

ALASKA LEGISLATURE

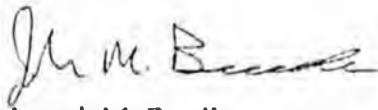
HOUSE SENATE FINANCE COMMITTEE FILES, 2005-2006 2864

Mr. Jerome Selby
Kodiak Launch Complex
Page 4

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

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

Sincerely,



Joseph M. Beedle
Vice President for Finance

cc: House Resource Committee
KIB Assembly Members

Attachments:

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

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

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

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

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

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

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

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

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

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

ILMA: Interagency Land Management Assignment

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

Provisions of 2003 ILMA

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

AADC 2004 Expansion Application of January 27, 2004

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

DNR Draft Decision of November 15, 2004

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

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

Subsection (b) – Public Notice

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

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

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

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

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

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

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

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

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

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

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

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



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

UNIVERSITY
of ALASKA

Many Traditions One Alaska

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

February 28, 2005

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

Dear Mr. Burke:

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

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

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

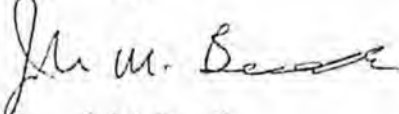
Attached please find draft deed restriction language that would be included in the transfer deed. UA is also proposing an amendment to HB130 (see attached), in section 6, subsection (b) that improves the public notice process and is intended to provide more engagement opportunity for affected land owners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

Mr. John Burke
Neets Creek Parcel
Page 2

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

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

Sincerely,



Joseph M. Beedle
Vice President for Finance

cc: House Resource Committee
DNR
Representative Jim Elkins

Attachments:
Deed Restrictions – Neets Creek
Public Notice Amendment

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

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

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

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

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

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

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

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

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

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

Subsection (b) – Public Notice

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

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

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

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

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

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

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

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

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

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

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

Douglas Owen

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

Dear Representative Ramras,

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

Sincerely,

Joan Bryner

Dear Representative Neuman,

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

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

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

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

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

2/9/2005

Sincerely,

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

Tel. 907 495 6253

2/9/2005

Douglas Owen

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

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

Ronald E. Dick

FEB 11 2005



14 Borch Street

Ketchikan,
Ak 99901

Phone:
(907) 225-9605

FAX:
(907) 225-1348

Southern Southeast Regional Aquaculture Association, Inc.

8 February 2005

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

Dear Representative Ramras and Representative Samuels:

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

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

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

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

A more detailed explanation of this issue is attached.

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

Sincerely,

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

John Burke
SSRAA General Manager

cc:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

John Burke
SSRAA General Manager

PORT ALEXANDER COMPREHENSIVE PLAN

INTRODUCTION

PURPOSE

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

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

Three key terms are used throughout this document:

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

Goal: A desired condition or situation to be achieved.

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

UPDATING THE PLAN

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

Revised
2/8/04

Dear Jay Ramras,

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

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

Governor Murkowski claims that private lands are better managed than public

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

Thankyou,

Rosemary McGuire

Box 83553

Fairbanks, AK.

99708

(907)-455-6347

Jane Pierson

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

Resources Committee:

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

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

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

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

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

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

Rebecca McGuire

Jane Pierson

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

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

Representative Jay Ramras
State Capitol Building
Juneau, Alaska

Dear Representative Ramras,

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

Tourism:

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

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

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

3/1/2005

Baranof Water Supply:

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

Baranof Hot Springs:

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

Seismic Activity:

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

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

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

Best regards,

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

STATE OF ALASKA / FRANK MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
Division of Mining, Land and Water

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

March 3, 2005

The Honorable Representative Harry Crawford
State Capital
Juneau, Alaska 99801

Dear Representative Crawford:

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

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

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

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

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

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

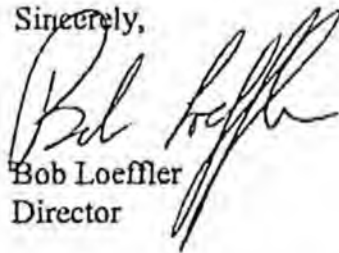
Put another way, DNR concluded that the nearby land ownership (including native allotments) was not incompatible with development. In fact DNR's management under the Area Plan would be similar to that likely by the University. I hope this answers your concerns about this parcel.

