

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86 / 2

363 SCOMM10: LOCAL GOVERNMENT STUDY 1979

Products and Schedule

It is expected that a draft of this project should be available for review and comment in October or November; will be revised and completed in December. It is expected that this paper will provide recommendations to OCM for further involvement in fisheries management including Subtask E-4c.

Subsequent 306 grant applications will build upon the findings of this early effort.

Subtask E-4b: Demonstration Project - Fish Habitat Component of District Program

Under the authority of its anadromous fish habitat management role and in furtherance of its ACMP technical assistance and consistency obligations, the Department of Fish and Game proposes to develop for use by the City and Borough of Sitka and the Department, a salmon habitat management plan.

The plan will partially fulfill the requirements of the Alaska Coastal Management Program to identify and plan for the maintenance or enhancement of the habitat of living resources. The plan will address habitat needs of salmon resources. While responding to ACMP technical assistance obligations, the proposal will also serve to further develop the State's fisheries habitat management program as encouraged by the federal Office of Coastal Zone Management's "Coastal Fisheries Assistance Program."

The proposed plan will be prepared in cooperation with, and with the support of, the planning department of the City and Borough of Sitka. The activities conducted under this proposal will build upon inventory work currently being performed by the Department with the City and Borough of Sitka for application to the first phase of that district's coastal management program.

Products and Schedules

When completed in spring of 1980, the anadromous habitat management plan can serve as an example of an approach to be applied in other areas of the State.

Subtask E-4c: Proposed Study of Bottomfish Industry/Aleutian Chain

OCM has set aside some funding in this grant to be used on fisheries planning during the second half of the first 306 year. The work to be done during the second half of the year will be based on the findings and recommendations of the research completed for the fisheries paper described under a. However, it is thought at the present time that the study will concern bottomfish. OCM recognizes the necessity for regional planning for this industry, the fact that the harvest of bottomfish is a growing industry in Alaska, and that the Aleutian Chain is a section of the unorganized borough which will need this sort of assistance in the near future to

complete the coastal management program.

Like offshore oil development, the bottomfish industry promises to bring significant impact to coastal communities. The industry, to be profitable relies on high volumes of low value product. It is a year-round operation and its highly industrialized. In primary processing or filleting, only one-third of the product is recovered, leaving substantial waste to be either disposed of or reduced.

District coastal programs should plan for the siting of these plants and large vessel mooring facilities. Unfortunately, some areas are not yet organized into coastal resource service areas and while the need is great for coastal management, the appropriate organization does not exist.

Tenatively, this work element will be technical background research in the Aleutian Islands. Since this work element will precede on organization election, the aim is to focus on the bottomfish development issue, and at the same time to build a planning framework at the local level which will be quite compatible with future coastal management work. Program objectives are:

- * to assist in the formulation of State and local management policies regarding the accommodation of the bottomfish industry;
- * to inform communities about the nature of bottomfisheries development and the likelihood of development at specific locales;
- * to assist in evaluating potential development opportunities and impacts; and
- * to develop strategies and provide technical assistance for local projects including capital improvement programs and coastal management.

Products and Schedule

As stated earlier, further details and the direction of this project are dependent on the results of Subtask E-4a, but it is presumed that a study will be conducted in the latter half of the year and a written report will be available at the end of the year.

Contracts and Costs of Task E4: Fisheries Planning Element

		<u>Federal Share</u>	<u>Match</u>	<u>Total</u>
OCM	9 mm	\$ 26,460	\$ 6,615	\$ 33,075
DFG	29mm	58,732	14,383	73,115
Contractor	25mm	56,000	14,000	70,000
		<u>\$141,192</u>	<u>\$34,998</u>	<u>\$176,190</u>

Task E5: Land and Water Use Guide/Matrix

At the request of the Coastal Policy Council, DFG and DNR were responsible for jointly producing a document, in draft form, the purpose of which was to enhance the use of, and implementation of, the guidelines and standards. Initially, the document is not to be adopted in regulatory form, although that may happen at some future date. Rather, the matrix is to be published as an aid to ACMP participants and represent the best professional and technical advice that was obtainable at the time of the project. The document will be useful in considering coastal land and water use regulations as they presently stand, and land and water use requirements, resource allocations and requests for development.

As stated earlier, the document was completed in draft form in April 1979. At that time, the OCM took over the responsibility for final editing and reproduction. Due to the length and amount of material, OCM decided that the document should be printed in two volumes. The first volume will be completed during the 4th year of 305; the second volume will be published during the first six months of the first year 306 program. Volume one contains existing federal and state statutes and regulations organized in a fashion understandable and useful to all coastal decision-makers. Volume two will contain recommendations of federal and state agencies for how various land and water uses should be managed - keeping in mind the statutes and regulations outlined in volume one.

It should be noted that all of the background work for both volumes was completed during the 4th year 305 program, but there was not adequate time to complete both volumes in draft form, to seek consensus among the agencies on the material of nonregulatory nature in volume two, and to complete both volumes in final form. The work to be completed by OCM during first 306 funding on this task will be primarily of a coordinating, rewriting and editing nature. OCM will circulate the materials for volume two in draft form among all federal and state agencies participating in the ACMP, rewrite and edit volume two on the basis of meetings with the agencies, and publish volume two in final form.

Products and Schedule

Volume two of Land & Water Use Guide to be completed mid-year.

Contracts and Costs of Task E5: Land and Water Use Guide/Matrix

		<u>Federal Share</u>	<u>Match</u>	<u>Total</u>
OCM	9 mm	\$ 26,460	\$ 6,615	\$ 33,075

Task E6: Energy Facility Siting

OCM proposes to fund a state agency to undertake preliminary siting work this year with the hope that additional funding will be available next year to expand the proposed effort. There are three areas that OCM feels should be covered in as comprehensive a fashion as the limited amount of funding available will allow. These areas are Cook Inlet, Beaufort Sea, and Norton Basin. Each are on the lease sale schedule in the next two years. Each region is at a different state of development in siting work and will require a different type and amount of assistance from the ACMP. The Cook Inlet and North Slope Borough are both further along in their work than the regions surrounding Norton Basin which has virtually no planning work proceeding at either a state or local level.

The Cook Inlet is presently eligible for and is using CEIP funds for certain projects. They are doing some preliminary siting work on a local level. In addition, the BLM Socioeconomic Program is collecting baseline data. The Cook Inlet area is sufficiently far along that OCM and DCRA feel that it would be inappropriate to begin any large scale effort. However, OCM does propose to put a small amount of staff time into summarizing the already existing data into an energy facility siting report to assist both the district and the state to meet the requirements of the ACMP regulations.

The North Slope Borough is developing its district coastal management program and is doing some independent research. However, OCM feels that the state has a responsibility, according to the amended regulations, to do site identification in cooperation with the borough. OCM proposes to augment the ongoing efforts of the borough. The contractor would work cooperatively with the Borough to put out an interim report on the siting situation in the Beaufort Sea. The report would include a summation of the differences between that area and other parts of the state where development is eminent; the difficulties of offshore development in the Beaufort Sea Area; possibly recommended amendments to the ACMP siting regulations; and identification of possible exploration sites. It should be noted that the energy facility siting regulations have not actually been in effect very long and it is inevitable that whichever area is first to make site identifications will be able to point unworkable portions of the new regulations. This interim siting report should be completed by January 1980 in order to coincide with lease sale activities in that area.

In western Alaska, the Norton Basin sale is scheduled for less than three years from now (1982). Very little is known about this region, the preferred offshore technology, or the onshore requirements. OCM feels it is important to put a large amount of background effort into this area before site identification can begin, because of the lack of information at the present time. To begin, OCM proposes that interviews take place with the industry, scientists, local people concerning development, their thoughts and desires for the area. Since there has not been an organization in that region and Nome has not begun its plan, the contractor will do much of the work independently of the region at least until such time as districts are formed. The second phase of this effort will be identification of exploration sites for this region. This report should be completed by June 1980.

OCM recognizes that these energy facility siting efforts are preliminary to more work to come. Energy facility siting is important to the success of the ACMP and will continue to be a special study element for the next few years. During 2nd year of the work program, OCM feels that additional work may need to be done in each of the three regions described. In addition, lease sales are presently scheduled for Bristol Bay, Chukchi, Navarin Basin and St. George Basin and probably the ACMP will be involved in siting projects in these areas.

Products and Schedule

Summation of sites in Cook Inlet Report	January 1980
Report on Beaufort Sea Exploration Sites	January 1980
Report on Norton Sound Exploration Sites	June 1980

Contracts and Costs of Task E6: Energy Facility Siting

		<u>Federal Share</u>	<u>Match</u>	<u>Total</u>
OCM	24 mm	\$ 60,000	\$ 15,000	\$ 75,000

Task E7: Shoreline Access

The federal Coastal Management Act of 1972, as amended, specifically calls for states to develop a planning and management process to address the public access and public use of coastal areas. Under contract by OCM, the DNR compiled a report on the question of public access to the coast. The report discusses current Alaska issues that affect shoreline use and access; the importance of assuring access to certain areas; and the need for additional coordinated planning and management activities to evaluate and manage areas that are critical for public access. The report is currently available through AEIDC and is also printed in the Final Environmental Impact Statement for the ACMP. OCM feels that the report will be useful in giving guidance to communities concerned about the issue of shoreline access in their district coastal management program.

In addition to the report and in response to concerns about shoreline access, the Coastal Policy Council has added a new regulation requiring high priority for access facilities and means in district and state agency coastal management efforts.

For the purposes of the first year of 306 funding, OCM has defined shoreline access needs as part of recreation resource planning. It is expected that DNR will assist districts in identification of sites for shoreline access as part of the agency's technical assistance efforts for districts.

It is possible that during the second year of the work program, state agencies and local governments will receive specific funding for identification of additional sites where shoreline access is necessary; however, due to other priorities for the first year of 306, it should be a part of DNR's technical assistance efforts.

Contracts and Costs of Task E7: Shoreline Access

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Task E8: Erosion Planning Element

The federal Coastal Management Act of 1972 as amended, specifically calls for states to develop a general planning process for identifying erosion hazards. Under the 4th year 305 grant, OCM contracted with DNR to develop a preliminary report on erosion, identifying erosion hazards in Alaska. The report delineates Alaska's erosion problem, defines terminology, recommends means to manage state coastal areas to minimize erosion from man-made influence, and sets forth the means currently available. It is currently available on request to interested parties (also as appendix in FEIS) and will be useful to districts in writing their local programs.)

Alaska's erosion problems are complex, many and not easily solved. The complex coast of Alaska includes almost every type of coastal system found in the lower 48 states. Consequently the nature and effects of erosion are almost as varied. Geologic study of Alaska's coastline indicates that shoreline susceptibility to beach erosion increases with geographic latitude. Approximately 330 miles of coastline can be classified as developed. Critical erosion may be occurring in as much as one-third of that, while much of the remainder may be subjected to hazards in varying degrees. At least 40 Alaskan communities are faced with critical erosion problems. The developments most frequently subjected to erosion are personal homes which may vary from dwellings in the villages to expensive homes in Anchorage. Perhaps the most critical and complex problem faces the Native villages which for thousands of years shifted with the land. However, in recent times, many villages have become implanted, and now are threatened with being washed into the sea. The solution to this problem must involve sociological adjustments as well as land use management.

Unwise development can be attributed to the public's ignorance of the risks or a conscious taking of the risks where the benefit to be gained is perceived to outweigh the harm to be done. Development in these areas has not only exposed structures to danger, but in some cases may have accelerated the danger. Protective structures have been tried in other parts of the country and usually have been found to be expensive short term programs which may exacerbate the hazard in other areas. Consequently, consideration is being given in Alaska to emphasizing non-structural programs which regulate and set conditions for development in hazardous areas and shift the burden of risk from the public to private owners in the area. A high degree of cooperation among federal, state and local bodies will be required to ensure optimal use of the remaining undeveloped areas and manage developed areas so as to minimize risk of loss of life or property.

The ACMP recognizes the severity of erosion problems in Alaska and the need for further work in the area. Due to shortage of funding in the special studies' category, and other priorities. OCM has decided to postpone further work on this element at the present time. On further

study of the issue of erosion, OCM has determined that erosion problems on a surprisingly large percentage of the coast have been staked at least cursorty. A preliminary decision has been made that if funding is available in 2nd year 306, OCM will fund erosion studies on those specific areas of the coast which have not yet been studied at all. This would in essence provide direct assistance to the districts in those areas.

In conclusion, it should be stated that OCM feels that the preliminary overview study funded by the ACMP and the composite of materials identified by DNR as being presently available will adequately meet the needs of the ACMP and participating districts. It should also be noted that districts will be able to contact DNR for technical assistance on the subject of erosion.

Contracts and Costs of Task E8: Erosion Planning

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Task E9: Computerized Information System

In summer 1978, a cooperative agreement was signed by the Secretaries of Interior and Agriculture, State of Alaska, and Alaska Federation of Natives to establish the Alaska Land Managers Cooperative Task Force. One task force component is the Committee on Natural Resources Information Management (CONRIM), chaired by John Morrison, U.S. Fish and Wildlife Service. At the present time, Lloyd Eggan of DNR is coordinating a user needs survey of federal and state agencies for CONRIM. The survey should list the types of data and information required to carry out agency responsibilities required by law. Once completed, the survey should identify common data needs as well as data gaps. The survey can be used to determine the applicability of new technologies such as remote sensing. CONRIM anticipates that the survey will lead to an effort to inventory the location of and summarize the content of different data files. Although the data files would remain with the individual agencies, the location and summary could be computerized.

Legislation is pending which would require state agencies to designate a staff liaison to notify the state library of the creation of all data published or compiled by or for it at public expense, to prepare an abstract describing it, and to provide for its accessibility. The state library would maintain an index to all data abstracts on file by employing computerization where practicable.

During the first year of the grant, OCM will evaluate the level of computerization necessary and will develop a specific planning element for the second year.

OCM feels that it is necessary for the ACMP to support this effort at coordination of information and research available in the state. OCM recognizes that it is extremely difficult at the present time for any district, state agency or federal agency to ensure that it has seen all material available on a particular subject before drafting coastal policy and plans. However, OCM feels that the ongoing efforts have not progressed sufficiently to warrant ACMP funding.

