

SCOMM

87:26



U.S. Fish and Wildlife Service
Alaska Maritime NWR
Aleutian Islands Unit
Naval Air Station
PSC 486, Box 5251
FPO AP 96506-5251

Phone (907) 592-2406/2407
FAX (907) 592-3473

Date 4/2/93 Subject: Adak - Model Fishing Community HSR18

To: ANNETTE KREITZER

From: D BOONE REFUGE MANAGER

Comments: THESE ARE PERTINENT documents which have been
RE-TYPED - the copies we have would have been
UNREADABLE ON THE FAX. IF I can be of further
ASSISTANCE, PLEASE give me a call.

The
Dan Boone

Re: HJR 18

ATTACHMENT B(Public Land Order 1949)(Anchorage 031764)ALASKA

Withdrawing Lands for Use of Department of the Navy for Military Purposes (Attu, Adak, and Kodiak Islands)

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-804), as amended, and reserved, and reserved for use of the Department of the Navy for military purposes:

a. Attu Island: That land lying south of Latitude 52°52'00" N. between Longitude 173°04'00" E., and Longitude 173°14'00".
The area described contains approximately 11,670 acres.

b. Adak Island: That part of the island east of the Bay of Island and north of Latitude 51°47'13" N.
The area described contains approximately 61,000 acres of land.

c. Kodiak Island: Beginning at Corner No. 2 of U.S. Survey No. 2539, U.S. Naval Reserve at Kodiak, thence
East, 11,832.42 feet along boundary of U.S. Survey No. 2539:
N. 34°41'W., 7,987.16 feet:

S. 85°45'15" W., 4,157.22 feet:

N. 80°25'45" W., 5,957.22 feet:

S. 52°23'30" W., 10,567.20 feet:

S. 13°10'30" W., 9,085.74 feet:

S. 6°34' E., 4,071.43 feet:

S. 87°18'35" E., 12,715.45 feet to a point on the west
boundary of U.S. Survey No. 2539:

North, 13,973.68 feet along west boundary to the point of

beginning.

The area described contains approximately 6,269.7 acres.

d. Middle Bay: That portion of the northwest shore of Middle Bay lying east of the east boundary of U.S. Survey No. 2539. U.S. Naval Reserve.

The area described contains 49.23 acres.

The areas described total in the aggregate 78,933.93 acres.

2. Attu and Adak Islands were reserved by Executive Order No. 1733 of March 3, 1913, as a part of the Aleutian Islands National Wildlife Refuge. The reservation made by this order shall be the dominant reservation except for purposes of wildlife conservation and management, as to which Executive Order No. 1733 of March 3, 1913 shall be the dominant one.

3. The lands are not public lands within the meaning of the act of February 28, 1958 (72 Stat. 27; 43 U.S.C. 165).

Roger Ernst
Assistant Secretary of the Interior

August 10, 1959

Attachment C

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
WASHINGTON, D.C. 20240

Memorandum

To: Director, Fish and Wildlife Service

From: Assistant Solicitor, Fish and Wildlife

Subject: Aleutian Islands National Wildlife Refuge Cannery Proposal

This is in response to an informal request for an opinion concerning the management responsibilities of the Fish and Wildlife Service on the military reservation portions of the subject Refuge. Requests to lease a site for cannery facilities on Adak Island have raised questions of jurisdiction over the area for fish and wildlife conservation purposes. We understand the United States Navy claims its has primary responsibility over the area for purposes of entering into a lease for a proposed cannery facility on Adak Island.

The Aleutian Islands National Wildlife Refuge was originally established on March 3, 1913, by Executive Order No. 1733, which reserved "all islands of the Aleutian chain, Alaska" as a "preserve and breeding ground for native birds, for the propagation of reindeer and fur bearing animals, and for the encouragement and development of fisheries". The area was to be known as the "Aleutian Islands Reservation". By Proclamation 2416, July 25, 1940, the name was changed to the "Aleutian Islands National Wildlife Refuge".

