted while the facility is operating. However, periodically, the plant must be shutdown to undergo major maintenance and equipment overhaul, a process called a turnaround. A turnaround at Agrium's Kenai facility can include as many as 1,000 workers employed over a four-week period. The budget for a turnaround would be approximately \$25 million to \$30 million, with about half of that amount spent on capital equipment. Most of the people employed in the turnaround will be contracted nonresident workers with specialized skills who travel from one turnaround project to the next. Nevertheless, spending by these workers on lodging, food, beverages and other things have a substantial short-term impact on the local economy.

EMPLOYEE WAGES

When in production previously, Agrium paid among the highest wages in the Kenai Peninsula Borough. In 2003, Agrium paid a monthly average wage of \$6,882, equivalent to an annual wage of \$82,584. In 2003, that was about two and a half times the economy-wide Kenai Peninsula Borough average of \$33,576. Though Agrium wages would certainly be higher today (or in the near future, after reopening), even the company's 2003 wages are well above prevailing wages in the borough. Compared to 2011 wages (the most recent available full-year data), Agrium's 2003 wages are still nearly double the combined government and private sector average. When adjusted for inflation, Agrium's average 2003 annual wage has a current value of \$104,634, more than double the Borough's average wage of \$42,156.

High wages are important from a socioeconomic perspective because of increased induced effects (those economic effects related to local spending of payroll dollars in the support sector) and because high wages are more conducive to home ownership, supporting a family, charitable contributions, and other local economic benefits described in the following chapter.

**Agrium Kenai Operations Average Monthly and Annual Wages
versus Kenai Peninsula Borough Average Monthly and Annual Wages**

	Average Monthly Wages	Average Annual Wages
<i>Agrium Kenai Operations (2003)</i>	\$6,882	\$82,584
<i>Agrium Kenai Operations (current value)</i>	\$8,719	\$104,634
All KPB Government Sector (2011)	\$4,090	\$49,080
All KPB Private Ownership (2011)	\$3,325	\$39,900
Total Government and Private (2011)	\$3,513	\$42,156

Source: Agrium (2003) and Alaska Department of Labor & Workforce Development.

Chapter 3. Other Economic Benefits of Agrium Kenai Operations

Re-start of Agrium's Kenai operations will have a range of economic benefits in addition to direct and indirect employment and payroll. This chapter describes and quantifies those benefits.

Kenai Peninsula Borough Tax Revenue

Agrium Property Tax Payments

Ten years ago, when the Agrium plant was in full production, Agrium was the second-ranked property taxpayer in the Kenai Peninsula Borough. In 2002, Agrium paid \$2.21 million in property taxes. Agrium alone accounted for about 5 percent of all borough property tax revenues.

As production was reduced to a single train, the taxable value of the plant declined, as did tax payments. Agrium's property tax payments totaled \$1.02 million in 2006. Most recently, in 2012, Agrium's total property tax bill was \$141,000.

With redevelopment and restart of the plant, Agrium's property tax assessment and tax payment will increase. Since 2002, the mill rate in the Agrium facility's taxing unit has declined from 12.05 to 10.12. If the property is assessed at a value equivalent to the amount invested in re-commissioning the facility (plus the assessed value of the property while it was not in production), the annual tax payment to the Kenai Peninsula Borough would be approximately \$2.2 million. That would place it among the top three largest property tax payers in the borough. In 2012, the Kenai Peninsula Borough took in \$54.1 million in property tax revenues.²

Additional investment to bring the second (south) production train on-line would result in further increase in assessed value, and further increase in property tax payments. Estimates of the cost to bring the south train into production are not available. However, it is likely that with the redevelopment of the second train, Agrium would become the largest property tax payer in the KPB.

Agrium Employee Property Tax Payments

All of Agrium's employees are expected to live in the Kenai Peninsula Borough and pay property taxes on their homes. While some future Agrium employees may already reside in the borough, the new jobs created by reopening the plant will result in an overall increase in population (all other forces in the economy held constant) and an increase in demand for housing, either directly or indirectly. As this increased demand for housing is met, residential property taxes paid to the borough will increase. While it is not possible to predict the assessed value of homes owned by future Agrium employees, general measures can be used to calculate property tax payments.

² Alaska Taxable 2012, Alaska Department of Commerce, Community and Economic Development.

Based on a borough-wide 2012 average taxable value for single-family residences of \$202,429³, taxed at the Borough mill rate of 8.57, and assuming all Agrium employees own their own home:

- Under a single train scenario, Agrium families would pay at least \$242,760 in Borough property taxes exclusive of additional service area and city taxes on residential property.
- Under a two-train scenario, Agrium families would pay at least \$416,357 in Borough property taxes.

Though not all Agrium employees may own a home (some may be renters), these are still conservative estimates. The much higher than average wages earned by Agrium employees would likely translate to larger, more expensive homes than the borough average, and in higher average assessed valuations. In addition, this figure does not include property tax contributions by the population of homeowners affected indirectly by Agrium's activity.