Contracts and Costs of Task E9: Computerized Information

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2nd Year 306

1st Year 306

Schedule of Activities for 2 Year 306 Work Program for ACMP

July 1981

April

January

October

July 1980

April

January

October

July 1979

Task
Number

Name

1st
Qtr.2nd
Qtr.3rd
Qtr.4th
Qtr.1st
Qtr.2nd
Qtr.3rd
Qtr.4th
Qtr.OBJECTIVE A ADMINISTRATION &
MANAGEMENT

Task A-1 Grant Administration

Task A-2 Coordination and
Consistency

Sub-Task a: Council Support

Sub-Task b: Working Group

Sub-Task c: Federal Consistency
Review

Task A-3 Public Involvement

Sub-Task a: Notification of
District Program
Start-up

Sub-Task b: Public Information

2nd year 306 begins 1/80

10 Council meetings scheduled during year

Monthly meetings of working group

Scopes of Service distributed throughout year as districts begin work

bi-monthly newsletter

		1st Year 306				2nd Year 306				
		July 1979	October	January	April	July 1980	October	January	April	July 1981
Task Number	Name	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	
Task A-4	Regional Planning Considerations in ACMP	Master file operative 10/79				=	=	=	=	
Task A-5	AMSA Designation and Coordination					-	-	-	-	
Task A-6	Review and approval of district programs	8 districts in for review in fall 79				9 districts projected for summer 80				
Task A-7	1st Year 306 Review	Site visit 4/80								
OBJECTIVE B STATE AGENCY IMPLEMENTATION										
Task B-1	Coordination with ACMP by State Agencies	Quarterly reports from agencies				=	=	=	=	
Task B-2	State Agency Implementation	Manuals (DFG, DNR, DOT) 10/79 Report DCED 5/80				-	-	-	-	
Task B-3	Federal and Major State Activity Review through Clearinghouse	Quarterly reports to Council				=	=	=	=	

		1st Year 306				2nd Year 306				
		July 1979	October	January	April	July 1980	October	January	April	July 1981
Task Number	Name	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	
OBJECTIVE C TECHNICAL ASSISTANCE FROM THE STATE										
Task C-1	Assistance from CRA	Quarterly reports to OCM				-----				
Task C-2	Assistance from State Agencies	Quarterly reports to OCM				-----				
Task C-3	Information Distribution (AEIDC)	Master bibliography 11/79				-----				
		Quarterly reports to OCM				-----				
OBJECTIVE D FINANCIAL ASSISTANCE TO DISTRICTS										
Task D-1	Grants to District Planning Programs									
Sub-Task D-1a:	New District Programs					-----				
Sub-Task D-1b:	Continuing District Programs					-----				
Sub-Task D-1c:	District Programs needing Revisions					-----				

		1st Year 306				2nd Year 306				
		July 1979	October	January	April	July 1980	October	January	April	July 1981
Task Number	Name	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	1st Qtr.	2nd Qtr.	3rd Qtr.	4th Qtr.	
Task D-2	Implementation of District Programs	8 programs in for approval summer 79								
Task D-3	Special Assistance									
Sub-Task D-3a:	Direct Assist to Un-organized Borough									
Sub-Task D-3b:	Rural Coordination & Assistance Program									
OBJECTIVE E SPECIAL STUDIES										
Task E-1	Wetlands Study									
Task E-2	Unorganized Borough Management Alternatives	Recommendations to Council 1/80 Final report to OCM 6/80								
Task E-3	Permit Information and Simplification	Initial report (DPDP) with recommendations to Legislature 1/80								
Task E-4	Fisheries Planning	CFAP Paper 1/80 - New project 1/80 Sitka project completed 5/80								

GRANT APPLICATION SUMMARY

Task Number	Name	Responsible Agency	Estimated Person months	Federal Share	Matching Share	Total Estimated Cost
OBJECTIVE A ADMINISTRATION & MANAGEMENT						
Task A-1	Grant Administration	OCM	41mm	120,540	30,135	150,675
Task A-2	Coordination and Consistency	OCM	42mm	123,480	30,870	154,350
Task A-3	Public Involvement	OCM	19mm	55,860	13,965	69,825
Task A-4	Regional Planning Considerations in ACMP	OCM	11mm	32,340	8,085	40,425
Task A-5	AMSA Designation and Coordination	OCM	3mm	8,820	2,205	11,025
Task A-6	Program Review and Approval	OCM	34mm	99,960	24,990	124,950
Task A-7	1st Year 306 Review	OCM	4mm	11,820	2,955	14,775
TOTAL COST OF OBJECTIVE A				\$452,820	113,205	566,025

GRANT APPLICATION SUMMARY

Task Number	Name	Responsible Agency	Estimated Person months	Federal Share	Matching Share	Total Estimated Cost
OBJECTIVE B STATE AGENCY IMPLEMENTATION						
Task B-1	Coordination with ACMP	DCED	2.5mm	9,220	915	
		DCRA	12mm	32,000	8,000	
		DEC	6mm	28,942	---	
		DFG	16mm	39,616	10,977	
		DNR	25.1mm	53,000	83,100	
		DOT/PF	9.25mm	36,160	9,040	
		Subtotal		\$198,938	\$112,032	\$310,970
Task B-2	State Agency Implementation	DCED	4.5mm	18,630	5,115	
		DEC	46.5mm	104,418	20,740	
		DFG	20mm	72,221	19,563	
		DNR	43.25mm	134,800	---	
		DOT/PF	13.75mm	52,000	13,000	
		Subtotal		\$382,069	\$58,418	\$440,487
Task B-3	Federal and Major State Activity Review through Clearinghouse	DPDP	48 mm	80,000	20,000	\$100,000
Total Costs of Objective B				\$661,007	\$190,450	\$851,457
OBJECTIVE C TECHNICAL ASSISTANCE FROM THE STATE						
Task C-1	Assistance from CRA	DCRA	73mm	205,200	51,300	\$256,500
Task C-2	Assistance from State Agencies	DCED	9.5mm	47,150	13,220	
		DEC	12mm	42,868	---	
		DFG	59.5mm	113,549	29,545	
		DNR	45.75mm	144,700	---	
		DOT/PF	7mm	27,840	6,960	
		Subtotal		\$376,107	\$49,725	\$425,832

GRANT APPLICATION SUMMARY

Task Number	Name	Responsible Agency	Estimated Person months	Federal Share	Matching Share	Total Estimated Cost
Task C-3	Information Distribution (AEIDC)	AEIDC	20mm	80,000	20,000	100,000
Total Cost of Objective C				\$661,307	\$121,025	\$782,332
OBJECTIVE D FINANCIAL ASSISTANCE TO DISTRICTS						
Task D-1	District Planning Grants	Local Gov.		1,680,000	420,000	2,100,000
Task D-2	District Implementation Grants	Local Gov.		320,000	80,000	400,000
Task D-3	Special Assistance to Districts	Contractors		248,854	62,213	\$311,067
TOTAL COST OF OBJECTIVE D				\$2,248,854	\$562,213	\$2,811,067

GRANT APPLICATION SUMMARY

Task Number	Name	Responsible Agency	Estimated Person months	Federal Share	Matching Share	Total Estimated Cost
OBJECTIVE E SPECIAL STUDIES						
Task E-1	Wetlands Study	OCM	15mm	44,100	11,025	55,125
Task E-2	Unorganized Borough Management Alternatives	DCRA	16mm	77,200	19,300	96,500
Task E-3	Permit Information and Simplification	DPDP DEC Subtotal	36mm	60,000 67,060 \$127,060	15,000 40,632 \$55,632	\$182,692
Task E-4	Fisheries Planning	OCM DFG Contractor Subtotal	9mm 29mm	26,460 58,732 56,000 \$141,192	6,615 14,383 14,000 \$ 34,998	\$176,190
Task E-5	Completion of Matrix	OCM	9mm	26,460	6,615	33,075
Task E-6	Energy Facility Siting	Contractor	24mm	60,000	15,000	75,000
Task E-7	Shoreline Access					
Task E-8	Erosion					
Task E-9	Computerized Information					
Subtotal of Objective E				\$476,012	\$142,570	\$618,582

COSTS OF OBJECTIVES OF ACMP 1ST YEAR 306 WORK PROGRAM

<u>OBJECTIVES</u>	<u>FEDERAL SHARE</u>	<u>MATCH</u>	<u>TOTAL</u>
A - Administration and Management	\$ 452,820	\$ 113,205	\$ 566,025
B - State Agency Implementation	661,007	190,450	851,457
C - Technical Assistance from the State	661,307	121,025	782,332
D - Financial Assistance to Districts	2,248,854	562,213	2,811,067
E - Special Elements	<u>476,012</u>	<u>142,570</u>	<u>618,582</u>
	\$4,500,000	\$1,129,463	\$5,629,463

BUDGET INFORMATION

A. Office of Coastal Management

1. Personnel Salaries

Program Coordinator	(12 mo.)	\$49,000
Deputy Coordinator	(12 mo.)	37,000
Planning Supervisor	(12 mo.)	40,000
Senior Planner	(12 mo.)	34,500
Associate Planner	(12 mo.)	31,000
Research Analyst II	(12 mo.)	28,500
Research Analyst II	(12 mo.)	28,500
Research Analyst I	(24 mo.)	24,000
Administrative Asst. III	(12 mo.)	28,500
Administrative Asst. I	(12 mo.)	22,600
Clerk Typist III	(12 mo.)	18,000
Clerk Typist III	(12 mo.)	18,000
Clerk Typist III	(12 mo.)	18,000

Temporary

Research Analyst II	(7 mo.)	16,700
Research Analyst II	(7 mo.)	16,700
Research Analyst II	(12 mo.)	28,500
Clerical Aide	(6 mo.)	3,000

TOTAL Personnel Cost	\$442,500	\$442,500
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2. Travel

OCM		
5 trips to Washington D.C. @ \$575	2900	
15 trips to Seattle @ 210	3150	
Per diem out of state	4800	
100 trips in Alaska @ 265	26500	
Per diem in state	28250	

Council travel		
9 Council Members X 13 trips X \$265	31005	
Per diem for above	17695	

TOTAL Travel Costs	\$114,300	\$114,300
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3. Equipment

3 Mag Cards	10,000
Secretarial Desk w/chair	600
Executive Desk w/chair	600
Recording Equipment	1,500

TOTAL Equipment Cost	12,700	\$ 12,700
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4. Supplies

Stationary	1,800
Miscellaneous	1,200
Subscriptions	700
Books	<u>800</u>

<u>TOTAL Supplies Cost</u>	<u>\$4,500</u>	<u>\$4,500</u>
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5. Other

Office Rent	26,400
Copying Maching	5,500
Telephone & Postage	15,200
Printing & Advertising	61,700
Meeting Rental Space	<u>4,500</u>

<u>TOTAL Other Cost</u>	<u>\$113,300</u>	<u>\$113,300</u>
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<u>TOTAL OCM BUDGET</u>	<u>\$687,300</u>	<u>\$687,300</u>
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B. State Agency Contracts

1. Department of Community and Regional Affairs

a)	Task B-1 Coordination with ACMP	\$ 40,000
b)	Task C-1 Technical Assistance from DCRA to districts	256,500
c)	Task E-2 Unorganized Borough Management Alternatives	96,500
		<u>\$393,000</u>

2. Department of Commerce and Economic Development

a)	Task B-1 Coordination with ACMP	\$ 10,135
b)	Task B-2 State agency implementation	23,745
c)	Task C-2 Technical Assistance to district	60,370
		<u>\$ 94,250</u>

3. Department of Environmental Conservation

a)	Task B-1 Coordination with ACMP	\$ 28,942
b)	Task B-2 State Agency Implementation	125,158
c)	Task C-2 Technical Assistance to District	42,868
d)	Task E-1 Permit Information	107,692
		<u>\$304,660</u>

4. Department of Fish and Game

a)	Task B-1 Coordination with ACMP	\$ 50,593
b)	Task B-2 State Agency Implementation	91,784
c)	Task C-2 Technical Assistance to District	143,094
d)	Task E-4 Fisheries Planning Assistance for Sitka	73,115
		<u>\$358,586</u>

5. Department of Natural Resources

a)	Task B-1 Coordination with ACMP	\$136,100
b)	Task B-2 State Agency Implementation	134,800
c)	Task C-2 Technical Assistance to Districts	144,700
		<u>\$415,600</u>

6. Department of Transportation and Public Facilities

a)	Task B-1 Coordination with ACMP	\$ 45,200
b)	Task B-2 State Agency Implementation	65,000
c)	Task C-2 Technical Assistance to Districts	34,800
		<u>\$145,000</u>

7. Division of Policy Development and Planning

a)	B-3 Clearinghouse Consistency Review	\$100,000
b)	Permit Simplification	75,000
		<u>\$175,000</u>

8. Arctic Environmental Information Data Center

a)	Task C-3 Information Distribution	\$100,000
		<u>\$100,000</u>

9. Contracts to be Let to State Agency As Yet Undetermined

a)	Task E-4 Fisheries Assistance work, scope to be decided on basis of CFAP paper	\$ 70,000
b)	Task E-6 Energy facility work to be completed by a state agency	75,000
		<u>\$145,000</u>

<u>TOTAL State Agency Contracts</u>	<u>\$2,131,096</u>	<u>\$2,131,096</u>
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C. District Contracts

a)	Task D-1 District Planning Grants	\$2,100,000
b)	Task D-2 District Implementation Grants	400,000

<u>TOTAL District Contracts</u>	<u>\$2,500,000</u>	<u>\$2,500,000</u>
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D. Consultant Contracts

a)	Contracts to non-profit organizations for education regarding coastal management and district organization	\$150,000
b)	Consultant to work on rural assistance program	161,067

<u>TOTAL Consultant Contracts</u>	<u>\$311,067</u>	<u>\$ 311,067</u>
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<u>GRAND TOTAL</u>	<u>\$5,629,463</u>	<u>\$5,629,463</u>
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STATE MATCHING REQUIREMENT
ALASKA COASTAL MANAGEMENT PROGRAM
\$1,125,000

OFFICE OF COASTAL MANAGEMENT	\$ 200,000
DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS	\$ 78,600
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT	\$ 19,250
DEPARTMENT OF ENVIRONMENTAL CONSERVATION	\$ 61,372
DEPARTMENT OF FISH AND GAME	\$ 74,468
DEPARTMENT OF NATURAL RESOURCES	\$ 83,100
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	\$ 29,000
DIVISION OF POLICY DEVELOPMENT AND PLANNING	\$ 25,000
ARCTIC ENVIRONMENTAL INFORMATION DATA CENTER	\$ 20,000
LOCAL GOVERNMENTS	\$ 500,000
CONTRACTORS (state agencies not yet appointed and non-profit organizations)	\$ 38,673
	<u>\$1,129,463</u>

ALASKA SCHOOL MAP

[illegible]

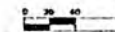
August 2, 1971

Received 12 May 2006
 Accepted 12 July 2006

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1998-1999

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NANA/KOTZEBUE

NORTON SOUND NOME

ACVP/BETHEL

PRIBILOF IS.