On August 19, 1959, PLO 1949 reserved some 72,670 acres of the Refuge (portions of Attu and Adak Islands) for use of the Navy for military purposes. The PLO stated that the reservation made by that order was to be the dominant reservation "except for purposes of wildlife conservation and management, as to which Executive

Order No. 1733...shall be the dominant one".

In our view, the Fish and Wildlife Service has exclusive jurisdiction over the Refuge with respect to non-military matters. This would include a lease of the nature as is here involved. Issuance of such a lease would impact on wildlife in the area and is therefore of concern to FWS. Thus, FWS does have the authority to conduct the negotiations and issue the lease for the proposed facility.

Since the functions of wildlife conservation and management remain with FWS, regulation of the environmental impacts of a cannery operation is entirely subject to FWS jurisdiction, notwithstanding the fact that the activity occurs on a military reservation. Before operation of the facility can be permitted, it must be determined that such use of the Refuge will be compatible with the purposes for which the area was established. In addition, this should be coordinated with the Navy to ensure that military functions are not adversely affected.

If you have further questions on this matter, please contact Mr. David Fisher at 343-2172.

Ronald E. Lambertson

cc: Regional Solicitor, Anchorage

Attachment D

Depart of the Navy
Western Division
Naval Facilities Engineering Command
P.O. Box 727
San Bruno, California 94006

24:WKB:bk
8 Aug 1980

Preston, Thorgrimson, Ellis & Holman
Suite 404
420 L Street
Anchorage, AK 99501

Attention: Mr. Frederick H. Boness

Gentlemen:

This refers to your letter of 18 June 1980 on behalf of your client Whitney-Fidalgo Seafoods, Inc.

Your letter proposes Whitney-Fidalgo, Inc. to lease certain facilities at Finger Bay, Naval Station, Adak, Alaska as a support station for fishing grounds in the Bering Sea. It further raises the question of jurisdiction as to the leasing authority of the Navy and Fish and Wildlife Service.

There has been a dispute for more than two years relative to title to certain improvements placed on a leased site by a previous lessee as well as to further leasing and use of the site. As indicated to the Whitney-Fidalgo, Inc., in previous correspondence, the Navy is deeply concerned relative to the use of the Finger Bay facilities for housing of personnel, for even 60 days, during crab season. The introduction of such personnel without appropriate support placed demands on the Naval Station and jeopardizes its fragile supply line. The Navy's retaining a right to approve any Fish and Wildlife lease was based on this concern. Any prolonged use for housing of personnel would substantially impact the Station.

Further, we do not agree with your interpretation of the Inter-Agency Agreement between the Department of Navy and the Fish and Wildlife Service, particularly to the words "seafood processing". These words are not restricted to the processing function itself, but are used to connote the overall operation. For instance, please refer to the Settlement and Stipulation, Page 1, the second WHEREAS Clause provides in part that a certain lease dated January 1, 1973...permitted the lessee to construct certain improvements thereon for fish processing purposes...(emphasis added).

The intent of the Agreement with Fish and Wildlife was not to include only "fish processing" in the strict literal sense, but includes all of the facilities and operations that are included in operations as a whole, such as the sewage facilities, bunk houses and mess hall. The Navy License which provided for crab processing embraced the whole gamut of operations and restrictions.

As additional background, the Agreement between the Navy and Fish and Wildlife Service, the following are excerpts from correspondence from the Department of Interior which led to the Agreement. "On August 19, 1959 Public Land Order (PLO) 1949 reserved some 72,670 acres of the Refuge (portions of Attu and Adak) for military purposes...It is our view that the FWS has exclusive jurisdiction over all non-military matters...I am therefore requesting action regarding the lease, and inform the prospective lessee that FWS is the Agency charged with the issuance of such a lease" (Emphasis added). A copy of this letter is enclosed.

Therefore, the jurisdiction relinquished and acquiesced to the Fish and Wildlife Service is not as limited as your letter suggests. For the Navy to proceed to lease the premises would not be consistent with the Agreement to segregate jurisdiction authority.