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

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

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

Sincerely,



Bob Loeffler
Director

Cc: Representative Ramras

Representative Samuels

Lt. Leigh Gerber Board member



Greater Ketchikan Chamber of Commerce

P.O. Box 5957, Ketchikan, Alaska 99901
Phone: (907) 225-3184 Fax: (907) 225-3187
E-mail: info@ketchikanchamber.com
www.ketchikanchamber.com

*330 active members +
have passed the following resolution*

Ketchikan Chamber of Commerce Resolution

05-01

2005 Officers

Renee Schofield
President
Tongass Substance
Screening

Joe Johnston
1st Vice-President
Davies-Barry Insurance

Rob Skinner
2nd Vice-President
Lewis Motors

Glen Thompson
Secretary
Tongass Sanitation

Steve Boehlert
Treasurer
Wells Fargo Bank

J.C. Conley
Past President
Service Auto Parts

2005 Directors

Leigh Gerber
Norquest Seafoods

Owen Graham
Alaska Forest Association

Chris Herby
Channel Electric, Inc

Mike Holman
Individual Member

Jennifer Naylor
Individual

Mike Round
SSRAA

Andrew Spokely
Andros Oil

Kim Kirby
Southeast Kayaks

Doug Ward
Alaska Ship & Dry Dock

Jodie Buck
Ally HR Solutions

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

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

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

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

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

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

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

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

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

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

Blaine Ashcraft, Business Manager

Greater Ketchikan Chamber of Commerce

Committee

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: *House Resources*

FAX: *907.465.2070*

DATE: *3.4.2005*

MESSAGE:

2 pages to follow this cover.

*Please include this testimony
into the record for HB 130*

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

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

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

Thank you for your time.

Concerned citizens,

Mona Christian, Dave Kensinger

ATIN. House Resources Committee

HB 130 public testimony
March 4, 2005

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

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

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

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

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

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

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

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

Co-Chair Representative Ramras
House Resources Committee

Re: HB130

Dear Representative Ramras,

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

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

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

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

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

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

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

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

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

Thank you for your consideration,

John H. Littlefield
907-738-6866

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

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

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

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

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

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

would strongly impact the Littlefield operation.