BRISTOL BAY
DILLINGHAM

PRINCE WILLIAM
SOUND

NORTHERN SOUTHEAST

ADAK ENTIAN CHAIN REA

ALUTIAN ISLAND/
ALASKA PENNINSULA

SOUTHERN SOUTHEAST

ANNETTE IS
INDIAN RE-
SERVE

Structures or mechanisms for local planning in the unorganized borough raise questions and have implications for the ACMP as well as every other state program in the unorganized borough. The state needs to carefully identify and analyze alternative approaches and structures for planning in the unorganized borough. The Legislature is sufficiently concerned about the problems of local government and the discrepancies between the organized and unorganized areas, that a special legislative committee has been organized to study alternatives for the provision of all services to all local areas (both organized and unorganized) during the next interim. The appropriate state agencies including DPDP, DCRA and DNR, Dept. of Education, and Dept. of Health & Social Services will be involved in making recommendations to this committee and assisting them in their study. In addition, the Coastal Policy Council has directed the OCM and DCRA to study the alternatives for coastal planning and in the unorganized borough. The DCRA has submitted a request to do the following study which will be used to assist both the legislative interim committee and the Coastal Policy Council in making recommendations to the Legislature next fall.

The issues which cause this item to be a priority for special study by the coastal management program are several. The new lease sale schedule, proposed bottomfish expansion, and suggested new port development all affect the unorganized borough which at the present time has no satisfactory regulatory management mechanisms by state or local governments.

If funded at the requested level, DCRA will fund one person for this project to study alternatives for planning in the unorganized borough. They will begin their effort by researching the issue thoroughly. Their research will include studying other states which have portions with sparse population and little local government, determining the legal parameters of local government versus state control; and completing necessary background work. After this work is completed, DCRA will work up summation of the alternatives which will be presented to various rural communities throughout the state for community input.

Workshops will be held in the regional centers (i.e. Kotzebue, Nome, Bethel, Dillingham, Unalaska,, Sand Point, Valdez, Cordova, Sitka, Ketchikan) or other locations which would afford good representation of residents in the unorganized borough. The workshops would be held in conjunction with other meetings as much as possible to reduce expenses. They would be designed to explore with residents of the unorganized borough alternative ways of managing coastal areas in the unorganized borough.

Each regional workshop would culminate in endorsement of a "position paper" by workshop participants and designation of one participant to attend a statewide meeting. Each position paper would summarize key coastal management issues, and recommendations to be considered by the

Administration, the Coastal Policy Council, and the Legislature. After all regional workshops have been conducted, a statewide meeting will be held, probably in Anchorage, and attended by delegates designated at the regional workshops. At the Statewide meeting, delegates would discuss position papers prepared at each regional workshop and prepare a consolidated set of recommendations to the Administration, the Coastal Policy Council, and the Legislature.

Products and Schedule

A transcript of workshop proceedings would be printed as part of this task. Recommendations would be available in January, if legislative action is required. A final report would be prepared in June, after the Legislature adjourns and would reflect legislative deliberations.

Contracts and Costs of Task E2: Unorganized Borough Management Alternatives

		<u>Federal Share</u>	<u>Match</u>	<u>Total</u>
DCRA	16 person months	\$ 77,200	\$ 19,300	\$96,500

SCOMM

10:48

UNIVERSITY OF ALASKA

MEMORANDUM

TO: Steve Reeve, P & C, ADL

FROM: Vic Fischer

SUBJECT: Zoning in Unorganized Borough

DATE: February 2, 1979

Under AS 38.05.037, ADL has a general grant of authority to exercise zoning powers within the unorganized borough. Until recently, this has not been a problem because the zoning power was never used. Enactment of the homesite program, however, has forced ADL into the zoning game. And the Coastal Management Act is potentially going to expand this involvement into horrendous proportions. Unless the Division of Lands is ready to get bogged down in a massive morass, it will be wise to initiate and support legislative action that would eliminate need for ADL exercise of this zoning power.

Homesite Program

Under the act establishing the homesite program in 1977, the legislature required that zoning cover lands under the homesite disposal program both in the unorganized boroughs and in organized boroughs that do not exercise zoning covering such lands.

ADL promulgated zoning regulations in July, 1978: AAC 53. Chapter 53 provides for administration, zoning changes, variances, conditional use permits, nonconforming uses, appeals, etc. A board of adjustment is established, composed of the commissioners of Natural Resources, Community & Regional Affairs, and Environmental Conservation, or their designated representatives.

Zoning districts are classified (Article 2) as general zoning, homesite entry, and open-to-entry. All state land not specifically included in geographically defined districts (Article 3) is in the general zoning district. Use provisions and limitations are set for homesite entry and open-to-entry districts. The general zoning district permits all use not otherwise prohibited by law or regulation.

As ADL is becoming engaged in widespread disposal of state lands, administration and enforcement of zoning for lands located all over the state could become an increasingly time consuming and frustrating entanglement for the state. (I'm sure it's not necessary to elucidate the horrendous problems and conflicts that could arise, whether or not ADL chooses to seriously follow up on its own regulations.)

UNIVERSITY OF ALASKA

Steve Reeve, P & C, ADL

Page Two

February 2, 1979

Coastal Management

The Coastal Management Act presents a potential burden of far vaster proportions than the land disposal program, for the latter requires zoning only for state owned lands.

Under the act, implementation of an approved district coastal management program is required on the part of the appropriate state agencies. Such implementation must be in accord with comprehensive use plans or statements of needs, policies, objectives, and standards adopted by the coastal districts. Where land-use controls are involved in the unorganized borough (and most of the coast falls outside of organized local government jurisdiction), zoning will have to be established and administered by the Division of Lands.

The scope of such coastal area zoning would obviously go far beyond the regulations so far established by ADL. Likewise, the administrative machinery would have to be extremely complex, and the entire program would become extremely expensive and burdensome, especially since each coastal area would likely have different objectives, different regulations, and different local enforcement needs.

Conclusions and Recommendations

Neither the Division of Lands nor the whole Department of Natural Resources derives any particular value from the exercise of zoning authority. ADL already has authority to establish use requirements and restrictions with respect to lands disposed of by the state, even though it would probably not want to carry permanent or long term responsibility for assuring that every lot or tract conforms to specified uses. Aside from the existing zoning authority, which was never examined from a policy-application standpoint by the legislature, ADL has no reason to concern itself with non-state lands.

If the state is deemed to have an overriding interest that requires it to exercise zoning authority in the unorganized borough, or at least within its coastal areas, neither ADL nor DNR appear to be the appropriate agency to manage the zoning program, with its strictly localized zoning, adjustment, appeals, and other aspects of continuing zoning administration. If the state is to engage in zoning, by far the most appropriate agency for the exercise of the functions is the Department of Community and Regional Affairs. (DCRA did not exist at the time ADL was granted zoning authority many years ago.)

In general, states have played only a minor role in the exercise of zoning authority beyond authorizing its use by local governments. The only exception is Hawaii, where general zoning classification is handled by the state, supplemented by local, i.e., county, regulations in urban and other development areas. Elsewhere, zoning has been applied as a local government police power.

UNIVERSITY OF ALASKA

Steve Reeve, P & C, ADL
Page Three
February 2, 1979

Except for the special authority given ADL, zoning in Alaska has traditionally been a power of cities and, more recently, of boroughs. Zoning would not have to be exercised by the state at all if provision were made for (1) reorganization of the unorganized borough into a series of organized boroughs with planning and zoning authority (and this could be done without forcing them to tax or even manage schools) or (2) delegating the planning and zoning power to service areas within the unorganized borough, much as was done by the legislature in the case of coastal management planning.

In view of all this, I would strongly urge the Division of Lands to do everything possible to divest itself of the existing zoning authority. I recommend that ADL and DNR take all of these three actions:

1. Obtain DCRA cooperation in resolving the zoning issue, including transfer of zoning authority to that department if it were continued to be vested in the state.
2. Obtain funds from the office of Coastal Management to examine the inter-land use control and zoning administration issue. This should be done well before the district program implementation phase is reached, so that appropriate policies and mechanisms can be established in sufficient time, especially if ameliorative legislation is found to be required. Such a study should probably be undertaken in cooperation with or through DCRA.
3. Obtain Governor's Office support for a legislative or a legislative/executive study directed toward establishment of organized boroughs or some other form of local area planning and management within the unorganized borough. A study along these lines is likely to be considered by the legislature this year.

If none of these approaches bear fruit and nothing else materializes, ADL will need to proceed on its own to figure out how otherwise to get out of this mess or, if all else fails, how to effectively manage the zoning of state lands and coastal areas.

VF:1a

cc: Mike Smith
Ted Smith
Tom Morehouse

TO: ☐ Distribution List

DATE: April 24, 1979

FILE NO:

TELEPHONE NO:

FROM: *Jan*
Frances A. Ulmer, Director
Division of Policy Development
and Planning
Office of the Governor

SUBJECT: Tanana Chiefs Conference -
Regional Planning
Commission Proposal

I would like to share with you the results of the April 19 meeting when the Tanana Chiefs proposal to create regional and subregional planning commissions was discussed (see my memo of April 11, 1979, attached). The group which met agreed on the following points: 1) the Administration is supportive of the effort, but until certain major questions are answered (for instance the procedural mechanism for delegation of local authority, the relationship of TCC's proposed regional plans to on-going planning efforts) we will not recommend that the Governor appoint the advisory planning commissions; 2) the issue of planning in the TCC region is part of the larger question of local government authorities in unorganized areas which the state should address as a whole rather than reacting to each proposal as it comes in, and 3) since these types of problems and initiatives are increasing, it is evident that the state must look at the problem and its implications seriously and promptly, in that it affects all agency activities not only in the TCC region but throughout the state.

In order to understand better just what the problems are in the TCC region in particular, I have asked Larry Kimball and Bob Jenks, the State's Municipal Lands Trustee, to meet with us to discuss the current situation. I expect that at this meeting we will determine what direction the state should take on this issue, so I hope that you can be there. The meeting will be at 1:30 p.m., Wednesday, May 2, at the Court Building in room 320. Thank you.

Attachments

Distribution List:

Commissioner Bob LeResche
Commissioner Bob Ward
Commissioner Chuck Webber
Commissioner Lee McAnerney
Commissioner Ron Skoog
Commissioner Ernie Mueller
Commissioner Marshall Lind
Senator Arliss Sturgulewski
Representative Bill *Miles Parker*
Rod Pegues
Jessie Dodson



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

December 5, 1979

Mr. Mike Walleri
Village Government Specialist
Tanana Chiefs Conference, Inc.
Doyon Building
First and Hall Streets
Fairbanks, AK 99701

Dear Mr. Walleri:

Earlier this year, the Tanana Chiefs Conference, Inc., organized sub-regional planning commissions for the purpose of "providing comprehensive area-wide planning for their respective regions." Subsequently, Tanana Chiefs proposed on behalf of the commissions that I designate them as "regional coordinating and advisory planning groups" under AS 44.19.880(c). The stated purpose for such designation was "to provide a connection between the activities of the commission and the preparation and maintenance of the State Comprehensive Development Plan by the Division of Policy Development and Planning." In a later letter from Tanana Chiefs, the coordinating role was emphasized: "...allow the commissions to directly coordinate their activities with other state agencies." The letter went on to say: "The Division (of Policy Development and Planning) shall seek the advice of the commissions and coordinate the activities of the other State agencies with the commissions."

At the present time there is growing realization in many quarters that there is a need for greater planning and coordination in the unorganized borough. There are a number of ongoing efforts to examine this complex problem, including those of the Joint Senate-House Community and Regional Affairs Committee and the Department of Community and Regional Affairs. In addition to your project, there have also been other local or regional initiatives. The ultimate goal is greater local self-determination, which necessitates the local (or regional) assumption of greater authority over and responsibility for local and regional affairs. I fully support this goal. It is the most appropriate means of achieving this which is being considered in all these efforts, and this is the critical issue which concerns me.

December 5, 1979

The most direct and effective means of achieving maximum local control is by incorporation as provided for in the Alaska Constitution and in the Alaska statutes. In my view, this is the most desirable method. However, this is a large step for communities which have had little experience with formalized local government and which have maintained strong traditional ties, and it may be that some variation on present alternatives is appropriate. The studies mentioned above are investigating this question.

While I am in full support of efforts to enhance local control, the means chosen must be legal, they must be practicable and they must tie the advantages of increased authority to the assumption of increased responsibility. Designation of the commissions under AS 44.19.880(c) is not a step in this direction. Your immediate objective is clearly to obtain the authority to do planning. This authority can only be delegated by the legislature, either through direct legislative means or perhaps through the legislature sitting as the assembly for the unorganized borough.

Absent legislative authorization, the subregional commissions do not have legal authority to do planning. For this reason, administrative designation by me under AS 44.19.880(c) will not only fail to achieve the desired objective, it will also raise false expectations and add to the confusion you are trying to lessen. Under present laws and regulations, the Tanana Chiefs Conference, cities, villages, groups and individuals have the right to advise State agencies and foster coordination. Designation of the commissions will not increase or enhance this right, but may lead the people in the region to believe that the plans have some legal basis, thus implying that State and federal actions should be consistent with them. This misconception could serve to delay the assumption of legal planning authority, and could lead to further dissension and lack of coordination in the region. I would much rather seek and support an appropriate statewide solution to this problem than to hastily agree to a "half-way" step which could actually turn out to be a disincentive.

Disregarding the lack of legal planning authority for a moment, there are some specific problems with the proposal, of which I am sure you are aware. Among them are the following.

Assuming that the commissions constitute a public office, the use of racial criteria in the election of members is unconstitutional. In addition, it appears that a good proportion of the project's funding was monies authorized for Indian programs, raising further questions about equal representation.

A related concern is the claimed support throughout the region for the establishment and operation of these commissions. As you will recall, in a letter dated May 4, 1979, I requested documentation of this support

December 5, 1979

in the form of copies of the city and village resolutions which we were told you had. I have received only ten such resolutions.

It is not clear how the commissions would relate to existing local governments, or how their activities would relate to existing or future municipal plans. Nor is it apparent how their "coordinating and advisory" roles would be carried out vis-a-vis the Division of Policy Development and Planning and other State agencies.