Sales Tax Revenue

While it is not possible to precisely calculate the Borough's sales tax revenue from future spending by Agrium and its employees, it is important to note there will be a positive impact. Kenai Peninsula Borough's 3 percent sales tax revenue results from a complex system of variable taxation depending on specific location of the expenditure, per invoice limit of \$500 regardless of the total value of the product purchased, expenditures by both residents and non-residents, and expenditures by Peninsula businesses and industries that are not exempt from sales taxation due to the resale provision of the sales tax code.⁴

However, given Agrium's potential total impacts could account for 1.7 to 3.1 percent of total Borough employment (depending on single- or two-train production), 3.7 to 6.2 percent of total Borough payroll and 0.9 to 1.7 percent of the Borough's population (see following section of this report for assessment of population impacts), plus Agrium's direct spending on goods and services, it is clear there will be additional direct and indirect sales tax revenues flowing to the Borough as a result of a restart of Agrium operations.

Alaska Taxable 2012, published by the Alaska Department of Commerce and Economic Development, states the per capita sales revenue for the Kenai Peninsula Borough (which levies a 3 percent sales tax) was \$500 in 2012.⁵ This figure includes all sales tax revenue (\$28,385,150) divided by the Borough's 2012 population (56,756). Applying this average to the Agrium-related population, sales tax revenue to the Borough will be approximately \$265,000 (single-train scenario) or up to \$467,000 (two-train scenario). These estimates are also conservative as they do not include sales tax revenues that would be paid by the Agrium-related population to the City of Kenai or the City of Soldotna, where no doubt some Agrium payroll dollars would be spent.

³ Per conversation with Dennis Mueller, Appraisal Manager, KPB Assessing Department (April 18, 2013).

⁴ <http://www2.borough.kenai.ak.us/financedept/>

⁵ <http://commerce.alaska.gov/dnn/Portals/4/pub/OSA%20TAXABLE%202012%20-%20FINAL%202013-02-05.pdf>

Other Economic Benefits

Charitable Contributions and Membership Organizations

Once back in production, Agrium is expected to return to its role as an important local community investor, supporting local nonprofit organizations and projects. While it is not known how much Agrium will contribute to charitable organizations in the future, their corporate history of giving provides some insight to their commitment.

In 2003, Agrium contributed \$194,740 in charitable donations or paid membership fees to 43 nonprofit organizations in Nikiski, Kenai, Soldotna, Homer, and Anchorage. Agrium also provided in-kind support to seven local organizations. These nonprofit organizations ranged from local school programs (in 22 different sports and academic activities), youth athletic and academic programs (17 activities), community services and civic organizations (16), environmental programs (1), senior services (42), and a variety of other health, sport, and economic development programs (19).⁶

Agrium also matched dollar-to-dollar its employees' contributions to the United Way of Kenai. In 2003, the total contribution to United Way, including employee contributions, was \$59,700.

It is anticipated future employees will be like past employees, actively giving back to their community as volunteers and providers of skills, equipment, and material.

In addition, Agrium is expected to fully reengage with local civic and business organizations, such as membership in the Alaska State Chamber of Commerce, Alaska Support Industry Alliance, Resource Development Council, Kenai Chamber of Commerce, North Peninsula Chamber of Commerce, Soldotna Chamber of Commerce, and Kenai Peninsula Convention and Visitors Bureau.

Social Impacts

Population

Re-development and operation of Agrium's Kenai operation will directly or indirectly result in population migration into the Kenai Peninsula Borough. It is safe to assume some new Agrium workers will be drawn from the existing local workforce; however, relatively low unemployment rates in the Kenai Peninsula Borough means the demand for workers will be shifted to other employers (sometimes termed job "back-filling"). The unemployment rate in the Kenai Peninsula Borough averaged 8.4 percent in 2012, the lowest rate since 2008. In August of 2012, the unemployment in the borough was 6.8 percent.

Participation rates can be used to estimate long-term population effects associated with an increase in the number of jobs in a community, region, or state. The participation rate is a measure of the relationship between the number of jobs and the number of residents in an area. Based on Bureau of Economic Analysis (BEA) employment data and population data from the U.S. Census and ADOLWD, the participation rate in Alaska has ranged from 0.63 to 0.65 over the past ten years, averaging 0.64 over

⁶ McDowell Group. *The Economic Impact of Closing Agrium Kenai Nitrogen Operations*, April 2004, p. 12.

that period. This means there has been an average of 64 jobs for every 100 residents in the state. (The job count includes jobs held by residents and nonresidents.) Participation rates vary from place to place, depending on a variety of factors. Larger communities, with better-developed economies, typically have higher participation rates than smaller communities.

Based on participation rate of 0.64, the population effects of restarting Agrium's Kenai operation would be:

- Under a single train operation scenario, the 340 Agrium-related jobs would support a population of 531, or 0.9 percent of the Kenai Peninsula Borough population.⁷
- Under a full production (two trains) scenario, the 600 Agrium-related jobs would support a population of approximately 935 or 1.7 percent of the Borough's total population.