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

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

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

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

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

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

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

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

2/28/2005

FAXPage 1 of 2

To: House Resource Committee

cc: Rep. Peggy Wilson

From: Laurie Mastrella, Marty Remund

POB 8147 Port Alexander 99836

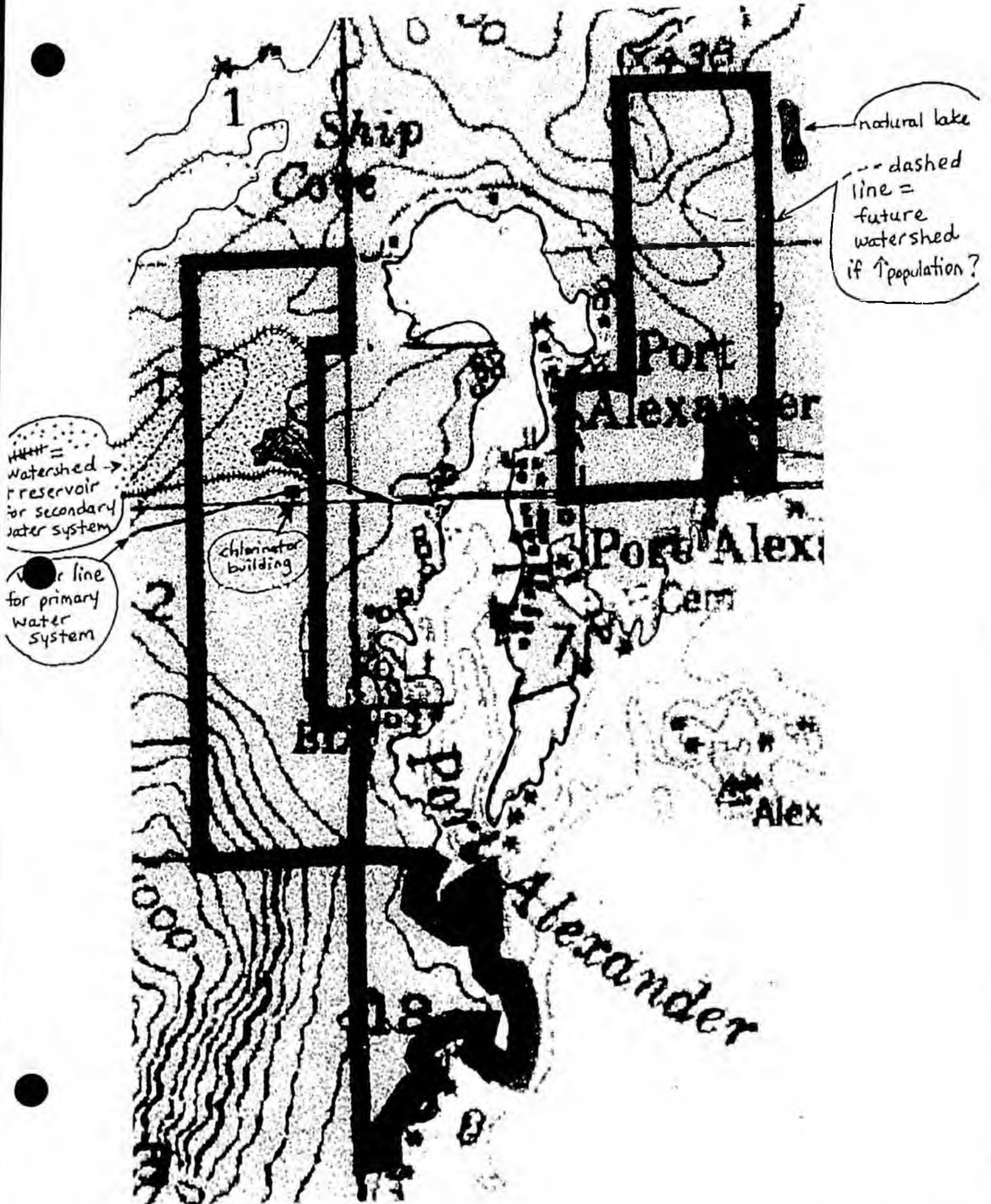
(907) 568-2226 marty.remund@worldnet.att.net

Re: HB130 University Land Grant

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

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

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



STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE COMMISSIONER

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

February 7, 2005

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

Re: HB 130, University Lands Bill

Dear Representative Ramras and Samuels:

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

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

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

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

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

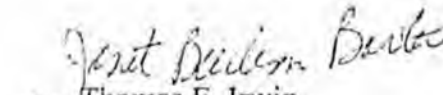
Representative Ramras and Samuels

February 7, 2005

Page 2 of 2

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

Sincerely,


Thomas E. Irwin
Commissioner

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

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



UNITED FISHERMEN OF ALASKA

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

March 1, 2005

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

Dear Representative Ramras,

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

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

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

MEMBER ORGANIZATIONS

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

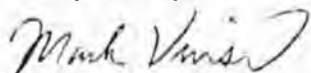
the parcel description, commercial timber harvest, poses a threat to the water quality that is essential to the hatchery operation. UFA agrees with SSRAA that residential or timber development of the Neets Bay watershed is incompatible with the long term needs of the hatchery operation.

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

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

Thank you for your consideration.