In order to pursue the establishment of regional planning commissions in the unorganized borough, considerable thought must be given to whether the commissions should constitute service areas, in which case their functions would be local functions over which the governor would ordinarily have no control, or whether they should be instrumentalities of the state. In the latter case, the governor would necessarily have control over their appointment and tenure, in accordance with DeArmond v. Alaska State Development Corporation, 376 P. 2d 717 (Alaska, 1962) and Walker v. Alaska State Mortgage Association, 416 P. 2d 245 (Alaska, 1966). As they stand, the commissions' bylaws are probably not proper for either State or local instrumentalities.

In sum, I do not feel that my designation of the commissions would constitute a positive step towards better coordination of governmental activities in the unorganized borough, or towards greater local control of the future of the unorganized areas of the State. I do, however, fully support these goals and would support an appropriate legislative solution aimed toward these ends. Such a solution would have to constitute a long term incentive to organization, not just create additional jurisdictions and the fracturing of authorities, nor can it offer State assumption of responsibility (fiscal and otherwise) indefinitely while communities and regions continue to accumulate authority.

We are certainly willing to consider carefully any legislative initiatives the Tanana Chiefs Conference might propose which would move us in this direction. In the meantime, I look forward to the results of the ongoing studies and to a cooperative effort between the legislature, my administration and local and regional interests to achieve our common goals.

Sincerely yours,

Jay S. Hammond
Governor

cc: Lieutenant Governor Terry Miller
Senator Arliss Sturgulewski, Joint Senate-House Community &
Regional Affairs Committee
Representative Bill Parker, Joint Senate-House Community &
Regional Affairs Committee

bcc: Bob LeResche, Commissioner, Department of Natural Resources
Marshall Lind, Commissioner, Department of Education
Lee McAnerney, Commissioner, Department of Community &
Regional Affairs
Ernst W. Mueller, Commissioner, Department of Environmental
Conservation
Ron Skoog, Commissioner, Department of Fish & Game
Bob Ward, Commissioner, Department of Transportation &
Public Facilities
Charles Webber, Commissioner, Department of Commerce &
Economic Development
Avrum M. Gross, Attorney General
Jerry Reinwand, Executive Assistant to the Governor
Don Argetsinger, Administrative Assistant
Jessie Dodson, Special Assistant to the Governor
Jerry Madden, State-Federal Coordinator, State Clearinghouse
Murray Walsh, Coordinator, Office of Coastal Management

JSH/SR/gs

file: Regional Planning-Tanana Chiefs Proposal

CITY OF SKAGWAY

GATEWAY TO THE GOLD RUSH OF '98"
P. O. BOX 415 SKAGWAY, ALASKA 99840

April 17, 1980

Joint Senate and House
Community & Regional Affairs Committee
Pouch U State Capital
Juneau, Alaska 99811

Dear Co-Chairmen Sturgulewski and Parker:

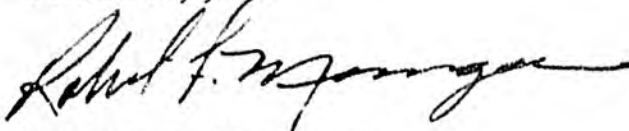
The purpose here is to request your consideration of initiation of legislation to amend Title 29 - specifically Section 29.48.260 Municipal Properties. Paragraph (c) of this section specifies ". . . However, no ordinance for the sale, lease or disposition of real property or interest in real property valued at \$25,000.00 or more is valid unless ratified by a majority of the qualified voters voting at a regular or special election at which the question of the ratification of the ordinance is submitted . . . " Rationale for the proposed amendment follows:

- 1) In the light of the ongoing inflationary trend in land values, the requirement for voter ratification of ordinances for disposition of land valued above \$25,000.00 is considered to be unrealistic.
- 2) The outcome of the State's current Municipal Land Selection Program will be that many cities will initiate programs to make land available to private interests. Adherence to the election/ratification process will serve both to delay and add to the costs of the municipality's land disposal programs.
- 3) The ratification requirement is discriminatory in that it applies only to general law cities - i.e. home rule municipalities are exempt.

Accordingly, the City of Skagway respectfully requests that Section 29.48.260 (c) be amended to raise the value limitation above which disposition requires an election and voter ratification, e.g. to \$100,000 or \$150,000.

The City of Skagway would be most grateful for your consideration in this matter.

Sincerely,



Robert F. Messegue
Mayor

cc: Senator Ray
Representative Miller

Representative Duncan
Commissioner McAnerney



Official Business

Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Rep. Carney
Branson
O'Connell
Metcalf
Parr
Zharoff

FROM: Rep. Bill Parker, Chairman

RE: Tanana Chiefs Meeting

DATE: April 12, 1979

There will be a special joint meeting of the House and Senate C&RA Committees on Tuesday, April 17 at 1:30 P.M. in the Butrovich Room of the Capital Bldg.

At this time, Ray Kent, Planning and Development Specialist for Tanana Chiefs Conference and Chris Anderson, Director of Community Resources of the Tanana Chiefs, will present their proposal for the creation of regional coordinating and advisory planning groups. (See attached information)

In addition, Ralph Darbyshire, Contractor for the Yukon Flats Borough Study will present a status report on his project.

Please notify my staff if you will be unable to attend.

§ 44.19.800

STATE GOVERNMENT

§ 44.19.871

(2) hold hearings throughout the state to collect data related to its duties in § 797 of this chapter;

(3) solicit and obtain the services of other state departments and agencies in collecting and compiling data necessary to carry out its duties under § 797 of this chapter;

(4) seek the cooperation of and enter into agreements with other coastal states for the wise development and conservation of marine resources;

(5) receive and expend grants and appropriations from private and governmental sources for the purpose of carrying out its duties under § 797 of this chapter. (§ 2 ch 185 SLA 1972)

Article 10. Alaska Safety Council.

Section

800—850. [Repealed]

Secs. 44.19.800 — 44.19.850.

Repealed by § 20 ch 241 SLA 1976.

Editor's note. — The repealed article 4, ch. 141, SLA 1968; § 6, ch. 104, SLA 1971. derived from § 1, ch. 61, SLA 1965; §§ 1 —

Article 11. Alaska Planning and Research Division.

Section

870. Alaska division of policy development and planning
871. Director
875. Personnel

Section

877. Powers and duties of the director
880. Functions and duties of the division
881. Definitions
890. [Repealed]

Sec. 44.19.870. Alaska division of policy development and planning. There is in the Office of the Governor the Alaska division of policy development and planning. (§ 2 ch 103 SLA 1966; am § 11 ch 207 SLA 1975)

Effect of amendment. — The 1975 policy development and planning" for amendment substituted "Alaska division of "Alaska planning and research division."

Sec. 44.19.871. Director. The division of policy development and planning is administered by a director who is appointed by, and serves at the pleasure of, the governor. (§ 1 ch 219 SLA 1970; am § 12 ch 207 SLA 1975)

Effect of amendment. — The 1975 development and planning" for "planning amendment substituted "division of policy and research division."

Sec. 44.19.875. Personnel. The director shall employ such personnel as may be necessary to carry out the provisions of §§ 870 — 881 of this chapter. (§ 1 ch 219 SLA 1970)

Sec. 44.19.877. Powers and duties of the director. (a) The director shall

- (1) supervise and administer the activities of the division;
- (2) advise the governor on matters of comprehensive state planning;
- (3) make an annual report to the governor of the activities of the division.

(b) The director may

- (1) with the written concurrence of the governor, enter into contracts and subcontracts on behalf of the state to carry out the provisions of §§ 870 — 881 of this chapter;
- (2) act for the state in the initiation, investigation, evaluation of or participation in any program relative to the stated purpose of §§ 870 — 881 of this chapter which may involve more than one government or governmental unit;
- (3) on behalf of the state, accept and expend any gifts or grants made to the state with the approval of the governor where such gifts or grants were made for the purposes of furthering the objectives of the division. (§ 1 ch 219 SLA 1970)

Sec. 44.19.880. Functions and duties of the division. (a) The division shall

- (1) provide technical assistance to the governor and the legislature in identifying long range goals and objectives for the state and its political subdivisions;
- (2) prepare and maintain a state comprehensive development plan;
- (3) provide information and assistance to state agencies to aid in governmental coordination and unity in the preparation of agency plans and programs;
- (4) review planning within state government as may be necessary for receipt of federal, state or other funds;
- (5) Repealed by § 10 ch 200 SLA 1972, effective July 1, 1972.
- (6) participate with other countries, provinces, states or subdivisions thereof in international or interstate planning, and assist Alaska's local governments, governmental conferences and councils in planning and coordinating their activities;
- (7) Repealed by § 2 ch 60 SLA 1972.
- (8) encourage educational and research programs that further state planning and development, and provide administrative and technical services for them;
- (9) publish such statistical information or other documentary material as will further the provisions and intent of §§ 870 — 881 of this chapter;
- (10) assist the governor and the Department of Community and Regional Affairs in coordinating the activities of state agencies which

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§ 44.19.881

STATE GOVERNMENT

§ 44.19.890

have an impact on the solution of local and regional development problems;

(11) serve as a clearinghouse for information, data, and other materials which may be helpful or necessary to federal, state or local governmental agencies in discharging their respective responsibilities or in obtaining federal or state financial or technical assistance;

(12) review all proposals for the location of capital improvements by any state agency and advise and make recommendations concerning location of these capital improvements.

(b) The division shall, in carrying out its functions, consult with local, regional, state and federal officials, private groups and individuals, and with officials, of other countries, provinces and states, and may hold public hearings to obtain information for the purpose of carrying out the provisions of §§ 870 — 881 of this chapter.

(c) The governor may establish coordinating or advisory planning groups.

(d) The division shall

(1) coordinate its services and activities with those of other state departments and agencies to the fullest extent possible to avoid duplication;

(2) prepare an integrated annual report on the long-range development program of the state and submit it to the governor for incorporation into his report to the legislature;

(3) cooperate with the University of Alaska and other appropriate public and private institutions in research and investigations. (§ 2 ch 103 SLA 1966; am § 2 ch 219 SLA 1970; am § 2 ch 60 SLA 1972; am §§ 8, 10 ch 200 SLA 1972; am § 5 ch 207 SLA 1975)

Effect of amendments. — The first 1972 amendment repealed paragraph (7) in subsection (a).

The second 1972 amendment in paragraph (10) of subsection (a), substituted "Department of Community and Regional Affairs" for "Local Affairs

Agency," deleted "the activities of" following "state agencies," and substituted "problems" for "programs." The amendment also repealed paragraph (5) in subsection (a).

The 1975 amendment added subsection (d).

Sec. 44.19.881. Definitions. In §§ 870 — 881 of this chapter,

(1) "division" means the division of policy development and planning;

(2) "director" means the director of the division of policy development and planning. (§ 1 ch 219 SLA 1970; am § 13 ch 207 SLA 1975)

Effect of amendment. — The 1975 amendment substituted "division of policy development and planning" for "planning

and research division" at the end of paragraphs (1) and (2).

Sec. 44.19.890. Division may accept grants and other aid.

Repealed by § 3 ch 219 SLA 1970.

Tanana Chiefs Conference, Inc.

Doyon Building
First and Hall Streets
Fairbanks, Alaska 99701
Phone (907) 452-8251

March 21, 1979

Governor Jay S. Hammond
Pouch A
State Capitol Bldg.
Juneau, Alaska 99811

Dear Sir:

The following commissions hereby petition for recognition as regional coordinating and advisory planning groups for their respective regions pursuant to A.S. §44.19.880(c):

Upper Tanana Planning Commission
Flats Regional Planning Commission
Koyutan Planning Commission
Koyukon Central Regional Planning Commission
Bonasila Regional Planning Commission
Upper Kuskokwim Regional Planning Commission

Between February 19 and March 12 of this year, delegates sent by participating cities and villages organized these groups for the purpose of providing comprehensive area-wide planning for their respective regions. The recognition herein requested would provide a connection between the activities of these commissions and the preparation and maintenance of the State Comprehensive Development Plan by the Division of Policy Development and Planning. Such a connection would greatly enhance the Division's activities by providing a vehicle for local participation and input into the larger state comprehensive planning process.

The Commissions' authority to plan is based on a variety of sources. From a federal perspective, some of the villages are organized under the Indian Reorganization Act (25 U.S.C. § 9461-479), while others remain as traditional village councils. All are federally recognized as tribal organizations. Under the Indian Self-Determination Act (P.L. 93-638), tribal organizations possess authority to provide community facilities and government services, and consequently possess the authority to plan for such. The Indian Reorganization Act also recognizes these entities' authority to plan. Example: 25 C.F.R. §272.11(6)(b). In addition to this authority under federal law, many of the participating communities are organized as first and second class cities under state law. As such they certainly possess authority to plan under A.S. 29.43.040. The broad grant of authority under this statute and the fact that the communities are acting in concert suggest that these communities may well possess authority to plan on a regional basis. They may also

BONSILLA REGIONAL COMMISSION

1.	Frank Turner	President	Holy Cross
2.	Sheryl Turner	Secretary/Treasurer	Holy Cross
3.	Carl Jerue Sr.	Commissioner	Anvik
4.	Diane Jones	Commissioner	Anvik
5.	Nicholi Walker	Commissioner	Grayling
6.	Carl Walker	Commissioner	Grayling
7.	Hamilton Hamilton	Commissioner	Shageluk
8.	Tommy Dutchman	Commissioner	Shageluk

KOYUTAN REGIONAL COMMISSION

1.	Carlos Frank	President	Minto
2.	Cathryn Moses	Vice-President	Allakaket
3.	Alfred Grant	Secretary/Treasurer	Tanana
4.	Clara Sam	Commissioner	Alatna
5.	Ameila Edwards	Commissioner	Alatna
6.	Richard David	Commissioner	Allakaket
7.	Rhoda Musser	Commissioner	Bettles
8.	Helen McConnel	Commissioner	Bettles
9.	Dixie Dayo	Commissioner	Manley
10.	Karen Andruli	Commissioner	Manley
11.	Floyd Alexander	Commissioner	Minto
12.	Jack Irwin	Commissioner	Nenana
13.	Nita Marks	Commissioner	Nenana
14.	Ava Walsh	Commissioner	Tanana

FLAT REGIONAL COMMISSION

1.	Wally J. Peter	President	Fort Yukon
2.	Bill Fredson	Secretary/Treasurer	Chalkyitsik
3.	Walter E. Flitt	Commissioner	Fort Yukon
4.	Steve Joseph	Commissioner	Beaver
5.	Tessie Joseph	Commissioner	Beaver
6.	Eddie James	Commissioner	Birch Creek
7.	Susan Baalam	Commissioner	Birch Creek
8.	Leah Druck	Commissioner	Chalkyitsik
9.	Margaret Henry	Commissioner	Circle
10.	Ruth Crow	Commissioner	Circle
11.	Don Stevens	Commissioner	Stevens Village
12.	Gerald Silver	Commissioner	Stevens Village
13.	David Evans	Commissioner	Rampart
14.	Paul Evans	Commissioner	Rampart
15.	Kias Peter	Commissioner	Arctic Village
16.	John Titus	Commissioner	Arctic Village

Tanana Chiefs Conference, Inc.

