

201 SHES HOUSING - LAND CLAIMS SETTLEMENT

Mr. Roger Riddell  
Re: 400 Indian Housing Allocation  
3/3/76 - Page 7

"SEC. 29. (a) The payments and grants authorized under this Act constitute compensation for the extinguishment of claims to land and shall not be deemed to substitute for any governmental programs otherwise available to the Native people of Alaska as citizens of the United States and the State of Alaska."

The U.S. Department of Housing and Urban Development is clearly in error in suggesting that the Regional Native Corporations should be bound "to provide funding for cost overruns."

Total Development Cost: Proto-Type Cost vs. Set Limit

The real issue at hand here is the ability of HUD to approve the Estimated Total Development Cost of projects following the legally recognized procedure of proto-type cost limits for unit construction costs with an approvable site development and extraordinary condition allowance precedence support 1.5 x proto-type cost or to set an arbitrary and capricious total development cost figure for the housing authorities to restrict their developments within.

Recently, our Authority has been in receipt of the National American Indian Housing Council - Indian Housing Monthly Report Analysis Contract No. K51C14200918. Of particular interest in this statistical report is the HUD Region X summary and the reports ending conclusions. Of the total 1028 units reflected for FY75/76 the 360 units in ten (10) communities of Southeastern Alaska completed and occupied, represent 35% of the Region X HUD total. It should be noted that of the 500 units BIA/HUD program maybe 20% is completed and occupied. Of the remaining units allocated to the region, very few outside of the State of Alaska have gotten out of the planning stage. In Southeastern Alaska, the Sitka forty (40) unit project and the Metlakatla twenty five (25) unit project remain outstanding. Mainly, this has occurred because HUD Area - Alaska has just issued the program reservation and the preliminary loan contract to the participating housing authorities.

A feature of the Alaska units that differs distinctly from allocations on the Continental United States is the (ETDC) Estimated Total Development Cost per unit of housing. At this point in history, the national average ETDC is \$34645. In Region X HUD, the average ETDC is \$39474. The report notes that there is great disparity between the costs of the BIA/HUD 500 Mutual-Help units presently under construction and their predecessor units which averaged around \$55,000 per unit.

The "predecessor units" were the 360 Turnkey III homes constructed by the Tlingit-Haida Regional Housing Authority at remote village sites in Southeastern Alaska.

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These units were within the proto-type cost limits set for the area and published in the Congressional Record. Further, the site development costs and other allowable costs outside of dwelling cost limits did not exceed the (1.5x) proto-type cost limits considered "rule of thumb" allowable by previous precedence of HUD programs.

The discussion of this point of how Estimated Total Development Costs are arrived at administratively in the different areas of Region X HUD evolves a point of conflict between the native housing authorities and HUD.

The Prototypes cost/plus additional site development and other cost method is set by law and regulation. The concept is that by securing costs for units of work, materials, transportation and other costs for related type projects of the government throughout the areas outlined in an annually published Prototype Cost statement - a standard cost per unit of housing will be arrived at. In the Continental U.S., this system is fairly accurate considering the volume of work that can be surveyed. However, it should be noted that with inflation in cost of materials and increased labor costs of the last few years, this systems reliability and accuracy has been under challenge to keep even on a day to day basis. In Alaska, the inequities are vast. The government secures prototype cost information from military and remote governmental construction projects which are hundreds and even thousands of miles apart. Modes of transportation and availability of skilled labor is extremely diverse. The validity of proto-type costs have been constantly challenged because of inconsistent set values in the various geographic areas, i.e., upstream villages having a lower value than downstream locations; a cost limit of a centralized village with an airport being established for a village a couple of hundred miles away - yet located in the same proto-type cost area.

The history of HUD establishing arbitrary and capricious ETDC limits is not without precedence. Let's look back for a moment. The AFN Housing Authority advertised the housing projects at Gambel and Savoonga and received bid prices in the ranges of \$70,000 plus per unit. Following the proto-type cost method with the attendant precedence for additional costs and some minor modifications, it could be said that these costs were approvable. Even today, with established proto-type cost limits in most areas of Northern Alaska, cost per unit could easily range from \$60 - 70 thousand dollars per unit for even modestly designed houses. The North Slope Borough Housing Authority dwelling units average ETDC. In the last few years, none of the Alaska State Housing Authority urban housing apartments have averaged less than 50,000 per unit. As stated before, the Tlingit-Haida 200 units had a set TDC figure of \$60,000 per unit for dwelling units built under close to conventional processing procedures and MPS standards.

The BIA/HUD house which does not meet code, M.P.S., uses force account labor without Davis Bacon wages, no Miller Act considerations and are not insurable

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under the HUD National Indian Housing Insurance program and receives technical assistance from the BIA and other agencies not counted in TDC totals - had a program established TDC of \$30,000. All of the housing authorities participating in the program are requesting amended A.C.C. contracts to \$40,000 T.D.C. or more. The irony is the units are nowhere near the criteria of the term "standard housing" and the life expectancy of the units is limited.

The bottom line is that HUD cannot live with the proto-type cost limit processing in Alaska nor can it live with a high (TDC) Total Development Cost limit in the \$60,000 - \$70,000 range per unit for low income housing. The reasons have never been related, even though the situations have honestly demanded a higher cost figure. Speculatively, the HUD administration has been extremely sensitive nationally to congressional inquiry. It is felt that such high dollar figures per unit would not be approvable to highly placed HUD executives, congressional oversight committees and the national conscience. This position leaves the Alaska Native in a paradoxical situation with regard to their need for homes/actual costs for construction and the limits HUD has established both technically and politically. The result is that the native leadership faces HUD with their hat-in-hand taking whatever type of program HUD is willing to advance whether the result be standard housing or substandard housing - with or without native involvement. What is even more sorry is the reality these native leaders face, when despite the reluctance these men feel for what each is doing in accepting a second rate program - the housing is desperately needed and it is impossible to turn one housing unit down, for whatever reason that may be justified because of the high level expectancy a housing program generates in each local community.