Sincerely,

WARREN K. BRANSCUM
Director
Real Estate Division

Blind Copy to:
NAVSTA Adak

Adak stands to lose sub hunters and 75 percent of its Navy force

By JIM CLARKE
The Associated Press

Adak Naval Air Station is expected to lose its anti-submarine aircraft and about 75 percent of its more than 4,000 sailors and dependents next year under plans being reviewed by the Pacific Fleet.

Capt. E.A. Caldwell, commander of the Aleutians base, was ordered last week to write a reorganization

plan that includes the sharp staffing cuts, Petty Officer 1st Class Walter Panych, a Navy spokesman on Adak, said Tuesday.

The base, on Adak Island about 1,200 miles west of Anchorage, has served as a supply depot since World War II. It has been a forward airfield for Soviet submarine hunters for most of the Cold War.

But a Navy spokesman at

Pearl Harbor, Hawaii, said the Adak orders are part of a larger plan to reduce submarine-hunting missions in the Pacific.

"They're coming up with a plan that will, over time, reduce the mission of Adak as much as possible," Lt. Kenneth Ross said. "It's part of ongoing efforts to use bases more efficiently to meet mission requirements."

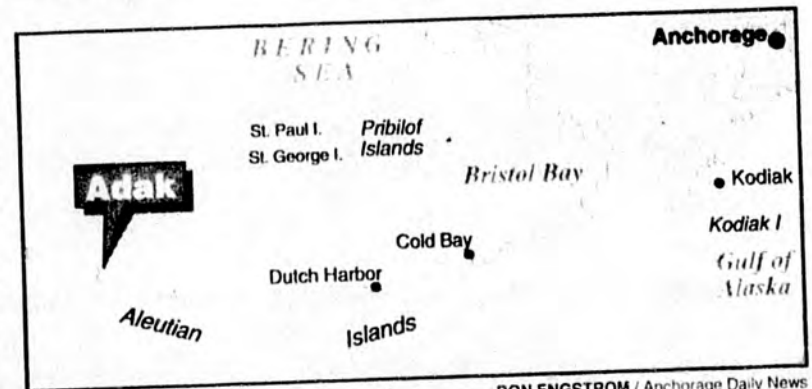
About 4,200, which in-

cludes sailors and their families, live on the base. That number would be cut to below 1,000.

And the four Lockheed P-3 Orion submarine hunters deployed to the base would be removed.

A Navy spokesman on Adak said the reduction would be gradual, and that the island's runways, light-

Please see Back Page, **ADAK**



the island, the move should
vate businesses operate on
Hawaii was on the list

ment and alcohol treatment

ADAK: Cuts planned

Continued from Page A-1

ing and control tower would still be maintained.

"The threat that was once there has subsided markedly," Panych said. "Looking at it realistically, we're doing this because everybody's drawing down."

While the orders from the Pacific Fleet were received Friday, the same day the Pentagon's latest base-closing list was released, Navy officials said the Adak move was not related.

In a separate move, the Army announced last week that it will reassign about 2,800 soldiers in Alaska from Fort Richardson, in Anchorage, and Fort Wainwright, near Fairbanks.

Because Adak is so remote, and because few private businesses operate on the island, the move should not be a serious blow to the state's economy.

But Richard Reeve, president of Reeve Aleutian Airways Inc., said the Adak

cutback may mean the airline will reduce service to the island.

Reeve Aleutian now operates five flights a week from Anchorage to Adak in the winter and six in the summer. Reeve said the flights represent at least 10 percent of the airline's business.

Besides the anti-submarine missions, Adak also handles some communications for the Pacific Fleet, as well as surveying. Those activities are expected to remain on the island, Ross said. Most of the sailors will leave because the submarine hunters are going, he said.

That is in line with other Navy bases scheduled to close.

Moffett Naval Air Station in Mountain View, Calif., was on a 1991 base-closing list, and Barbers Point NAS in Hawaii was on the list released Friday.