Doyon Building
First and Hall Streets
Fairbanks, Alaska 99701
Phone (907) 452-8251

March 21, 1979

Governor Jay S. Hammond
Pouch A
State Capitol Bldg.
Juneau, Alaska 99811

Dear Sir:

The following commissions hereby petition for recognition as regional coordinating and advisory planning groups for their respective regions pursuant to A.S. §44.19.880(c):

Upper Tanana Planning Commission
Flats Regional Planning Commission
Koyutan Planning Commission
Koyukon Central Regional Planning Commission
Bonasila Regional Planning Commission
Upper Kuskokwim Regional Planning Commission

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Governor Jay S. Hammond
Page 2
March 21, 1979

delegate this authority to these Commissions. These Commissions are also seeking recognition through the state legislature to clarify their planning authority.

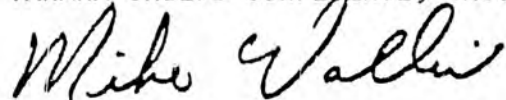
These Commissions' activities and staff are currently funded by a Federal H.U.D. grant (State I.D. #78062102) through the Ruby Village Council and administered by Tanana Chiefs Conference, Inc. (see Packet A). Each participating village is supplying local planners/surveyors for the initial data gathering phase. A variety of sources are utilized, including B.I.A. 104 and C.E.T.A. grants. The current project of these Commissions is outlined in the grant project narrative enclosed in Packet A.

Original copies of the various Commissions' Charters and By-laws are enclosed (see Packets B-G). All but six (6) villages in the area (who have not yet formally considered the matter) have approved the concept of the planning commissions by formal resolution. These communities are now acting on specific ratification of the Commissions' formation. You will find enclosed evidence of such ratification by those communities who have already acted.

At each of the Commission's organizational meetings, Tanana Chiefs Conference, Inc. was requested by resolution to act as agent for the commission with respect to this petition. Therefore, on behalf of these Commissions, we respectfully petition for appointment by the Governor as regional coordinating and advisory planning groups for the respective Commissions' regions pursuant to A.S. §14.19.880(c).

Respectfully,

TANANA CHIEFS CONFERENCE, INC.



Mike Walleri
Village Government Specialist

MW/7433d

cc: Frances A. Ulmer, Director
Division of Policy Development & Planning
John C. Sackett, State Senator

BONSILLA REGIONAL COMMISSION

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2.	Sheryl Turner	Secretary/Treasurer	Holy Cross
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4.	Diane Jones	Commissioner	Anvik
5.	Nicholi Walker	Commissioner	Grayling
6.	Carl Walker	Commissioner	Grayling
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10.	Karen Andruli	Commissioner	Manley
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13.	David Evans	Commissioner	Rampart
14.	Paul Evans	Commissioner	Rampart
15.	Kias Peter	Commissioner	Arctic Village
16.	John Titus	Commissioner	Arctic Village

KOYUKON CONTROL REGIONAL COMMISSION

1.	Pat McCarty	President	Ruby
2.	Frank Madros	Vice-President	Kaltag
3.	Josie Jones	Secretary/Treasurer	Koyukuk
4.	Bessie Clever	Commissioner	Galena
5.	Dick Evans	Commissioner	Galena
6.	Ella Sam	Commissioner	Hughes
7.	Lillian Oldman	Commissioner	Hughes
8.	Kenny Sam	Commissioner	Huslia
9.	Al Yatlan	Commissioner	Huslia
10.	Fred Alexie	Commissioner	Kaltag
11.	David Dayton	Commissioner	Koyukuk
12.	Ivan Sipary	Commissioner	Nulato
13.	Andrew Demoski	Commissioner	Nulato
14.	Ester McCarty	Commissioner	Ruby

UPPER KUSKOKWIM REGIONAL PLANNING COMMISSION

1.	Pauline Penland	President	McGrath
2.	Benny Edwards	Vice-President	Takotna
3.	Bob Juettner	Secretary/Treasurer	McGrath
4.	Bob Esai Sr.	Commissioner	Nikolai
5.	Junior Esai	Commissioner	Nikolai
6.	Rose Marie Edwards	Commissioner	Takotna
7.	Steve Eluska	Commissioner	Telida
8.	Bill Woolard	Commissioner	Medfra
9.	Leonard F. Andrews	Commissioner	Medfra

UPPER TANANA PLANNING COMMISSION

1.	Jerry Isaac	President	Tanacross
2.	Doug Thomas	Commissioner	Northway
3.	Isaac Andrew	Commissioner	Dot Lake
4.	Bessie Berman	Commissioner	Eagle
5.	Mary Beck	Commissioner	Eagle
6.	Charlie David Sr.	Commissioner	Tetlin.
7.	Herman Jones	Commissioner	Tetlin

Proposed Draft Legislation Establishing
Regional Planning Commissions

A BILL

To recognize six regional planning commissions within the Unorganized Borough in certain areas of the Yukon, Koyukuk, Tanana, and Kuskokwim River Drainages.

WHEREAS, a past unplanned development of certain areas of the Unorganized Borough have resulted in unplanned consequences;

AND, it is the policy of this Legislature to provide comprehensive planning in certain areas of the Unorganized Borough;

FURTHERMORE, Article X, Section 6 of the Alaska Constitution requires this legislature to allow maximum local participation and responsibility in all planning activities for the Unorganized Borough;

AND IN ADDITION, implementation of such planning activities should be invested in these same local participants in order to achieve consistent and beneficial results,

IT IS HEREBY ENACTED by the Legislature of the State of Alaska:

§1 Short Title

This measure shall be referred to as the Interior Comprehensive Planning Act.

§2 Recognition and Ratification of Prior Organization

The Charters of the Upper Tanana Planning Commission, Flatts Regional Planning Commission, Koyutan Planning Commission, Koyukon Central Regional Planning Commission, Bonasila Regional Planning Commission, and the Upper Kuskokwim Regional Planning Commission are hereby recognized and ratified as the organic ordinances of such commissions, PROVIDED that where such charters conflict with this Act the provision of this Act shall control.

§3 Authority of Commissions

The above named commissions shall constitute the planning commissions for the Unorganized Borough in those areas inclusive within their respective boundaries as defined in this Act. Within their boundaries, such commissions shall exercise the area wide powers of borough planning commissions and assemblies as defined in A.S. 29.33.070-29.33.245.

§4 Cities Within Affected Areas

Cities now exercising powers granted under A.S. 29.43.040 may delegate such powers to the above named commissions.

§5. Boundaries

The boundaries of each district shall define the territorial jurisdiction which the Commissions may exercise. The boundaries of each district shall be:

Upper Tanana Planning Commission

Beginning with that point where the U.S.-Canadian Border intersects with center channel of the Kandick (Charley Creek) River; thence following the center channel of the Kandick River downstream to its confluence midstream with the Yukon River; thence following midstream of the Yukon River downstream to its confluence with the Charley River; thence Southwesterly following the center channel of the Charley River to its intersection with the Fairbanks Baseline; thence West along such line to its intersection with the ridge constituting the boundary of the Fairbanks North Star Borough as it rounds the headwaters of the Salcha River; thence Westerly along this ridge to a point on the ridge which is due North of the confluence of the Goodpastor River with Slate Creek; thence Southwesterly in a straight line to the confluence of the Big Gerstle River and the Tanana River; thence along the center channel of the Big Gerstle River, crossing the Alaska Highway, to the point at which the Gerstle Glacier drains into the Big Gerstle River; thence Southerly along the center of the Gerstle Glacier to the Southeast corner of Township 16 S., Range 12 E., Fairbanks Meridian; thence West along the boundary between Ts. 16 and 17 S., F.M. to the Northwest corner of T. 16 S., R. 7 E., F.M.; thence South along the boundary between Rs. 6. and 7 E., F.M., to the Southwest corner of T. 21 S., R. 7 E., F.M.; thence East along boundary between Ts. 21 and 22 S., F.M. to the Southeastern corner of T. 8 S., R. 21 E., F.M.; thence North 7.0 to the 5th Standard Parallel South, Fairbanks Meridian; thence North 6.0 mi., East 29.9 mi., South 6.0 mi. to the 5th Standard Parallel South, Fairbanks Meridian; thence East 18.0 mi. to the closing corner of Tps. 20 and 21 S., R. 16 E., F.M., on the Western boundary of the Copper River Meridian; thence South 1.0 mi. to the closing corner of Tps. 15 and 16 N., R. 4 E., C.R.M., on the East boundary of the Fairbanks Meridian; thence East 36.5 mi. to the West corner common to surveyed Tps. 15 and 16 N., R. 11 E., C.R.M.; thence along surveyed township lines, East 708.47 chains to the Western boundary of the lands described in Executive Order No. 5365;

thence Southerly and Easterly along said boundary to its most Easterly intersection with the unsurveyed line between Tps. 10 and 11 N., R. 15 E., C.R.M.; thence East 6.1 mi., South 6.0 mi., East 6.0 mi., South 6.0 mi. to the 2nd Standard Parallel North, C.R.M.; thence East 4.8 mi. to the closing corner T. 8 N., Rs. 18 and 19 E., C.R.M.; thence South 24.0 mi. to the 1st Standard Parallel North, C.R.M.; thence West 1.2 mi. to the closing corner of T. 4 N., Rs. 18 and 19 E., C.R.M.; thence South 3.0 mi., East 5.9 mi., South 15.0 mi., East 27.1 mi. to the closing corner of Tps. 1 and 2 N., R. 24 E., C.R.M., on the United States and Canadian Boundary; thence North along such border to its intersection with the center channel of the Kandick (Charley Creek) River, the point of beginning.

Flats Regional Planning Commission

Beginning with the intersection of 68 degrees 30' N. latitude with the Canadian Border; thence West along such meridian to its intersection with 146 degrees 00' W. longitude; thence South along such longitude until its intersection with 68 degrees 00' N. latitude; thence West along such latitude to its intersection with 151 degrees 00' W. longitude; thence South along such longitude to its intersection with the Yukon River; thence Southeasterly in a straight line to the Northwest corner of Township 4 North, Range 5 West, Fairbanks Meridian; thence Easterly along the North line of Township 4 North to the ridge between the headwaters of Trail and Poker Creeks which constitutes the Northern boundary of the Fairbanks North Star Borough; thence Northeasterly following this ridge South of Ophir and Nome Creeks and around the headwaters of Hope and Charity Creeks; thence Southeasterly following the ridge South of the headwaters of Bachelor and McKinley Creeks across the Steese Highway at Twelve Mile Summit; thence following the divide around the headwaters of Harrington and Crooked Creeks; thence around the headwaters of Boulder Creek and the North Fork of the Chena River to the summit of Far Mountain; thence Easterly along the divide around the headwaters of Lawson Creek and Cash Creek; thence following the ridge north of the headwaters of the East Fork of the Chena River and around the headwaters of the Salcha River to an intersection of this ridge with the Fairbanks Baseline; thence East along such baseline to its intersection with the center channel of the Charley River; thence following the center channel of the Charley River, Northerly, to its confluence with the Yukon River; thence upstream of the Yukon River to its confluence with the Kandik (Charley Creek) River; thence following the center channel of the Kandik to the U.S.-Canadian Border; thence North along this border to the point of closing.

Koyutan Planning Commission

Beginning at the 68 degrees 00' N. latitude, 151 degrees 00' W. longitude; thence West along such latitude to its intersection with the boundary between ranges 15 and 16 East of the Kateel River meridian; thence South along such range line to the 7th Standard Parallel North K.R.M.; thence West to the closing corner of T. 28 N, Rs. 15 and 16 E, K.R.M; thence South 6.0 mi, East 5.9 mi, South 6.0 mi, East 6.0 mi, South 6.0 mi, East 6.0 mi, South 6.0 mi to the 6th Standard Parallel North, K.R.M.; thence West 1.5 mi to the closing corner of T. 24 W. Ts. 18 and 19 E, K.R.M; thence South 18.0 mi, East 12.0 mi, South 6.0 mi. to the 5th Standard

Parallel North, K.R.M.; thence East 4.2 mi. to the closing corner of T. 20 N., Rs. 21 and 22 E., K.R.M.; thence South 24 mi. to the 4th Standard Parallel North, K.R.M.; thence West 1.7 mi. to the closing corner of T. 16 N., Rs. 21 and 22 E., K.R.M.; thence Southeasterly in a straight line to the summit of Niitlitoktalogi Mountain; thence Southeasterly in a straight line, crossing the Koyukuk River to the summit of Mount George, thence Southerly in a straight line to the intersection midstream of the Yukon River and 153 degrees 30' W. longitude, thence South along such longitude to its intersection with 64 degrees 00' N. latitude; thence East along such latitude to its intersection with 153 degrees 00' W. longitude; thence South along such longitude to its intersection, with Northern border of Township 30 N. Seward Meridian; thence East along such Township line to its intersection with 152 degrees 00' W. longitude; thence North along such longitude to its intersection with the Southwest border of U.S. Survey No. 2177 (Mount McKinley National Park); thence Northwesterly along to its Northwest corner; thence Northwesterly along the Northern border of such survey to its far Northeastern corner; thence Southerly along such Northwesterly along the boundary of U.S. survey 2177 to its far Northwest corner; thence Northeasterly along the Northern border of U.S. Survey 2177 to its far Northeastern corner; thence Southerly along the Eastern border of U.S. Survey 2177 to its intersection with the South line of Township 14 South of the Fairbanks Meridian; thence East along such line to its intersection with 148 degrees 00' W. longitude; thence South along such longitude to its intersection with the South line of Township 16 South, Fairbanks Meridian; thence East along such line (the Northern boundary of the Matanuska-Susitna Borough) to the Southeast corner of Township 16 South, Range 12 East, Fairbanks Meridian; thence Northerly along the center of the Gerstle Glacier to its drainage into the Big Gerstle River; thence Northeasterly along the center channel of the Big Gerstle River crossing the Alaska Highway to its confluence with the Tanana River; thence following a straight Northwesterly line to the confluence of the Goodpastor River with Slate Creek; thence due North to an intersection with the ridge constituting the Southern boundary of the Fairbanks North Star Borough; thence Southwesterly along this ridge, encompassing the headwaters of Indian Creek, Gilles Creek, Caribou Creek, Keystone Creek, and Rosa Creek, and continuing along the ridge between Buckeye Creek and Tenderfoot Creek, and continuing along this ridge across the Richardson Highway to a point in midstream of the Tanana River; thence downstream in midstream of the Tanana River to its intersection with the South line of Township 7 South; thence West on this Township line to a point midstream in the Wood River; thence downstream in midstream of the Wood River to a point midstream in the Tanana River; thence North and East in midstream of the Tanana River to its point of intersection with the West line of Range 5 West; thence North on this range line to the Northwest corner of Township 4 North, Range 5 West; thence Northwesterly in a straight line to the intersection of 151 degrees 00' W. longitude and the Yukon River; thence North along such longitude to its intersection with 68 degrees 00' W. latitude, the point of beginning.