Respectfully,



Mark D. Vinsel
Executive Director

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: Rep. Rammas

FAX:

DATE: Feb 28, 2005

MESSAGE:

Please distribute to all
committee members before
Wed meeting. Thanks

NATHAN GRUENING
PO BOX 1030
PETERSBURG, ALASKA 99833

February 13, 2005


Dear Chair Ramras:

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

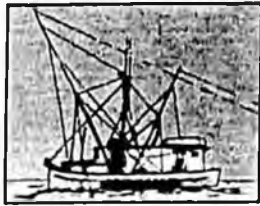
You have heard from others many reasons why and I will not repeat them. But you have not heard that the proposed land exchange at the top of Baranof River and Baranof Lake is our community drinking source. I for one do not want to drink water that has been gathered from below human sewage.

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

Sincerely,



Nathan Gruening



Alaska Trollers Association

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

February 20, 2005

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

Dear Representative Ramras and Representative Samuels:

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

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

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

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

Sincerely,

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

Dale Kelley
Executive Director

Brandon Maitlen

From: Brennans [brennans@gci.net]
Sent: Sunday, February 27, 2005 7:25 PM
To: Rep. Gabrielle LeDoux; Rep. Jay Ramras; Seaton@legis.ak.us; Samuels@legis.state.ak.us; Olson@legis.ak.us; Kapsner@legis.ak.us; Gatto@legis.state.ak.us; Crawford@legis.ak.us; Elkins@legis.state.ak.us
Subject: HB 130; Baranof Warm Springs drinking water

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

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

Jim Brennan
President, Baranof Property Owners Association

Douglas Owen

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

Members of the House Resource Committee:

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

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

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

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

Thank you all for your help!

Sincerely,

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

2/24/2005

Douglas Owen

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

Rep. Wilson,

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

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

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

Anissa Berry
Port Alexander

2/23/2005

Rebecca Rooney

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

Dear Peggy,

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

Rick Fleischman

1802 B Alder Way
Sitka, AK 99835
747-7473

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

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

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

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

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

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

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

439

THE UNIVERSITY OF ALASKA, ETC.

§ 14.40.367

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

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

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

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

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

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

Editor's notes. — The Governor has contacted the

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

new
14.40.366 ← Deleted

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

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

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

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

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

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

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

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

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

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

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

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

Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska

February 18, 2005

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

FEB 23 2005

Re: Written Testimony on House Bill 130

Dear Representative Ramras:

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

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

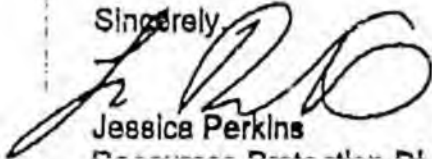
Blorka Island

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

Lislanski Peninsula

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

Sincerely,



Jessica Perkins
Resources Protection Director

Cc:

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

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

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

STATE OF ALASKA
THE LEGISLATURE

FEB 22 2005

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: House Resources Comte

FAX: 907.465.2070

DATE: 2.22.2005.

MESSAGE:

2 pgs to follow this cover. (3) total

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

Thank you.

Ellen Sharpsteen

February 21, 2005

Representative Peggy Wilson
Representative Ralph Samuels
Representative Jay Ramras

Re: House Bill 130

Dear Representatives;

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

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

Irrespective of that, my comments are as follows:

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

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

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

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

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

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

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

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

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

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

Sincerely,



Gayle M. Eastwood

ALASKA BIRCH WORKS

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

FEB 22 2005

TO: Jay Kamrath

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

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

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

ALASKA BIRCH WORKS

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

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

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

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

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

Bob Zachel
Alaska Birch Works

February 19, 2005

FEB 21 2005

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

Re: SB 96/HB 130 University Land Bill

Dear Representative Ramras,

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

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

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

Observations

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

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

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

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

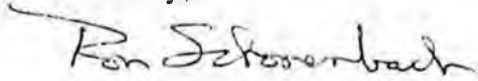
Recommendations

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

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

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

Sincerely,



Ron Schonenbach

16435A Pt. Lena Loop Road, Juneau 99801

789-2028

cc: Governor Murkowski
Commissioner Tom Irwin

Douglas Owen

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

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

To: Rep. Jay Ramras

FEB 21 2005

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

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

Dear Representatives:

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

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

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

Sincerely,

Avery and Edwina Simmons
907-752-5037

FEB 21 2005

Douglas Owen

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

Dear Representative Ramras and committee members,

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

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

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

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

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

2/21/2005

Thanks for listening.