Student Enrollment and Kenai Peninsula Borough School District Revenue

It is anticipated a portion of Agrium's employees will have school-age dependents (between the ages of 5 to 18). Presuming a similar ratio of employee households with school-age dependents as determined in a 2003 study and all students are enrolled in public schools in Kenai Peninsula Borough:

- Under a single train scenario, Agrium families would account for approximately 130 students (or 1.5 percent of the district's enrollment (FY 2013)).⁸
- Under a two train scenario, Agrium families would account for approximately 220 students (or 2.5 percent of enrollment (FY 2013)).

Based on the State of Alaska's public school funding formula, the Kenai Peninsula Borough School District receives funding from the State of Alaska for each student enrolled in its schools. For each Agrium dependent enrolled in the District, funding will differ depending on the size of the school attended, special needs of the student, and other factors. In FY 2013, the District received \$75,858,743 in state foundation funding for an Adjusted Daily Membership of 17,246.⁹ Using a simplified approach, on average, the District received \$5,325 per student. Using current funding as a guide:

- Under a single train scenario, Agrium families would account for approximately \$692,250 in state foundation funding to the District.¹⁰
- Under a two train scenario, Agrium families would account for approximately \$1,171,500 in state foundation funding.

⁷ 340 total jobs divided by the statewide average labor participation rate of 0.64.

⁸ According to the Kenai Peninsula Borough School District, the FY2013 enrollment was 8,892 students.

⁹ Average Daily Membership means the aggregate number of full-time equivalent students enrolled in a school district during the student count period for which a determination is being made, divided by the actual number of days that school is in session for the student count period for which the determination is made (AS 14.17.990).

¹⁰ According to the Kenai Peninsula Borough School District, the FY2013 enrollment was 8,892 students.

The Kenai Peninsula Borough School District also receives local funding support from the Borough government. Most of the borough revenue is generated by sales and property tax. As Agrium employees spend money in the community and also pay their property taxes, and Agrium pays its own property taxes, Agrium's presence will also have a positive impact on local revenue to the District. Additionally, federal revenue is expected to increase with each new student.

Potential Impacts of Agrium's Operation on State of Alaska Revenues

Prepared for:
Agrium Inc.



January 2015

Potential Impacts of Agrium's Operation on State of Alaska Revenues

Reopening of the Agrium Kenai Nitrogen Operations will generate new tax and royalty payments to the State of Alaska. As a major purchaser of Cook Inlet natural gas, Agrium will stimulate royalty payments and production taxes. Further, profitable operation of the Kenai nitrogen facility will result in corporate income tax payments by Agrium to the State of Alaska. This brief study of Agrium's revenue impacts on the State of Alaska supplements a May 2013 McDowell Group report, *The Economic Benefits of Reopening the Agrium Kenai Nitrogen Plant*.

This supplement provides an overview of annual revenue impacts under a single-train operation. Based on assumptions and calculations described below, State of Alaska revenues from royalties and production taxes (less tax credits) would be \$15.0 million under a single-train production scenario.

Supply of Cook Inlet Gas to Agrium

While in operation, Agrium typically purchased 15 to 25 percent of Cook Inlet's annual production of gas. With the reopening of Agrium's facility, a single-train scenario requiring 28 billion cubic feet (bcf) of gas per year would use the equivalent of approximately 25 percent of Cook Inlet's gas production.

With increased exploration in the region, and as new fields are developed or considered for development, gas producers are seeking new or expanded markets. A commitment from Agrium to purchase large volumes of gas will provide a critical market to support current exploration and development efforts. While gas to feed the Kenai nitrogen operations may eventually come from a combination of existing and new Cook Inlet gas production, this study's underlying assumption is that annual Cook Inlet gas production ultimately will increase by the amount consumed by Agrium each year.

The rate of taxation on fields supplying gas to Agrium will differ depending on when those fields initially started producing. It is not possible to predict which specific fields (such as Beluga or Kitchen Lights) would provide gas to Agrium; however, for modeling purposes, it is assumed gas supply would come from a field that started production after April 1, 2006.

State Gas Production Revenue

Gas produced for the Agrium plant would be assessed a production tax and generate incremental royalty gas for the State of Alaska, as described below.

Royalty Gas Payments

While the rate may vary, the State of Alaska typically receives 12.5 percent of gas produced from State leases in Cook Inlet. The State can take ownership of this gas in a number of ways, but generally receives it in the form of royalty payments equal to the well-head value of the gas produced.

Production Taxes

Production taxes are levied on the Production Tax Value (PTV) of the gas, which is the remaining 87.5 percent of gross production (well-head) value after the royalty share and qualified expenses are deducted. (Qualified expenses include any gas used during its production, as well as some capital and operating costs.)