Koyukon Central Regional Planning Commission

Beginning at the Northwest corner of Township 15 N., Range 22 E., Kateel River Meridian; thence South 6.0 miles, West 17.8 miles, South 12.0 miles, West 17.9 miles, South 6.0 miles to the 3rd Standard Parallel

North, K.R.M.; thence West 1.2 miles to the closing corner of Township 12 N., Range 15 and 16 E., K.R.M.; thence South 12.0 miles, West 11.9 miles, North 6.0 miles, West 5.9 miles, North 6.0 miles to the 3rd Standard Parallel North, K.R.M.; thence West 11.8 miles to the closing corner of Township 12 N., Range 10 and 11 E., K.R.M.; thence South 12.0 miles, West 11.9 miles, North 12.0 miles to the 3rd Standard Parallel North, K.R.M.; thence West 23.7 miles to the closing corner of T. 12 N., Rs. 4 and 5 E., K.R.M.; thence South 24.0 miles to the 2nd Standard Parallel North, K.R.M.; thence West 29.9 miles to the closing corner of T. 8 N., Rs. 1 and 2 W., K.R.M.; thence South 12.0 miles, West 17.9 miles, South 12.0 miles to the 1st Standard Parallel North, K.R.M.; thence East 0.3 miles to the closing corner of T. 4 N., Rs. 4 and 5 W., K.R.M.; thence South 18.0 miles, East 6.0 miles, South 6.0 miles to the Kateel River Base Line; thence East 0.2 miles to the closing corner of T. 1 S., Rs. 3 and 4 W., K.R.M.; thence South 12.0 miles, West 6.0 miles, South 12.0 miles to the 1st Standard Parallel South, K.R.M.; thence East 0.3 miles to the closing corner of T. 5 S., Rs. 4 and 5 W., K.R.M.; thence South 12.0 miles, West 6.0 miles, South 12.0 miles to the 2nd Standard Parallel South, K.R.M.; thence West 5.5 miles to the closing corner of T. 9 S., Rs. 6 and 7 W., K.R.M.; thence South 24.0 miles to the 3rd Standard Parallel South, K.R.M.; thence East 0.4 miles to the closing corner of T. 13 S., Rs. 6 and 7 W., K.R.M.; thence South 24.0 miles to the 4th Standard Parallel South, K.R.M.; thence East 6.4 miles to the closing corner of T. 17 S., Rs. 5 and 6 W., K.R.M.; thence South 18.0 miles, West 6.0 miles, South 6.0 miles to the 5th Standard Parallel South, K.R.M.; thence West 5.5 miles to the closing corner of T. 21 S., Rs. 7 and 8 W., K.R.M.; thence South 6.0 miles, West 11.9 miles, South 6.0 miles, to the Southwestern corner of Township 22 S., Range 9 W., K.R.M.; thence East along the boundary between Townships 22 S. and 23 S., K.R.M. to its intersection with the Kateel River Meridian; thence North along the Kateel River Meridian to its intersection with 64 degrees 00' N. latitude; thence East along such latitude to its intersection with 153 degrees 00' W. longitude; thence North along such longitude to its intersection midstream of the Yukon River; thence Northerly in a straight line to the summit of Mount George; thence Northwesterly in a straight line crossing the Koyukuk River to the summit of Niitltoktalogi Mountain; thence Northwesterly in a straight line to the Northwest corner of Township 15 N., Range 22 E., K.R.M., the point of beginning.

Bonasila Regional Planning Commission

Beginning at the Southeastern corner of Township 23 S., Range 10 W., Kateel River Meridian; thence West 6.0 miles, South 12.0 miles to the 6th Standard Parallel South, K.R.M.; thence East 0.7 miles to the closing corner of T. 25 S., Rs. 10 and 11 W., K.R.M.; thence South 6.0 miles, West 5.9 miles, South 18.9 miles to the corner of T. 29 S., Rs. 11 and 12 W., K.R.M., on the North boundary of the Seward Meridian; thence West 2.7 miles to the closing corner of T. 34 N., Rs. 61 and 62 W., Seward Meridian, on the South boundary of the Kateel River Meridian; thence South 6.9 miles to the 8th Standard Parallel North, S.M.; thence West 1.7 miles to the closing corner of T. 32 N., Rs. 62 and 63 W., S.M.; thence South 24.0 miles to the 7th Standard Parallel North, S.M.;

thence West 1.7 miles to the closing corner of T. 28 N., Rs. 63 and 64 W., S.M.; thence South 24.0 miles to the 6th Standard Parallel North, S.M.; thence East 4.3 miles to the closing corner of T. 24 N., Rs. 63 and 64 W., S.M.; thence South 18.0 miles, East 53.8 miles, North 6.0 miles, East 23.9 miles, North 6.0 miles, to the Northeast corner of Township 24 N., Range 51 W., S.M.; thence Northeasterly in a straight line to the center of Flat; thence Northeasterly in a straight line to midstream of the confluence of the Innoko River and the North Fork of the Innoko River; thence upstream along midstream at the North Fork of the Innoko River to its initial intersection with 64 degrees 00' N. latitude; thence West along such latitude to its intersection with the Kateel River Meridian; thence South along such Meridian to its intersection with the boundary between Townships 22 S. and 23 S., K.R.M.; thence West along such boundary to the Southeastern corner of Township 23 S., Range 10 W., K.R.M., the point of beginning.

Upper Kuskokwim Regional Planning Commission

Beginning at the Northeastern corner of Township 24 N., Range 51 W., Seward Meridian; thence East 47.6 miles, South 6.0 miles, East 107.2 miles, North 6.0 miles, East 11.9 miles, North 6.0 miles to the 6th Standard Parallel North, S.M.; thence East 10.5 miles to the Standard Corner of T. 25 N., Rs. 20 and 21 W., S.M.; thence North along such range boundary to the Northwest corner of T. 25 N., R. 20 S., S.M.; thence East along the border between Townships 25 and 26 N., S.M., to its intersection with 153 degrees 00' W. longitude; thence North along such longitude to its intersection with 64 degrees 00' N. latitude; thence West along such latitude to its intersection with a straight line which passes through Flat, Alaska and the confluence of the Innoko River and the North fork of the Innoko River; thence Southwesterly along this line to the center of Flat, Alaska; thence Southwesterly in a straight line to the Northeastern corner of Township 24 N., Range 51 W., S.M., the point of beginning.

All distances used in these descriptions are approximate only and where used are intended to follow the boundary of townships as presently or subsequently surveyed unless otherwise indicated.

§6 Savings and Separability

To the extent that there is a conflict between any provision of this Act and any other Statute of the State of Alaska, the provisions of this Act shall govern. If any provision of this Act or its applicability thereof is held invalid, the remainder of this ordinance shall not be affected thereby.

Tanana Chiefs Conference, Inc.

Doyon Building
First and Hall Streets
Fairbanks, Alaska 99701
Phone (907) 452-8251

March 21, 1979

Governor Jay S. Hammond
Pouch A
State Capitol Bldg.
Juneau, Alaska 99811

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Governor Jay S. Hammond

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March 21, 1979

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Respectfully,

TANANA CHIEFS CONFERENCE, INC.

Mike Walleri

Mike Walleri
Village Government Specialist

MW/7433d

cc: Frances A. Ulmer, Director
Division of Policy Development & Planning
John C. Sackett, State Senator

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2.	Sheryl Turner	Secretary/Treasurer	Holy Cross
3.	Carl Jerue Sr.	Commissioner	Anvik
4.	Diane Jones	Commissioner	Anvik
5.	Nicholi Walker	Commissioner	Grayling
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7.	Hamilton Hamilton	Commissioner	Shageluk
8.	Tommy Dutchman	Commissioner	Shageluk

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10.	Karen Andruli	Commissioner	Manley
11.	Floyd Alexander	Commissioner	Minto
12.	Jack Irwin	Commissioner	Nenana
13.	Nita Marks	Commissioner	Nenana
14.	Ava Walsh	Commissioner	Tanana

FLAT REGIONAL COMMISSION

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3.	Walter E. Flitt	Commissioner	Fort Yukon
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7.	Lillian Oldman	Commissioner	Hughes
8.	Kenny Sam	Commissioner	Huslia
9.	Al Yatlan	Commissioner	Huslia
10.	Fred Alexie	Commissioner	Kaltag
11.	David Dayton	Commissioner	Koyukuk
12.	Ivan Sipary	Commissioner	Nulato
13.	Andrew Demoski	Commissioner	Nulato
14.	Ester McCarty	Commissioner	Ruby

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Arctic Slope Regional Corp.

Bering Sea

Mona

Dagon

Calista

Cook Inlet

Attna

Pratt Bay

Alut

Sealaska

TO: [Distribution List

DATE: April 24, 1979

FILE NO:

TELEPHONE NO:

FROM: *Jan*
Frances A. Ulmer, Director
Division of Policy Development
and Planning
Office of the Governor

SUBJECT: Tanana Chiefs Conference -
Regional Planning
Commission Proposal

I would like to share with you the results of the April 19 meeting when the Tanana Chiefs proposal to create regional and subregional planning commissions was discussed (see my memo of April 11, 1979, attached). The group which met agreed on the following points: 1) the Administration is supportive of the effort, but until certain major questions are answered (for instance the procedural mechanism for delegation of local authority, the relationship of TCC's proposed regional plans to on-going planning efforts) we will not recommend that the Governor appoint the advisory planning commissions; 2) the issue of planning in the TCC region is part of the larger question of local government authorities in unorganized areas which the state should address as a whole rather than reacting to each proposal as it comes in, and 3) since these types of problems and initiatives are increasing, it is evident that the state must look at the problem and its implications seriously and promptly, in that it affects all agency activities not only in the TCC region but throughout the state.

In order to understand better just what the problems are in the TCC region in particular, I have asked Larry Kimball and Bob Jenks, the State's Municipal lands Trustee, to meet with us to discuss the current situation. I expect that at this meeting we will determine what direction the state should take on this issue, so I hope that you can be there. The meeting will be at 1:30 p.m., Wednesday, May 2, at the Court Building in room 320. Thank you.

Attachments

Distribution List:

Commissioner Bob LeResche
Commissioner Bob Ward
Commissioner Chuck Webber
Commissioner Lee McAnerney
Commissioner Ron Skoog
Commissioner Ernie Mueller
Commissioner Marshall Lind
Senator Arliss Sturgulewski
Representative Bill *Miles Parker*
Rod Pegues
Jessie Dodson

TO: ☐ Distribution List

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Rod Pegues
Jessie Dodson

Tanana Chiefs Conference, Inc.

Doyon Building
First and Hall Streets
Fairbanks, Alaska 99701
Phone (907) 452-8251

March 21, 1979

Governor Jay S. Hammond
Pouch A
State Capitol Bldg.
Juneau, Alaska 99811

Dear Sir:

The following commissions hereby petition for recognition as regional coordinating and advisory planning groups for their respective regions pursuant to A.S. §44.19.880(c):

Upper Tanana Planning Commission
Flats Regional Planning Commission
Koyutan Planning Commission
Koyukon Central Regional Planning Commission
Bonasila Regional Planning Commission
Upper Kuskokwim Regional Planning Commission

Between February 19 and March 12 of this year, delegates sent by participating cities and villages organized these groups for the purpose of providing comprehensive area-wide planning for their respective regions. The recognition herein requested would provide a connection between the activities of these commissions and the preparation and maintenance of the State Comprehensive Development Plan by the Division of Policy Development and Planning. Such a connection would greatly enhance the Division's activities by providing a vehicle for local participation and input into the larger state comprehensive planning process.

The Commissions' authority to plan is based on a variety of sources. From a federal perspective, some of the villages are organized under the Indian Reorganization Act (25 U.S.C. § 5461-479), while others remain as traditional village councils. All are federally recognized as tribal organizations. Under the Indian Self-Determination Act (P.L. 93-638), tribal organizations possess authority to provide community facilities and government services, and consequently possess the authority to plan for such. The Indian Reorganization Act also recognizes these entities' authority to plan. Example: 25 C.F.R. §272.11(6)(b). In addition to this authority under federal law, many of the participating communities are organized as first and second class cities under state law. As such they certainly possess authority to plan under A.S. 29.43.040. The broad grant of authority under this statute and the fact that the communities are acting in concert suggest that these communities may well possess authority to plan on a regional basis. They may also

Governor Jay S. Hammond
Page 2
March 21, 1979

delegate this authority to these Commissions. These Commissions are also seeking recognition through the state legislature to clarify their planning authority.

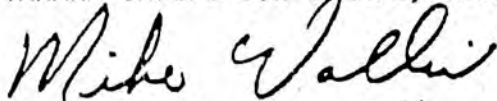
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Mike Walleri
Village Government Specialist

MW/7433d

cc: Frances A. Ulmer, Director
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John C. Sackett, State Senator

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MEETING MINUTES

JOINT HOUSE AND SENATE
COMMUNITY AND REGIONAL AFFAIRS COMMITTEES
MEETING

CAPITOL BUILDING, ROOM 207
APRIL 17, 1979
1:30 p.m.

PURPOSE: To hear presentations by Mr. Raymond L. Kent, Planning and Development Specialist/Grantsman, for the Tanana Chiefs Conference, Inc., concerning the Doyon Area in the Unorganized Borough and by Mr. Ralph Darbyshire, Darbyshire & Associates, concerning Yukon Flats Borough Area Study in the Unorganized Borough.

PRESENT: Chairman Arliss Sturgulewski
Senator Tim Kelly
Senator Terry Simpson
Senator Patrick Rodey
Senator Bob Mulcahy (absent)

Above Senate C/RA Committee Members

Representative Margaret Branson
All other Representatives absent.