Both bases are home to squadrons of P-3 aircraft, the Navy's primary submarine hunter.

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Alaska State Legislature

Representative Carl E. Moses



CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL FISHERIES COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
FISH AND GAME
PUBLIC SAFETY

SESSION:
CAPITOL BUILDING, ROOM 204
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-4451
FAX: (907) 465-3445

INTERIM:
P.O. BOX 109
UNALASKA, ALASKA 99685
PHONE: (907) 581-1234
FAX: (907) 581-2875

MEMORANDUM

TO: Senator George Jacko, Chair
Senate Rules Committee

FROM: Representative Carl Moses

DATE: April 1, 1993

RE: Scheduling of HJR 18

I would like to respectfully request that you schedule for a floor vote HJR 18, relating to establishment of a fishing community on Adak Island.

The Adak Naval Base has been in existence as a military establishment in the Aleutian Islands since World War II, but is now being considered for reduction in forces. Commercial fishing is the major industry in the Aleutian Island Chain and along the Alaska Peninsula, but natural harbors that are adjacent to prime fishing grounds are at a premium. Adak Island has a number of such harbors that have the potential of being developed as small outposts of the local fishing industry. It is now time for Alaska and the U.S. Department of Defense to look to the future of Adak Island. Releasing a portion of the naval reserve for development of a fishing community, or at least making it available for civilian use, would be a first step.

The resolution has no fiscal impact.

Alaska State Legislature

Representative Carl E. Moses



CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL FISHERIES COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
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FAX: (907) 581-2875

Sponsor Statement

HJR 18

Relating to establishment of a fishing community at Adak

The Adak Naval Base has been in existence as a military establishment in the Aleutian Islands since World War II. With the easing of Cold War tensions, the U.S. Department of Defense is now looking at reducing or phasing out numerous installations across the country, including Adak. In fact, Adak is being considered for a reduction of three-quarters of its active forces.

Commercial fishing is the major industry in the Aleutian Island Chain and along the Alaska Peninsula. Natural harbors that are adjacent to prime fishing grounds are at a premium. Adak Island has a number of such harbors that have the potential of being developed as small outposts of the local fishing industry.

At one time, civilians did have limited access to the Adak Naval Reserve, but that access was revoked.

It is now time for Alaska and the U.S. Department of Defense to look to the future of Adak Island. Releasing a portion of the naval reserve for development of a fishing community, or at least making it available for civilian use, would be a first step.



ALASKA CRAB COALITION

3901 Leary Way (Bldg.) N.W., Suite #6 • Seattle, WA 98107 • (206) 547-7560 • FAX (206) 547-0130

March 5, 1993

Representative Carl E. Moses,
Chairman, House Special Committee on Fisheries
Alaska State Legislature
Capitol Building, Room 204
Juneau, AK 99801-1182

Dear Carl:

At a recent meeting of the Board of Directors of the Alaska Crab Coalition, we reviewed House Joint Resolution No. 18, relating to the "establishment of a fishing community at Adak," in the Aleutian Islands.

The Board has endorsed the resolution which respectfully requests the Department of Defense and the Department of the Navy to release a portion of the Adak Island Naval Reserve to the State of Alaska for the development of a model fishing community on Adak Island.

Crab fishing vessels frequent this relatively remote area of the Aleutian Islands at different times of the year and they are in need of safe harbors for anchorage, floating fish processors and a deployment base with air transport facilities for changing out crews and resupplying of groceries and fresh water.

As you are already aware from your lengthy residence and experience in the Aleutians, there are very few harbors open for safe anchorage in this area, as most are closed by military orders for security related reasons. This has long created logistical inconveniences and added expenses for crab and groundfish vessels.

Opening harbors on Adak Island will add an important logistical seaport for Alaska.