The amount of the production tax is dependent on the date the field in question originally produced gas:

- If the property supplying the purchased gas began producing prior to April 1, 2006, the production tax is the lesser of 35 percent or the rate that was in place during the previous 12 months.
- If the property supplying the purchased gas began producing after April 1, 2006, the production tax is the lesser of 35 percent or \$0.177/thousand cubic feet (mcf). This application of the tax was used in McDowell Group's calculations, which are presented in the table below.

Tax Credits

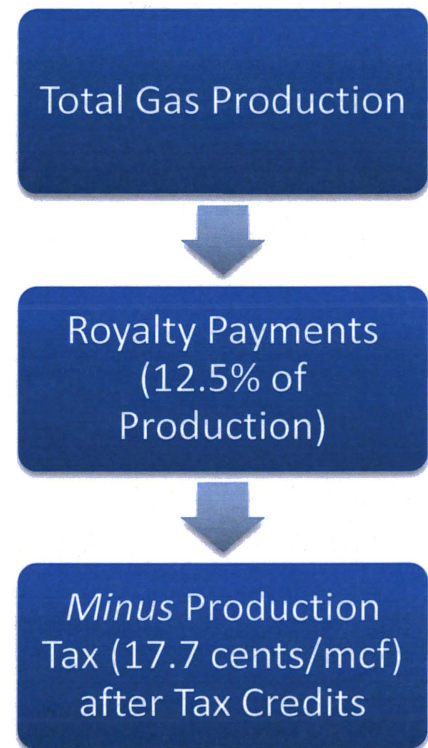
Finally, if the producer purchases or earns qualifying tax credits, these tax credits are subtracted from the production tax owed to the State of Alaska. These credits allow producers to deduct certain exploration and production expenses. The following is a list of tax credits for which a Cook Inlet gas producer may qualify:

- *Small Producer Tax Credit* – a maximum of \$12 million to companies with a relatively small statewide presence. Most Cook Inlet producers qualify for this tax credit, which often reduces their tax liability to zero.
- *Well Lease Expenditure Credit* – 40 percent of well-lease expenditures, predominantly qualifying exploration costs.
- *Qualified Capital Credit* – 20 percent of qualifying capital expenditures.
- *Loss Carryforward Credit* – 25 percent of a financial loss from the previous year.

Potential Revenue Scenario

Assuming most Cook Inlet producers would qualify for a Small Producer Tax Credit, the main revenue flowing to the State from Agrium gas purchases would result from the 12.5 percent royalty share. The table below provides a revenue scenario based on single-train production at Agrium's facility.

Cook Inlet Natural Gas Production Taxes and Royalty Payments



These calculations assume a wellhead gas-value of \$5.70/mcf and further assume supply comes from a field that started production after April 1, 2006. In addition, it is anticipated that approximately 25 percent of the gas used for production will come from non-State leases, and 10 percent of value at the point of production qualifies as lease expenses. This model does not assume any other tax credits beyond the Small Producer Tax Credit.

Summary of Annual Royalty and Production Tax Revenue Impacts Under a Single-Train Production Scenario

	Single-Train Scenario
Gross Production (bcf)	28
Production from State of Alaska leases	21
Royalty Payment	
<i>Minus</i> Royalty Gas (bcf) (12.5% of gross production)	(2.6)
Net Producer Gas (bcf)	18.4
Royalty Payment (\$5,700,000/bcf)	\$14,962,500
Production Tax Payment	
Value at Point of Production (\$5,700,000/bcf)	\$104,737,500
<i>Minus</i> Qualified Lease Expenses	(\$10,473,750)
<i>Equals</i> Production Tax Value (PTV)	\$94,263,750
Production Tax Payment (\$177,000/bcf)	\$3,252,375
Small Producer Tax Credits (up to \$12 M maximum)	(\$3,252,375)
Total State Revenue Impact (Royalty Payment <i>plus</i> Production Tax Payment <i>minus</i> Small Producer Tax Credit)	\$14,962,500

Corporate Income Tax

The State of Alaska levies an income tax on corporations that ranges from 0 to 9.4 percent of taxable income. This tax liability depends on a number of factors, including the amount of federal taxes paid, whether the company is active outside Alaska, and whether it is an oil and gas company. For purposes of this analysis, it is assumed Agrium would be taxed at a rate of 9.4 percent.

The gas purchased by Agrium would result in at least two corporate income tax payments to the State.

The gas purchased by Agrium would result in at least two corporate income tax payments to the State. First, Agrium would pay income tax based on the factors mentioned above. Second, the producer of the gas presumably would also pay a corporate income tax to the State of Alaska.

State Revenue Economic Multiplier Effects

Taxes and royalty payments to the State of Alaska by Agrium and its gas supplier(s) would become part of a much larger pool of taxes and royalties generated by Alaska's oil and gas industry. Oil- and gas-related revenues account for the vast majority of all State of Alaska unrestricted General Fund revenue (88 percent in FY2014). These revenues are used to fund a broad range of agency operations, programs, and projects.

As the State spends these taxes and revenues (including those that would be generated directly or indirectly by Agrium’s Kenai operations), jobs and wages are generated across Alaska.