Above House C/RA Committee Members

Senator Bettye Fahrenkamp

Also in Attendance

April 17, 1979

1:30 p.m. Chairman Sturgulewski called the meeting to order, introduced those legislators present and stated that since the House was having a caucus, many of their Committee members could not join our meeting. School students from the Tanana High School were noticed in the audience and welcomed.

The two guest speakers were welcomed and introduced:

Mr. Raymond L. Kent, Planning and Development Specialist/Grantsman for the Tanana Chiefs Conference, Inc., concerning the Doyon Area in the Unorganized Borough; and

Mr. Ralph Darbyshire, Darbyshire & Associates, concerning the Yukon Flats Borough Area Study, in the Unorganized Borough.

It was noted their presentations would be concerning the unorganized borough and that the Doyon Region has 37% of the land mass in Alaska.

PRESENTATION BY MR. RAYMOND L. KENT

Mr. Kent gave a brief history to familiarize everyone with the program. In February of last year, the Tanana Chiefs decided to get involved in a major effort towards development of a comprehensive plan for the Doyon Region. At that time, they had a small grant \$70,000 from EDA to do economic development planning. The responsibility for this plan was sent to Mr. Kent's office and he was advised to find a mechanism to develop a comprehensive plan for the entire Doyon Region. Because of the magnitude of the problem, and the small amount of money involved, other resources were checked. The community desires were checked, so individual communities could be tied in the overall comprehensive plan. Mr. Kent visited all 37 villages in the Doyon Region and met with the Village Councils to discuss comprehensive planning at the local level. Village Councils literally gave unanimous support, as well as participating city governments, approximately 20 municipalities, mostly second class cities. There appeared to be no mechanism for comprehensive planning in any of the villages and even the municipalities that had planning powers were, for the most part, not exercising those planning powers. So, by initiative from the village and the resolution from those meetings, the villages unanimously resolved to involve themselves in economic development planning. As part of their resolve, they unanimously committed varying amounts of money; the smallest \$5,000 from Dot Lake; the largest \$20,000 from Fort Yukon. Approximately a total of one-half million dollars was committed by all of the communities. Following those meetings, a grant application was submitted to HUD to allow the hiring of professional planners and place them out in the various regions. Sub-regions were organized. Going back into these regions, the communities were asked to elect two representatives who would all together form some kind of a planning body in order to create a vehicle to work through on the regional level, and to prepare a comprehensive plan. The field planners also worked with these representatives so area plans were consistent with the desires of the people. The result of

those meetings, are the established boundaries. Mr. Kent stressed the boundaries were established by the people in the area, not by the Tanana Chiefs.

Mr. Kent displayed a large map and showed in detail the outline of the Doyon Region and sub-regions to the audience and legislators.

Mr. Kent stated the boundaries were selected because of their geographics and need base. It was noted how they fit on the river systems, and all kind of grouped together, Fort Yukon villages here and so on around. The transportation problems are similar, the life styles are similar, and everything pretty well fits together.

Much work needs to be done, and unless it became part of the State process, unless the State somehow gets involved, the impact might not be as it might otherwise. A combination funding from the villages totalled \$906,000 in order to develop the Regional Comprehensive Plan.

A range of possibilities were investigated that existed for developing this plan within the State system, and four were noted; two through DPDP, in the Governor's Office, and one through the Legislature, which sits as the borough assembly for the unorganized borough. One option is provided in Alaska Law that allows the organized municipalities to do areawide planning and include by ordinance, delegate, or designate these planning commissions as the planning executors for those districts. The preferable option was to go to the State Legislature and to seek some kind of recognition as a planning entity in order to be able to join into the State system of planning and to become part of the State mechanism.

Mr. Kent referred to the packets passed to the legislators and to the proposed legislation in which Legislative Affairs had found constitutional problems with the wording. The amendment containing the correct language to solve the constitutional question was also reviewed.

After briefly noting both pieces of legislation, Mr. Kent stressed that the additional legislation would make the creation of planning districts within the Interior possible. It was hoped that legislation would be introduced to address the problem and provide for hearings to occur in the interim, and also to pass legislation next year to get local input in planning, and some local involvement moving. It appears that this could be accomplished in having a vehicle outside the borough system providing for local involvement in planning and zoning and long-range comprehensive planning activities. Most importantly, for the first time, it would create a need base, based on some logical kind of activity. This could be used to direct economic development resources to the greatest need areas and public works development projects, which if properly organized and properly controlled could develop an economic base that is necessary to support a borough structure. This would be a prelude, or a vehicle that could lead into the formation of organized government in the Interior. It would not be threatening anybody. There are no taxable properties out there now and there is no way to provide services on any kind of equitable basis. Planning would be put first (with good organization in implementing the plan and good follow-through.) The potential is there for developing the economic base required and the potential is there for State and Federal resources, which is better for the areas of greater need.

Mr. Kent stated again he has not looked at a tax base and that this has not been taken on as a Tanana Chiefs project, except in a facilitators capacity. The suggestions being made are that these regional planning districts be autonomous, the proposal involves elected people from the region, who in turn would elect their own chairman, who would conduct themselves in the manner of any other borough type planning commission.

Chairman Sturgulewski thanked Mr. Kent for his presentation and asked if he would stay for a few questions. She noted Senator Kelly had to leave for an appointment and Senator Simpson had just joined the meeting.

Chairman Sturgulewski asked about the timing of the study and where Mr. Kent was on his time line. Mr. Kent replied they are in the process now of placing the field planners out in the field, and have a total of 62 people employed within the boundaries of Doyon.

Chairman Sturgulewski asked Mr. Kent to explain how that was going to be carried out? Mr. Kent replied under a grant from HUD they received \$150,000 which allows them to hire six planners, (professional planners), and a statistician. One will be placed in each region to act as technical assistant and staff person to the regional commission. Also, a grant was received from CETA to hire six CETA planners, so each of the sub-regions will set up an office.

Flats area - Fort Yukon
Upper Tanana Area -- Tok
Koyutan area - Tanana
Koyukon Central Area - Galena
Bonasila area - Holy Cross
Upper Kuskokwim - McGrath

TCC (Tanana Chiefs Conference) will be providing the clerical support.

The intent is that each of the planners will spend the majority of their time in the field, working with individual villages and development of individual village plans. Each village, through its own contribution of funds, is hiring a professional planner. Mr. Kent stated the people that they hire and put in the sub-regions will train these planners. The result will be each village having a comprehensive plan of its own; and by use of the regional commission, each region will have a comprehensive plan of its own. The plan deals with everything except health. The health plan is already done and will simply be combined with the activities of this planning process.

Chairman Sturgulewski inquired if this had been published and made available? Mr. Kent replied he thought it had been published. Chairman Sturgulewski requested copies.

Senator Fahrenkamp questioned the effect economic development planning would have on those persons wishing to develop mines, or the timber industry within the areas. Would they have to get permission of these various planning commissions in order to go ahead with their development plan? Mr. Kent stated if they could get the planning done, it would include planning, zoning, planning for long-range economic development, natural resources development and human resources development, including the questions she had asked. They will be designated through zoning.

Senator Fahrenkamp inquired if it would be correct that the plans presently on the drawing board would have to wait for the development of these plans. Mr. Kent hoped the development of the plans would be coordinated, as the first go-around of the plan should be finished by the end of September.

Chairman Sturgulewski repeated that had been one of her earlier questions, not answered. What was the time line? Mr. Kent expected the first draft to be published by September end, stating it was not a lot of time. They had 60 some people working and good cooperation from all the communities. It was realistic to think the plan would be pretty well drafted by early fall. Economic development interest is out there and currently in the planning stage. It would seem that others could join and perhaps provide a lot of information on economic development potential for the area, which would be very important for the planning process.

Senator Fahrenkamp felt that would indeed have to wait until the plan was completed. Mr. Kent replied it would depend on the authority granted. He would say no, because until the Legislature acts and grants the commissions some powers, they have no power. The same thing would continue to occur that has always occurred in the past. Special interest groups will go out, do their own planning, do their own thing and sell whatever they can sell without the input, coordination and involvement of the surrounding country.

Chairman Sturgulewski stated that the Legislature obviously has within that area a tremendous amount of State concerns and many acres of Federal concerns. She asked what planning was being done to bring in major interests of Statewide concern - in lands and possible mineral development, oil, recreation sites, land for disposal under the Legislature's attempt to get land out to the people? How were all those brought into the process? Mr. Kent stated they can be brought in as they wish to join, at this point. Individual communities are asked what they want, what their needs are. If anybody is working in the area, or if there are any plans going on in the area, they are asked to cooperate. There is no ability without some action to force coordination; like the creation of a planning district, etc., to force that kind of creation. There is no vehicle to do that, but there would be tremendous advantage in doing that. As then, they would have the ability to really look at what the area could support, what it could not support and what the economic impact might be, as a result of some of these projects. Right now, everything has to be done on a voluntary basis.

Chairman Sturgulewski stated she knew Mr. Kent understood it is going to be a major issue. Extraordinary powers were being requested without the kind of moderating impact you get through local government structures. Why not a possible end result of a borough through the organized borough method of government -- only fear of taxation? Mr. Kent replied there is the ability to provide services, in most of the areas. Since the funding base for providing services is usually some kind of tax base, it is unlikely that without some sort of organization, planning and direction, an economic base is not just going to appear. The planning process would create the need base of the direction required to assist in economic development, to assist in community development that would lead to the creation of an economic base that would support the services.

Representative Branson asked that if a million dollars had been received to do this planning, what were the plans for funding over the long run? Grants? Mr. Kent replied initially, yes. Grants are hard to acquire for entities that do not have the ability to implement, so planning is really hit and miss. The local interest groups can not get grants for planning purposes as a rule because they do not have the ability to implement; plans get done, get stuck on a shelf and collect dust - kind of like what they are running into here. He felt the question is what is the Legislature planning? He stressed they were trying to facilitate the creation of a mechanism to allow the districts, the local people to be involved in the State planning process, to become part of State Government, to act as a planning commission for the unorganized borough within that boundary. If that kind of a structure were set up, the Legislature would sit as the Assembly, create the planning district, and would assign responsibility for administration to an agency of State, probably Community and Regional Affairs. The planning commission would provide for planning and would provide for a board of adjustment; Community and Regional Affairs would make the ordinance and policy, not the commissions. The commissions would submit to the Legislature as proposed here and the Legislature would act either in favor or against the suggestions on the commission. If the Legislature acted in favor, then the commission would have the power to implement the plan.

Senator Fahrenkamp expressed curiosity about the timber management programs, mining development, or something of this nature being helpful in creating the tax base needed, instead of waiting for plans to be developed, etc. Mr. Kent replied yes. If an area has a timber industry, once it develops the timber industry, it is a logical tax base. The question is, what does the local area want in terms of economic development and what are its options? Right now they knew timber, fish, some mineral resources, etc., may or may not be exploitable depending upon the ability to ship or utilize them locally.

Senator Fahrenkamp created a hypothetical situation using the Nenana area. If a timber management program wanted to implement in June and the people did not want the timber management business in that area, would it then be stopped? Mr. Kent replied that would depend upon the power granted the planning commission. If people did not want it, he expected the Legislature would still be able to decide that question. However, he did not expect those commissions to have this kind of power. They would have the power granted to them, based upon what the Legislature decided they should give.

Chairman Sturgulewski inquired about the rationale used in setting up the districts, topography, drainage systems, etc. It was mentioned earlier that the Yukon Flat boundary line is different, occurring when the boundary lines were set up and that it was not checked if they were economically viable. She questioned if economics did not have to be brought in? Mr. Kent agreed. He stated when this was first looked at, it was as a plan for the Tanana Chiefs. A lot of pieces have come together since, and beyond that point. They were looking at ways to identify need bases, at ways to write economic development plans; and direct economic funding resources and public works funding resources to areas of greatest need; that was the primary concern. Since progressing, many things have come up. For example, the land disposal program. The Legislature has not acted as a borough assembly and has not done any planning or zoning. There have been no public hearings in the local areas where these land disposals are proposed. This kind of commission would provide input back in that kind of activity. Say if there is a conflict of interest where the local area wants to use a piece of land for recreation or subsistence, or some other activity, and the land disposal program comes in and says well, we are going to use this for residential areas, which might be contrary use, what happens is the people in the area get mad, you have battles and all kinds of problems. It would be avoided by the use of local planning entities, by the use of some logical local input and involvement in planning and zoning process. What land is disposed of is at least considered most appropriate by the area for that kind of activity.

Senator Rodey understood that regarding the legal mechanism, the commission will be formed by Statute; it will be located for administrative purposes in the Department of Community and Regional Affairs; will act autonomously but with the support of the Department; that is, it will take its direction for policies and such, or internal decision, from the people that sit on the commission from the Interior area; those recommendations will be reduced to writing and presented to the Legislature in the first ten days and if the Legislature does not approve, they will become the planning mechanism for the unorganized borough, at least for that portion of the unorganized borough. Mr. Kent stated that was his understanding. It has to be part of State Government. The only way to make it part of the State Government was to combine with an agency of the State Government, thus the suggestion of the State Department of Community and Regional Affairs. Senator Rodey thought it was an interesting approach and one which has never been put forth, to his knowledge.

Chairman Sturgulewski asked if there was a method for boundary resolution in the study; for instance, on the Yukon Flats, or on the others, where it was found as a result from the people's input that maybe the lines were not drawn so well. Mr. Kent said yes, that had been discussed in the regional meetings. Certainly with the pipeline running through, the line was not logical. If the pipeline is going to provide an economic base for a potential borough, the line proposed by the borough study is probably the most logical line. These commissions individually are willing to alter those boundaries to conform to the wishes of the Legislature, to make sure that this is consistent with what everybody wants. Mr. Kent stated they were not trying to impose anything, just make suggestions for discussion.

Chairman Sturgulewski asked about communication with the various village councils and what would be the mechanism after the election of people in those districts to inform their people. Was there good communication with all the village councils? Mr. Kent stated they had met individually with each village council and also invited other members in the community to participate in the meetings, if they wished. All were excellent meetings.

What is proposed is that the commission would consist of two representatives from each community. Each community would elect their own officers and set up their own administrative structure. Those two representatives would be responsible to know what their community wanted and would represent their interest, as well as keeping the village councils informed of the commission's activities.