Sincerely,

Arni Thomson
Executive Director

cc: Alaska Congressional delegation

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HJR 18

Revision Date: _____ Dept. Affected: DMVA
Title: Establishment of a fishing community BRU: _____
at Adak. Component: _____
Sponsor: Rep. Moses
Requestor: Rep. Moses COMPONENT SERIAL NO. _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact

Prepared by: Jeff Morrison, Director
Division: Administrative and Support Services
Approved by Commissioner: *Jeff Morrison* Hugh L. Cox III
Agency: Military and Veterans Affairs

Phone: 465-4730
Date: 16 Feb 93
Date: 2/16/93

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HOUSE JOINT RESOLUTION NO. 18

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MOSES

Introduced: 1/22/93

Referred: House Special Committee on Military and Veterans' Affairs,
House Special Committee on Fisheries, State Affairs

A RESOLUTION

1 Relating to establishment of a fishing community at Adak.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS the tensions of the "Cold War" have subsided and numerous military
4 installations are being totally or partially closed by the Department of Defense; and5 WHEREAS the Adak Naval Base has all of the facilities and infrastructure of a small
6 city; and7 WHEREAS, with the reductions currently in progress at the Adak Naval Base, many
8 of the facilities on the base will be excess to the needs of the military; and9 WHEREAS Adak Island has a number of natural harbors in close proximity to major
10 fishery resources; and11 WHEREAS the opportunity exists to develop a "state of the art" model fishing
12 community on Adak Island; and13 WHEREAS history has shown that military bases and civilian communities can co-
14 exist with benefits to both;15 BE IT RESOLVED that the Alaska State Legislature respectfully requests the
16 Department of Defense and the Department of the Navy to ~~release~~ *open up to public use* a portion of the Adak
17 Island Naval Reserve to the State of Alaska for the development of a model fishing

1 community on Adak Island.]

2 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
3 United States; the Honorable Al Gore, Vice-President of the United States and President of
4 the U.S. Senate; the Honorable Les Aspin, Secretary of the Department of Defense; and to the
5 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
6 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

HSR 18

2/24/93

MVA-

Finger Bay was available at 1 time

Wills - if any land transferred - any evidence that environmental hazards could be left behind that maybe Dept of Defense might should address first.

Case - might be a detriment to my business.

Alaska State Legislature

Representative Carl E. Moses



CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL FISHERIES COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
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FAX: (907) 581-2875

MEMORANDUM

TO: Representative Richard Foster, Chair
Military and Veterans Affairs Committee

FROM: Representative Carl Moses *CEM*
Chairman, House Rules Committee

DATE: January 27, 1993

RE: Request for scheduling

I would like to respectfully request that a hearing be held in your committee on HJR 18, relating to establishment of a fishing community at Adak. This issue is very important to my region. My aide Molly McCammon (6848) is the contact on this bill.

Thank you.

H SR 18

- Fiscal Note Requested - of Jeff Morrison DMVA - 4730
- letter of support from Dick Jacobsen -
- sponsor statement - in draft.
- One will ~~sponsor~~ testify.



ALASKA STATE LEGISLATURE HOUSE OF REPRESENTATIVES

REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-FT. RICHARDSON

- CHAIR -
LEGISLATIVE COUNCIL

- CO-CHAIR -
HOUSE SPECIAL COMMITTEE ON
MILITARY AND VETERANS AFFAIRS

- CO-CHAIR -
MILITARY AFFAIRS FOR
ANCHORAGE CAUCUS

FEB 10 1993

MEMORANDUM

TO: Representative Carl Moses, Chair
House Rules Committee

FROM: Representative Eldon Mulder, Co-Chair *EM*
House Special Committee on Military & Veterans Affairs

SUBJ: HJR 18

DATE: February 10, 1993

HJR 18 has been scheduled for a hearing in the House Special Committee on Military & Veterans Affairs on February 18, 1993 at 10:00 AM in Capitol 17. Attached is a list of information that the committee will require before the bill can be heard. Please have this information submitted to my office at least 24 hours before the meeting. If you have any questions, please contact my committee aide, Howard Joyce at extension 3889.