It is possible to estimate the direct, indirect, and induced employment and wage impacts of State revenue Agrium would generate. Based on modeling previously conducted by McDowell Group for the Alaska Oil and Gas Association, \$1 million in tax and royalty payments translates (as it is spent by state government) into 9.6 jobs and \$475,000 in annual wages, including all multiplier effects.¹

The following table illustrates the jobs and wages that would be associated with taxes and royalties generated by Agrium’s Kenai operations. For purposes of these calculations, total single-train revenues are estimated at \$15.0 million. This estimate represents total royalty payments plus conservative upward adjustments to account for corporate income tax payments by Agrium and the gas supplier(s).

**Jobs and Wages Associated with Taxes and Royalties
Generated by Agrium’s Kenai Nitrogen Operations**

	Single-Train Scenario
Taxes and Royalties Paid	\$15.0 million
Employment	140 jobs
Annual Wages*	\$7.1 million

In addition to the jobs and wages presented in the table above, under a single-train production scenario, McDowell Group’s 2013 study of the reopening of Agrium’s Kenai plant estimated 140 direct jobs required to operate the plant with annual direct wages of \$14 million.²

¹ McDowell Group 2014, *The Role of Oil and Gas Industry in the Alaska’s Economy*.

² McDowell Group 2013, *The Economic Benefits of Reopening the Agrium Kenai Nitrogen Plant*.



Alaska State Legislature

Please enter into the record my testimony to the _____ House Resources _____
Committee

on ___ HB100 ___ dated ___ 03112015 _____.

Representatives,

As a former 32 year employee at the Agrium plant and now a grandfather of seven, I encourage you to support HB100 because:

➤ It might just be the 'tipping point' to get the board of directors 'on board' with incentive to re-start.

➤ It would provide about 140 full-time jobs at the plant.

⊕ There is a ballpark figure of \$275million to get the plants running again (construction jobs).

➤ This is a value-added process; ammonia is made from steam, air, and natural gas; urea is made from ammonia and carbon dioxide. It is a bigger process than just shipping out resources.

Please help our communities and children and grandkids have a future, and feed a future. ♡

Thank you,

Mark Stynsberg

776-8226

PO Box 8263, Nikiski, AK 99635



Homer Electric Association, Inc.

Corporate Office
3977 Lake Street
Homer, Alaska 99603-7680
Phone (907) 235-8551
FAX (907) 235-3313

Central Peninsula Service Center
280 Airport Way
Kenai, Alaska 99611-5280
Phone (907) 283-5831
FAX (907) 283-7122

March 11, 2015

Representative Benjamin Nageak
State Capitol, Room 126
Juneau, AK 99801-1182

Dear Representative Nageak:

RE: Agrium Facility Re-start

Homer Electric Association (HEA) would like to recognize efforts to re-start the Kenai Agrium facility by supporting HB 100, currently being considered in the Alaska Legislature. The bill, if approved, would establish a tax abatement that the Kenai Agrium facility would qualify for once the plant was re-furbished and operating.

The following objectives are potential benefits of re-starting the Kenai Agrium facility:

- Jobs - With oil and gas prices low, it is only a matter of time before job losses mount in the oilfield. It is important to mention that Agrium's "economic reach" goes well beyond Kenai and into many communities throughout the State.
- Business - It is not just about hiring people to work at the Kenai Agrium facility, it is also about the overall economic impact. There are a large number of indirect jobs generated by a business like the Kenai Agrium facility.
- Cook Inlet - Just a few years ago we were looking at importing natural gas to energize the Railbelt. New exploration and production have saved us from that, but now it is time to establish a steady market for producers. Absent a gas buyer like Agrium giving explorers a reason to invest, the Railbelt is going to wind up in the same situation it was in a few years ago.

Should you have any questions or require additional information, please feel free to contact me at (907) 283-2312 or email to bjanorschke@homerelectric.com.

Sincerely,

Bradley P. Janorschke
General Manager

cc: Steve Wendt, Agrium U.S. Inc. Facility Manager

March 06, 2015

Dear Representatives Neuman, Thompson, and Sadler:

We operate a feed mill, a commercial distribution business for horticultural and revegetation products, a retail operation, and a fertilizer blending plant. We built our fertilizer plant thirty plus years ago to take advantage of the urea produced on the Kenai Peninsula. As you know, urea is a source of nitrogen and the plant provided us with a very price competitive nitrogen source. We continued to supply our plant with the nitrogen from Kenai until the plant was closed several years ago. Currently, we bring in rail cars of urea from Agrium's Canadian plants.

Even though we import urea via rail, our products are still competitive, but our margins have shrunk and the additional transportation costs, which are substantial, are passed on to our customers. Alaskans pay more for everything because of transportation and because there are very few manufacturing facilities in the State. The Agrium plant in Kenai was the rare exception and it made a significant difference from a supply and a cost stand point.