Senator Simpson asked if they had talked to the other regional corporations and was it something that could easily be used by some of the other corporations for laying the ground work, keeping in mind the conceptual framework for this creation? Mr. Kent thought that was what made it all so interesting. The answer was yes. If this kind of a system works, it would be very easy to implement throughout the State; it would not be exclusive to Doyon. It is a concept of planning which has probably been looked at many times with the size of the region involved, breaking it down into sub-regions, but has not been looked at from the point of view of joining with the State. The Native groups have felt they have the power to plan on their own land, they do within the federal structure, and with the self-determination efforts that the Federal Government is making, the State has kind of been ignored, by a lot of communities. What they were saying now is here is a vehicle to join with the State, so that everybody can coordinate, there will be coordination with the State Government, the Federal Government and with the communities. A portion of representation on the commission would be interested in protecting the interests of the people in the area and at the same time, the commission would have the ability to find out what the other interests are and get involved with the whole picture helping in making logical decisions.

Chairman Sturgulewski felt the whole question of the development of the unorganized borough is a sleeping giant facing State Government, both in delivery in services and meeting the needs of the people in the local communities. One thought might be to request the representatives who are conducting the regional strategy in the Nana regions to meet with the Senate committee. They are taking a somewhat different approach from this. The Committee has also had interests in the list of regions. There are other areas looking at different ways of finding funding to embark on studies, some under Coastal Zone Management. This is by far the biggest study.

Mr. Kent stressed his only objective here was to get a piece of legislation introduced so that hearings could be held during the interim. During the next session, there might be some activity then. Whether defeated or not, hoped to get as far as they could with it.

Chairman Sturgulewski thanked Mr. Kent for his presentation.

2:15 p.m., following a brief recess, Chairman Sturgulewski called the meeting back to order. Mr. Darbyshire was introduced as the next speaker.

PRESENTATION BY MR. RALPH DARBYSHIRE

Mr. Darbyshire felt that Mr. Kent's presentation was very good and clearly showed the problem the Legislature, and the rest of the State, is being faced with. The people in the unorganized borough are seeing some planning problems, some delivery problems, and are looking at the capabilities of a borough.

The State, by a Legislative appropriation, put out a request for proposals to study the feasibility and the alternatives of borough government in the Yukon Flats area; his agency responded and was selected. They started knowing a tax base was there, the pipeline. It would definitely be possible to organize a borough and provide some delivery services and facilities to the people.

The area involved is about the size of Alabama, it has around 1400 to 1500 people all total and the villages are spread all over. Investigated first were available local government options. There are some choices; Home Rule Borough, First Class Borough, Second Class Borough, Third Class Borough. A series of small reports will be released saying what the options are. The study basically gives alternatives and choices. Other people who do not have a tax base, do not have a choice. Secondly, the State Law, and constitutional provisions concerning standards for incorporation were checked. If you incorporate into a borough form of government, you have to meet certain standards and this has been sustained in some respects by court cases in fights with oil industries. The standards for incorporation for this area were checked. The boundary might have to be adjusted. They also looked at the Rural Education Attendance Area.

Mr. Darbyshire briefly showed the boundary lines to the audience and legislators.

In summary, Mr. Darbyshire stated they looked at how the region meets the State law, the Constitutional law, and the court law relative to incorporating into a borough.

Chairman Sturgulewski inquired about the checking of service delivery and dollar flow into that community.

Mr. Darbyshire stated he was getting to that. They next investigated reconnaissance because other State Federal revenue sharing programs relate to population. They needed to know how many people were there. They needed to know what the land status was because Federal land ownership controls the amount of money the Federal Government gives in lieu of taxes, an important aspect of financing a borough ultimately.

Mr. Darbyshire continued by stating that the reconnaissance also included a look at the tax base. They looked at not only the tax base in each of the essential communities, but the value of the pipeline that occurs within the region, as well; which is the tax base of that borough. The initial showed somewhere between \$600 million and \$1 billion, a final accounting should be ready in the next few days. With \$600 million, one tax mill levy rate equals \$600,000; 4 or 5 would raise it to \$3 million. It could provide services for facilities for residents. Reconnaissance is being done in terms of land status, tax base, sales tax potential, population, schools, etc.

The next item checked was the borough service cost estimate, and what services this particular borough would provide. Mr. Darbyshire stated he had traveled to each of the communities in the area, met with the people and generally inventoried the communities for their problems. Of the eleven villages, only two had electricity, none had a water distribution system, one had a honey-bucket collection system, whereas the rest used privys. It is a different world out there concerning facilities and services needs and Mr. Darbyshire urged anyone to visit who could for a couple of days to realize the impact of this statement. Many items are needed, electrification, water, sewer, schools, public safety, other utilities, solid waste disposal, etc. His agency is going to put together a service mix package, which states the different costs involved (electrification costs, educational programs costs, the three basic functions of borough government with planning and zoning costs, tax assessment costs, etc.) and will basically try to identify what it will cost to run that government with alternatives. What they finally select may not be the whole package, as they probably cannot afford the whole package, he stressed.

Senator Fahrenkamp stated she had travelled in most all the areas and asked if the alternatives were checked with an eye towards the normal sewer and water situations as we know them, or were alternative methods of handling these problems being checked also? Mr. Darbyshire stated that with respect to water and sewer, all of the communities except for two, are Native communities. The Public Health Service has a program of providing water and sewer facilities to these communities. The difficulty is when Public Health comes in, builds a facility and walks away, leaving the community with a high maintenance cost. An example is in Stevens Village, a town of about 85, with no tax base, no income to speak of, and the Public Health Service built a nice water distribution plant, estimated to cost \$20,000 a year to maintain. Where do they get \$20,000 a year to pay for this? Those are the types of water and sewer facilities looked at. Obviously with a population count of 85, they were not looking at pipe and water systems; but something that a town of that size can handle and finance in the long run. Service cost estimates are arrived from this.

Chairman Sturgulewski inquired if sources of funding were being checked, feeling that had to be part of it. Mr. Darbyshire stated that is a revenue source, the other segment. The taxing actually comes back from the State. The State collects the 20 mill taxation from the pipeline. What the local government collects is subtracted from what the oil industry owes the State. Mr. Darbyshire stressed his agency was looking at all revenues that most borough governments collect, and were trying to determine what amount that would be.

Mr. Darbyshire continued on to state that the service package would have an estimate of cost. They knew where the revenues were going to come from and finally that would transform into what it will cost the local residents. Stated are the amounts to provide these services with these revenues, and how that transforms into dollars the resident has to come up with, in terms of a millage levy.

He stated his agency was also looking beyond a little. There are some issues about regional government that they call regional self-determination and local control. By becoming a borough government, there are certain things that can be done to help the area more. There is a more effective voice with the Legislature through the borough assembly, and the communities can deal with the local representatives, special legislators, etc. There is a way to provide employment, as borough employees will be needed, there is a small employment base. If capital construction is kept in-house, done on a construction management program instead of letting it out on contract, local people can get the jobs, on the electrical systems, the water systems, the sewer systems, etc. These are some of the things the borough can do in addition to just providing services and facilities. When the package is completed in the next 1 1/2 months, around the first of June, Mr. Darbyshire stressed his agency will go back to each of the communities and say, here is what has been discovered and here are the alternatives. At that point they are done with their study. It is then up to the communities to proceed from there, draft the necessary corporation petition and keep the ball rolling. This is the logical way to determine what is wanted in a borough form of government.

Mr. Darbyshire stated it would be different in the Nana or Bethel areas. This is no tax base there. His agency could do the study, show services that are needed, costs that are needed, but people could not form the borough government as they just do not have the tax base. Ultimately, economically it has to be feasible to form a borough government. They know there is enough tax base in some other areas. Tok and Delta Junction have talked about it, but have never gotten their act together to really do anything. But the general area, sometimes called the pipeline borough, has the economic feasibility to support the borough government.

Mr. Darbyshire stated the Legislature has a real problem Statewide, in parts of the unorganized borough, areas with no tax base but needing the same services and facilities. How is the solution to those needs going to be addressed? That is where the Legislature will have to step in and bring some equity to all the people in the State.

Chairman Sturgulewski felt those options are somewhat limited, but there does seem to be an apparent need to get the planning done. People want to know about their areas and they want to know what their options are.

Mr. Darbyshire stated there have been a couple of ideas suggested in years past, both of which seem good. One, the Department of Community and Regional Affairs has discussed a regional government study on a Statewide basis. They could begin to address issues and problems that do appear up there. The other was that the Municipal League was supporting a Blue Ribbon Commission of some sort to also address this. The need is there, the problems are there, and something should be done.

Chairman Sturgulewski asked about coordination between the study he was doing and that of the Tanana Chief's? Mr. Darbyshire replied none yet. Mr. Kent replied only through Mayor John Solomon, who has been pretty heavily involved in the Borough study. Between the two organizations, at this point, the answer was none. His agency was looking at the problem differently from Mr. Darbyshire. The example of water and sewer are good points. All over the State, Public Health will come in, do something, or another agency will without regard to the long-term maintenance, or the problems of continuing the program. That is what he was talking about when he refers to the comprehensive plan. What can the community support is the question and he wants the individual communities to do that; whereas Mr. Darbyshire is doing a lot of that for the public. Mr. Kent stressed his agency was going to attempt to do the same thing in the other communities.

Chairman Sturgulewski asked Mr. Kent if he saw these as mutually exclusive? Did he see a conflict between one that may decide they wanted to become a borough? What was he doing in his planning? Mr. Kent stated no, the only real problem with the borough is the basis of what is there. If that base is not there, the effort has to be made either to create that base or provide some long-term activity as an unincorporated borough; and that is the kind of thing his plan will produce.

Chairman Sturgulewski told Mr. Darbyshire it was unfortunate that every time the issue of the unorganized borough comes up, there seems to be the defensive attitude you are trying to tax them. Perhaps that has been a lot of the discussion before - let's make those people organize and let's get a tax base. Obviously, it is well known there are many areas that just cannot produce a tax base. There seem to be many good studies and plans which have been aborted, because of the fear that somebody is going to do something to somebody. Now we are getting people out in the areas saying - hey, we need to know more about ourselves, we have an interest in the kinds of services. There seems to be a lot of things leading toward local government, or that was her perception. What is the the reaction received when dealing with the communities, how do people in the area look toward government? Can we separate the fact that they have an economic base here, that many areas would not. What about the idea of having some ability to having some control over what happens and what they get?

Mr. Darbyshire stated is is all tied together and gets very complex. First people recognize the need for housing, water, and sewer facilities, better air service, etc., are there. They recognize in this particular case there is something they can do about it, and everybody can grapple with the problem. He stated his reaction in traveling around the area was interesting; in that before when he lived in Kenai and travelled around the State, "borough" was a dirty word; but now, he found people were asking, what are our alternatives?

They recognized one alternative at this point, which is stated in a bill, introduced by Representative Parr to provide a 7-mill tax rate on the unorganized borough. The people did not want a 7-mill tax, but knew this is a possibility. It may not pass this year, but it is felt that passage will occur in the future. Another alternative is to incorporate into the North Star Borough; but that is an urban sort of borough, and they are running somewhere between 4 to 7 mills. The proposed Yukon Flats Borough looks pretty good, there is a lot of value, and few people, so would maybe run 2 or 3 mills. They are waiting to see what the study arrives at. Then the question is what is the most economical and will provide the most services? The Native communities visited are in dire straits for some assistance in providing community services and facilities. There is not a lot of income. Mr. Darbyshire stressed he was careful to point out this was not going to be free, it would cost, and the people would have to be taxed. The question was if they were willing to put forth \$20-\$100 a year maybe out of their pockets to pay for these increased services? The general reaction was when could they get their borough going? They could see they had a need for electricity and that the study would show they could get electricity for maybe \$50-\$100 a head. Preliminary estimates were given.

Chairman Sturgulewski thought one of the big problems coming to light is the ability of the nonprofit groups and others to go and deal directly with Washington, and felt in the long run a horrible delivery is being built because no one knows what anyone else is doing. The various State departments have different service areas and in the ability to go directly for dollars, and they do not flow through any A-95 delivery service. Had these items, which are so critical to the delivery system, been looked at? Mr. Darbyshire stated in this particular case, the Legislature had appropriated the money to study the problem. If a borough petition is submitted, the law provides that 15 percent of the local residents who voted in the last election will have to sign a petition requesting this and then there is a public hearing process. Ultimately, an election on the question versus most of the boroughs that now exist, excepting maybe Bristol Bay and the North Slope Borough, were mandated by the Legislature in 1964, which said there would be boroughs; i.e., a Kenai borough, an Anchorage Borough, etc. The area was given a choice of a mayor or manager. In the case now, these people want to find a way out, what their problems are and how to resolve these problems. These people are beginning to talk, there are a lot of people moving on this.

Chairman Sturgulewski stated the Committee would appreciate receiving his information as soon as it was available. Mr. Darbyshire stated his contract was with the Department of Community and Regional Affairs.

Representative Branson felt a precipitating factor is not only the pipeline, but the REAA's finding they had been given a lot of responsibility, but no discretion on really how to spend the money. They get all the criticism, all the pressure, but there is no responsibility to really decide how to spend the money. She thought it was making them realize -- "if you don't pay the piper, you don't call the tune."

Chairman Stugulewski stated without question we are developing an urban rural backlash situation and thought these basic economic facts need to get out in the communities also. It is fine to say you should govern and you should do this, but if the where-for-all is not there, people feel hopeless. She felt out of these studies answers will perhaps develop that will help in other ways. It is an interesting learning process, not only for that area doing the study.

Mr. Darbyshire stated he had designed the studies so that many elements would come out, and the process of incorporation would be available to all areas of the State, so the Yukon Flat area will not be the only one to benefit. They can see how to go about incorporation and where local revenues come from for operating a borough, etc.

Representative Branson noted another interesting point about the Yukon Flats area was that a transportation system exists on the Yukon River between villages. Mr. Darbyshire stated there are four villages off the river.

Chairman Sturgulewski thanked the speakers for their presentations and adjourned the meeting at 3 p.m.

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED
AS A UNIT IN THE ORIGINAL DOCUMENT.

PACKET A

H.U.D GRANT

AMENDED

3 is amended to read

"The above named Commissions shall constitute instrumentalities of the State, organized within the Department of Community and Regional Affairs. The Commissions shall act as the planning commissions for the Unorganized Borough in those areas within their respective boundaries and shall exercise the area wide powers of borough planning commissions, board of adjustment as defined in A.S.29.33.070.

The Commission shall submit recommendations pursuant to A.S.29.33.080 (b) to the legislature sitting as the assembly for the Unorganized Borough in the ten days of any regular session. Such recommendations will be adopted and become effective forty-five (45) days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by the majority of the members of each house."

The 1st paragraph of section 5 is amended to read

"The boundaries of each district shall define the territorial jurisdiction which the Commission may exercise. The interior boundaries of each district shall exclude those areas within the boundaries of the organized municipal governments. The exterior boundaries of each district shall be;