Jennifer Price
Caretaker, Baranof Wilderness Lodge

1802 B Alder Way
Sitka, AK 99835
747-7473



Kodiak Game Ranch

Po. Box 1608 Kodiak AK 99615

billkathybuckburton@hotmail.com

2/1/2005



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

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

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

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

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

Kodiak Game Ranch
Po. Box 1608 Kodiak AK 99615

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

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

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

Sincerely,

Bill Burton

February 9, 2005

To: My Representative: Peggy Wilson

House Resource Committee:

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

Subj: HB130

Dear Representatives:

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

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

More specifically I oppose the bill because:

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

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

I officially request:

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

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

Sincerely,

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

Rebecca Rooney

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

Dear representative Wilson:

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

[REDACTED]

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

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

Dear Peggy,

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

Rick Fleischman

1802 B Alder Way
Sitka, AK 99835
747-7473

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

Rebecca Rooney

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

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

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

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

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

Laurie Mastrella
Port Alexander

Douglas Owen

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

University Lands Bill a Bad Idea

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

The University is anxious to receive these lands as they will then become private property and can be disposed of with much less oversight by the University. Joe Beadle, (U of A), in testimony stated that the University would be able to react much quicker to "market forces". In other words, a wealthy speculator could make an offer and purchase land in large blocks without going through a public bid process. There are no requirements in HB 130 that land be subdivided into home site lots for Alaska residents. Donald Trump could buy his private Alaskan retreat and post the property with no trespassing signs.

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

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

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

Norm Carson

PO Box 98

907-735-2460

2/18/2005

Pelican, AK 99832

907-321-1950

Douglas Owen

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

Dear Representatives,

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

Sincerely,
Jesse Remund

Douglas Owen

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

Dear Peggy,

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

Rick Fleischman

1802 B Alder Way
Sitka, AK 99835
747-7473

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

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

From: Rep. Peggy Wilson

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

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

Subject: HB 130 Update

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

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

2/17/2005

Melinda Hofstad
PO Box 1030
Petersburg, Alaska 99833

Rep. Jay Ramras, Co-Chair
Resources Committee

Dear Chairman Ramras:

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

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

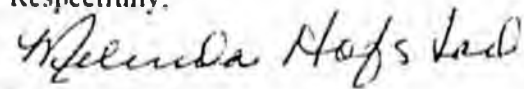
This is an unsuitable site for selection in the first place. The majority of this property is wetlands and steep fiord type terrain, and has already been assessed by DNR to be unsuitable for home sites, which seems to be exactly what the University plans to do with it.

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

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

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

Respectfully,


Melinda Hofstad

Douglas Owen

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

The Honorable Rep. Jay Ramras:

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

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

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

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

Sincerely yours,

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

2/16/2005

Douglas Owen

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

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

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

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

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

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

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

Norm Carson

2/17/2005

PO Box 98
Pelican 99832

2/17/2005

Douglas Owen

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

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

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

Dear Governor:

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

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

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

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

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

Sincerely,

/s/ Marko Dapcovich, Mayor

cc: Senator Bert Stedman
 Representative Peggy Wilson

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

2/17/2005

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

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

Doris Bailey
dorie@gci.net

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

Douglas Owen

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

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

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

Phone & Fax (907) 735-2232

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

2/16/2005

Subject: HB130

Dear Representatives,

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

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

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

Thank You For Your Time,

Claude K. Odell

Douglas Owen

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

Representative Ramras,

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

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