Our customer base is much larger and more diverse than you might imagine. We supply the State DOT with urea from the West Coast for deicing for smaller, rural airports throughout Alaska. Before the Agrium Plant closed, the Kenai urea was used at the airports. Our retail packages of fertilizer are sold in all the major chain stores and independent retail outlets under the Arctic Gro brand. Our Arctic Melt brand ice melt products which are also sold in most retail outlets contain a few urea based specialty products. We also supply commercial contractors, landscapers, government agencies, municipalities, and farmers with fertilizer.

If State leaders are serious about diversifying our economy, encouraging additional exploration, promoting well paying job growth, encouraging local manufacturing, and lowering costs to the residents of Alaska, they need to encourage Agrium to open the urea plant in Kenai.

I support House Bill 100 and I hope you will also.

Sincerely,



Ken Sherwood
C.E.O.

KENAI LEGISLATIVE INFORMATION OFFICE

Email: Kenai_LIO@akleg.gov

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

WRITTEN TESTIMONY

NAME: J.R. Meyers
REPRESENTING: Self
BILL # or SUBJECT: HB 100
COMMITTEE: House Resources DATE: 3-25-15

Dear Representatives,

Alaska is in no position to continue subsidizing industry.

Get the state budget in order.

I urge you to vote NO on HB100.

Peace & Blessings,

J.R. Myers

Soldotna, AK

Univar USA Inc
590 E 100th Avenue
Anchorage, AK 99515
USA

907 344 7444 T
907 522 1486 F
www.univarusa.com



March 28, 2015

State of Alaska Legislators:

Re: House Bill 100 – Tax Abatement – Agrium Kenai Operations

I'm not sure that Alaskans could have too many jobs, but we should always encourage and support jobs that create gainful long-term substance. To that end, I encourage your favorable attention to the minimized balance of taxation to support the re-start of the Agrium Kenai Nitrogen Operations.

Having been a long time supplier partner of Agrium (and formerly Unocal) Univar and its selection of manufacturing supporters are in favor of Agrium receiving tax abatement considerations to help them return to some measure of their former economic glory. Not to mention the jobs that a re-start would create, it is sound economically and financially beneficial to the State of Alaska to re-install Agrium as a contributing exporter of Alaskan natural resource development.

The resource development potential that Cook Inlet possesses should be supported by the State of Alaska for those individuals and companies who are willing to invest in getting those idle resources into the global economy.

Please do your part to abate the tax structure with appropriate incentives in order to reinstate jobs both directly and indirectly.

Kindest regards,

A handwritten signature in black ink, appearing to read "Ken D Lambertsen", with a long horizontal flourish extending to the right.

Ken D Lambertsen
District Manager – Univar USA Inc
Anchorage, Alaska

Cc: Steve Wendt, Agrium, Jason Miller, Univar,



6407 Arctic Spur Road, Anchorage, Alaska 99518
(907) 562-0707, Fax (907) 562-2426

March 26, 2015

Dear Speaker Chenault,

I own Arctic Wire Rope & Supply, an industrial manufacturing and supply company in Anchorage. I am writing to encourage passage of HB 100.

Obviously I have a vested interest in seeing this happen as we were a strong supplier to Agrium in the past but reopening the plant would have more far reaching economic impact than my shop, especially in the Kenai area. At a time when abundant oil and gas is having a negative impact on the Alaskan economy, this is actually a unique way for us to take advantage of an oversupply of gas.

Much like what Iceland is doing with aluminum smelting leveraging their hydropower, we can do the same with our new found gas, creating more local value by turning the gas into fertilizer. I especially like the concept of "pay to play" as the state doesn't give credits until the Agrium facilities are up and running.

The more value added manufacturing we can do, especially at the present time, the better.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Eric McCallum".

Eric McCallum
President
Arctic Wire Rope & Supply, Inc

cc;

Representative Benjamin Nageak
Representative David Talerico
Representative Mike Hawker



UDELHOVEN

Oilfield System Services, Incorporated

184 East 53rd Avenue
Anchorage, Alaska 99518-1222
(907) 344-1577 Fax (907) 522-2541

Co-Chair Rep. Benjamin Nageak

I would like to express my strong support for the House Bill 100 which is encouraging the re-start of the Agrium Kenai facility. In 1978 the facility became the continent's second largest nitrogen-based fertilizer plant. Agrium is a steady market and could establish a steady market for explorers and give them a reason to invest.

This is a big jobs issue for the Cook Inlet area, and there are a large number of indirect jobs generated by a facility like KNO, this could be an economic reach that goes well beyond the Kenai and into many communities throughout the State. The businesses that support their effort also work with the community to make it a better place to live; this is a win, win for everyone.