Alaska House of Representatives

Richard Foster
P.O. Box 1630
Nome, Alaska 99762-1630
907-443-5036

State Capitol
Juneau, Alaska 99801-1182
907-465-3789
Fax 907-465-3242



Chairperson
Transportation Committee

Military and Veterans
Affairs Committee

Member,
Finance Committee
Bush Caucus
Majority Whip

Eighteenth Legislature

MEMORANDUM

DATE : 26 January 1993
TO : All Legislators
FROM : Rep. Richard Foster *RF*
SUBJECT: Scheduling of Bills in Committee

The House Special Military and Veteran Affairs Committee asks that all requests to schedule a bill be made in writing by the sponsor and include the following information:

Sponsor Statement
Sectional Analysis, if appropriate
to the complexity of the bill
Current Fiscal Note
Current Departmental Position Paper
Any additional background material

Any substantial amendments to a bill, together with further analysis, statements and fiscal notes should be provided to the committee staff 24 hours in advance of the next scheduled hearing.

If you have any questions, please call Liz Walters at 3789.

Thank you in advance for your cooperation.

Alakanuk, Chevak, Elim, Emmonak, Gambell, Golovin, Hooper Bay, Kotlik, Koyuk, Marshall, Mekoryuk, Mountain Village, Newtok, Nightmute, Nome, Pilot Station, Pitka's Point, Russian Mission, St. Mary's, St Michael, Savoonga, Scammon Bay, Shaktoolik, Sheldon Point, Stebbins, Toksook Bay, Tununak, Unalakleet, White Mountain

Staff: Elizabeth Walters, Jeannie Smith, Dr. Larry La Bolle

ALEUTIANS EAST BOROUGH

SERVING THE COMMUNITIES OF

■ KING COVE ■ SAND POINT ■ AKUTAN ■ COLD BAY ■ FALSE PASS ■ NELSON LAGOON

FAX TRANSMITTAL SHEET

Anchorage Office

Date:

2/17/93

Number of Pages

2

To:

Rep. Moses

Fax No.

Location:

Attn: Molly McCannon

From:

Dick Jacobsen, Mayor

Message:

=====

OUR FAX NO. (907) 276-7569

OUR PHONE NO. (907) 274-7555

CLERK/PLANNER
P.O. BOX 349
SAND POINT, ALASKA 99681
(907) 383-2699
(907) 383-3496 FAX

BOROUGH ADMINISTRATOR
1800 A STREET, SUITE 103
ANCHORAGE, ALASKA 99501-5148
(907) 274-7555
(907) 276-7509 FAX

FINANCE DIRECTOR
P.O. BOX 49
KING COVE, ALASKA 99612
(907) 497-2588
(907) 497-2386 FAX

ALEUTIANS EAST BOROUGH FEB 22 1993

SERVING THE COMMUNITIES OF

■ KING COVE ■ SAND POINT ■ AKUTAN ■ COLD BAY ■ FALSE PASS ■ NELSON LAGOON

February 17, 1993

Representative Carl Moses
P.O. Box V
Juneau, AK

Dear Representative Moses:

The Aleutians East Borough supports HJR #18. The use of the harbors around Adak Naval Base would be advantageous to the fishing industry in a number of ways. First and paramount is the issue of safety. No other industry has the mortality rate of the fishing industry in Alaska. Having access to safe harbors and good facilities is essential to the safety of our fishermen. The creation of such a port at the extreme end of the Aleutians is an intriguing concept that needs further exploration and development. It would appear that additional fish products would be brought ashore that are now leaving the State. This should enhance the State's revenue picture.

For the above reasons, the Aleutians East Borough supports the further development of this concept.

Sincerely,



Dick Jacobsen
Mayor

CLERK/PLANNER
P.O. BOX 349
SAND POINT, ALASKA 99661
(907) 383-2699
(907) 383-3496 FAX

BOROUGH ADMINISTRATOR
1600 A STREET, SUITE 103
ANCHORAGE, ALASKA 99501-5146
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