Sincerely,

Jim Udelhoven



Dowland-Bach Corporation

Physical: 6130 Tuttle Place, Anchorage, AK. 99507

Mailing: PO Box 230126, Anchorage, AK 99523

Tel: 907/562-5818 Fax: 907/562-5816

www.dowlandbach.com

Lynn@dowlandbach.com

April 6, 2015

House Resources Committee
Co-Chair Rep. Ben Nageak
Co-Chair Rep. David Talerico
Vice-Chair Rep. Mike Hawker

RE: HB100- Urea/Ammonia Facility Tax Credit

Dear House Resources Committee:

Dowland-Bach is a forty year old Alaska based manufacturing, distribution and automation services firm based in Anchorage. Our primary clients are the oil and gas industry in Alaska and around the world. We are one of Alaska's relatively few manufacturing entities, building controls systems, UL control panels and production and chemical injection skids and modules for industry in Alaska. Our company benefits both directly and indirectly from increased resource development in the form of continued jobs and manufacturing and distribution services.

I am writing to express Dowland-Bach's support of HB100 – Urea Facility Tax Credit. Specifically:

Jobs: With oil and gas prices low, job losses are beginning to occur in the oilfield. This bill could have a significant impact on Agrium's work to restart their plant, which has numerous benefits for the entire Alaska economy.

Business: The impact of an Agrium restart is not just about the people working on the plant in Kenai. The overall cash infusion and indirect jobs across Alaska would be dramatic and important for the entire State. Cook Inlet has rebounded and customers like Agrium, as a steady customer, would insure that this continues.

In summary, I am fully supportive of the intent of this bill and respect your diligence in moving this forward in the best interest of Alaska's economy.

Sincerely,

Lynn C. Johnson
Chairman, Dowland-Bach Corporation



March 16, 2015

Representative Ben Nageak
Representative David Talerico
Co-Chairmen, Resources Committee
Alaska House of Representatives,
State Capitol Building
Juneau, Alaska 99801

Representatives Nageak and Talerico;

During the hearing in your committee on HB 100, "An Act establishing a credit against the net income tax for an in-state processing facility that manufactures urea or ammonia" on Wednesday, March 11th, Representative Paul Seaton posed a question about acceptable levels of carbon dioxide (CO₂) in the gas that feeds our plant.

Our normal CO₂ gas composition during past operation was about 0.1 - 0.2%. However, we should be able to operate with as high as 3% CO₂ without significant impact.

I hope this responds to Representative Seaton's question, and I trust you will distribute my response to other committee members.

Thank you.

A handwritten signature in blue ink that reads "Adam Diamond" with a flourish underneath that says "by ad".

Adam Diamond, Manager
US Government Relations
Agrium US
4582 S. Ulster, Ste. 1700
Denver, CO 80237



March 17, 2015

Representative Ben Nageak
Representative David Talerico
Co-Chairmen, Resources Committee
Alaska House of Representatives,
State Capitol Building
Juneau, Alaska 99801

Representatives Nageak and Talerico;

During the hearing in your committee on HB 100, "An Act establishing a credit against the net income tax for an in-state processing facility that manufactures urea or ammonia" on Wednesday, March 11th, Representative Mike Hawker posed the following question:

I appreciate that you have extensive worldwide holdings. The credit you're proposing here is a credit against your SCT – your state corporate tax...here in this, in Alaska, your state corporate income tax. The taxable income is determined by factors within your control relating to your apportionment of your income and expenses on a worldwide basis to Alaska. Can you tell me whether or not your corporate tax allocation policy would result in us granting a credit in Alaska for earnings that were actually attributable under that allocation policy to activities outside the state?

In response to Representative Hawker's question, our tax apportionment policy for Alaska is prescribed by Alaska Statute. In Alaska, we have elected to file using the "water's edge" approach. Accordingly, we apportion our US income to the state of Alaska based on three factors (sales, payroll and property) in accordance with AS 43.20. Therefore, our corporate tax allocation policy would not result in us claiming a credit in Alaska for earnings that were actually attributable to activities out of the State.

I hope this responds to Representative Hawker's question, and I trust you will distribute my response to other committee members.

Thank you.

Adam Diamond
6/2/15

Adam Diamond, Manager
Government Relations
Agrium US
4582 S. Ulster, Ste. 1700
Denver, CO 80237

Gary Zepp

From: Gary Zepp
Sent: Monday, March 23, 2015 3:58 PM
To: Gary Zepp
Subject: Sent from Snipping Tool

Sent: Monday, March 23, 2015 2:48 PM
To: Rep. Mike Chenault
Cc: Rep. Benjamin Nageak; Rep. Mike Hawker; Rep. David Talerico
Subject: HB100

Dear Representative Chenault:

As a 48 year resident of Alaska, I support House bill 100 currently being considered in the Alaska Legislature. Even though production efforts have stabilized South central Alaska's usage of natural gas for the next few years, it's time to establish eliminating seasonal swings of demand. Gas storage from the CINGSTA project certainly helps, but with gas reserves Today Producers are accelerating production to maintain demand, but other than Kitchen Lights (Furie) and Cosmoport no significant gas discoveries have been made. The Agrium facility represents a steady demand for the usage of natural gas purchaser giving explorers a reason to invest and commit dollars to drilling.

Currently with oil prices low, the Oil and Gas Industry in Alaska, is experiencing job losses and capital spending delays beyond Kenai and into many communities throughout the State. It's not only the Agrium jobs created, but also the cash infusion from doing it. Additionally, there are a large facility like the Agrium Plant, and also the tax benefits to the Kenai Peninsula Borough

Thanks for considering my support for this Bill.
Best Regards,

Robert C Warthen
9350 Nordic Drive
Anchorage, Alaska 99507

March 06, 2015

Dear Representatives Neuman, Thompson, and Sadler:

We operate a feed mill, a commercial distribution business for horticultural and revegetation products, a retail operation, and a fertilizer blending plant. We built our fertilizer plant thirty plus years ago to take advantage of the urea produced on the Kenai Peninsula. As you know, urea is a source of nitrogen and the plant provided us with a very price competitive nitrogen source. We continued to supply our plant with the nitrogen from Kenai until the plant was closed several years ago. Currently, we bring in rail cars of urea from Agrium's Canadian plants.

Even though we import urea via rail, our products are still competitive, but our margins have shrunk and the additional transportation costs, which are substantial, are passed on to our customers. Alaskans pay more for everything because of transportation and because there are very few manufacturing facilities in the State. The Agrium plant in Kenai was the rare exception and it made a significant difference from a supply and a cost stand point.

Our customer base is much larger and more diverse than you might imagine. We supply the State DOT with urea from the West Coast for deicing for smaller, rural airports throughout Alaska. Before the Agrium Plant closed, the Kenai urea was used at the airports. Our retail packages of fertilizer are sold in all the major chain stores and independent retail outlets under the Arctic Gro brand. Our Arctic Melt brand ice melt products which are also sold in most retail outlets contain a few urea based specialty products. We also supply commercial contractors, landscapers, government agencies, municipalities, and farmers with fertilizer.

If State leaders are serious about diversifying our economy, encouraging additional exploration, promoting well paying job growth, encouraging local manufacturing, and lowering costs to the residents of Alaska, they need to encourage Agrium to open the urea plant in Kenai.

I support House Bill 100 and I hope you will also.

Sincerely,



Ken Sherwood
C.E.O.



March 20, 2015

House Resources Committee
Co-Chair Rep. Ben Nageak
Co-Chair Rep. David Talerico
Vice-Chair Rep. Mike Hawker

RE: HB100 – Urea/Ammonia Facility Tax Credit

Dear House Resources Committee:

Lynden is a multi-modal transportation and logistics company, with over 900 Alaska employees, a history of scheduled service to Alaska starting in 1954, and extensive activity throughout the state of Alaska, including support for all segments of the economy. Lynden has provided transportation services for the resource industry including significant logistics support for virtually every project in Alaska. Our company benefits both directly and indirectly from increase resource development in the form of continued jobs and transportation services.

I am writing to express Lynden's support of HB100 – Urea Ammonia Facility Tax Credit. Specifically:

- ✓ Jobs - with oil and gas prices low job losses are beginning to occur in the oilfield. This bill could have a significant impact on Agrium's work to restart their plant, which has both direct and indirect job benefit (including companies such as Lynden) for the local and Alaska economy.
- ✓ Cook Inlet - just a few years ago we were looking at importing natural gas to energize the rail-belt. New exploration and production improved the outlook for the peninsula. The re-start and engagement of Agrium as an active participant in the market is beneficial to the continued exploration and development in Cook Inlet which benefits Alaska by diversification and stabilization in the gas market.

As you are aware, tax credits are a long-standing tool that can be utilized with the specific intent of spurring new developments and good jobs in the resource sector. With that in mind, we are fully supportive of the intent of this bill and respect your diligence in moving this forward in the best interests of Alaska's economy.

Sincerely,

LYNDEN TRANSPORT

Paul Friese
Vice President of Sales – Alaska

Cc: Rep. Mike Chenault – Bill Sponsor



Heat & Frost Insulation, Inc.
P.O. Box 1678
Soldotna, AK 99669-1678
Office 907-283-3575 Fax. 907-283-8062

3-19-15

Representative Benjamin Nageak
State Capitol, Rm 126
Juneau, Alaska

RE: HB 100

Mr. Nageak,

This letter is written in support HB 100. The re-opening of the Agrium Fertilizer Plant will help provide a stable business environment to the South Central Region of Alaska. HB 100, if approved will show Alaskans, that the State Legislature is behind responsible economic growth.

As a Mechanical Insulation Contractor, I employ local residents that live and do business here in the Cook Inlet Region. It is important to my business and employees that we have multiple places to work. This allows us to maintain a "Core group of Employees" that will have steady employment.

With steady employment, comes an increase in safety and training to the work force. This enables employees to concentrate on work, increase productivity, and go home to their families safe.

The re-opening of Agrium will go a long way to providing the local economy with steady growth. Every business in this community will feel the positive effects of, Agrium re-opening. This economic growth will also be felt throughout the state of Alaska.

Thank you, for taking the time to read this letter.

Richard Bagley

President/Owner
Heat & Frost Insulation, Inc.
rbagley@heatfrost.com