Somewhere between proto-type costs and the arbitrary and capricious establishment of total development cost ceilings, is an answer. Hopefully, an answer that is legally supportable and is realistic enough to get the Alaska Natives out their predicament and HUD into an administratively conscionable position.

The need for rural housing in Alaska, as heralded a few years ago, exceeds 6,000 dwelling units. The 1200 units presently underway or completed represent 20% of the goal. In a debate in Washington, D.C. with a HUD technician a few years ago, the same issue of total development cost was under discussion. It was said "that three (3) units of housing could be built in Alabama for everyone that could be built in Alaska." I disputed the fact, but the point was made. My rebuttle was "...provide Alaska their one unit pro-rata on a scheduled and planned basis and I believe Alaskans could live with it.

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With the above story in mind, I believe that if a not to exceed total development cost figure could be agreed upon in the neighborhood of \$55,000-60,000 ETDC per dwelling unit and the figure was dependable, it might be possible to develop a stable regional housing authority program following the guidelines of the Indian Housing regulations. A set figure would challenge the housing authorities and private industry to come up with designs, material innovations and construction methods which would meet the criteria and be acceptable to all concerned. Further, if the housing dollars could be allocated to the authorities on the basis of a minimum number of units to be constructed rather than a set figure, this would encourage variance in type of design, bedroom count, etc. Lastly, if some creditability could be built by HUD/Regional Housing Authorities in such a program, ANSCA regional corporation, non-profit associations and other groups might become more inclined to invest funds in the administrative budgets or even the construction programs of the regional housing authorities - on a re-imbursable basis or as tax credits. This will take time to develop.

The Tlingit-Haida Regional Housing Authority Position.

The Tlingit-Haida Regional Housing Authority (T-HRHA) is willing to allow the other regional housing authorities to have preference on this round of (400) units of low income housing; however, it, again wishes to re-iterate that it can meet the HUD terms and requirements for moving housing units to HUD ACC and construction at village locations in less than forty five (45) days in the event the other Regional Housing Authorities are unable to move their program to fruition this construction season as mandated by HUD. This Authority needs new construction programs in order to survive and to continue to meet the needs of low-income families in the Southeastern Alaska area. This Authority request consideration for any unit allocations which come available.

In Conclusion....

As stated at the beginning of this paper ... events and progress should be recorded. The comments contained herein are intended to be a part of continued positive discourse toward securing additional housing for all Alaskans.

Sincerely,

TLINGIT-HAIDA REGIONAL HOUSING AUTHORITY

  
Robert W. Loescher  
Executive Director

Mr. Roger Riddell  
Re: 400 Indian Housing Allocation  
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encl.

cc: All Alaska Housing Authorities  
All ANSCA - Regional Corporations  
All Non Profit Regional Associations  
Rural Cap  
Senator Ted Stevens  
Senator Mike Gravel  
Representative Don Young  
James Young - HUD Regional Director  
Secretary Carla Hills - HUD  
Under Secretary David S. Cook  
Herman Williams - HUD Region X  
Reeves Nawhoosky - HUD - Wash. D.C.  
National Indian Housing Council  
Housing Assistance Council  
Commissioner McAnerney - Community & Regional Affairs  
Deputy Commissioner - James Edenso - State Dept. of Commerce  
T-HRHA Board of Commissioners  
T-HCC - Executive Committee  
Southeast Alaska Communities - Mayors  
Bush Conference - Alaska State Legislature  
Alaska Native Foundation - Emil Notti  
Rural Development Council - Bert Hall - HEW - Anchorage  
USDA - Farmers Home Administration - Wally Kubley  
Clay Antioquia - Area Director - BIA  
Morris Thompson - Commissioner - BIA

RWL:lg

THE FOLLOWING DOCUMENT(S) MAY NOT FILM  
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ORIGINAL.



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
 FEDERAL HOUSING ADMINISTRATION  
 WASHINGTON, D. C. 20411

*Am...*  
 CC. Div  
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 MFR  
 ACU -  
 Legal  
 HW



ASSISTANT SECRETARY-COMMISSIONER

MEMORANDUM FOR James L. Young,  
 Regional Administrator  
 Region X, Seattle

Subject: Alaska Native Housing - Low Income Public  
 Housing Program

This is in response to your January 13 subject memorandum and confirms the results of your discussions the week of January 19 with Central Office staff.

For the 200 units which will be allocated to you shortly and the 200 units from recaptured Program Reservations, the BIA is willing to consider extension of the existing Special Program for 500 units to cover the additional 400 units, provided that the Regional Native Housing Authorities (RNHAs) agree to the extension. Whether the Special Program covers only the original 500 units or is extended to cover the additional 400 units, we will negotiate with BIA amendments to the Memorandum of Understanding to define more clearly the respective responsibilities of HUD, BIA and RNHAs, particularly with regard to cost controls and overruns and management after occupancy. Before final approval of any amendments, we will take into account the views and recommendations of the regional staff and Alaska personnel, including HUD, BIA and RNHAs.

If extension of the Special Program to cover the additional 400 units is unacceptable to the RNHAs, we agree with you that a program should be offered which is administratively simpler than the regular Mutual-Help Program and which would give the RNHAs more flexibility and control than the Special Program does, but which would set an absolute ceiling on the amount of subsidy HUD will provide and bind the Regional Corporations to provide the funding for any cost overruns. If this course of action is taken, Central Office will design the program and transmit it to Region X for review and concurrence.

Whether or not the Special Program is extended, this memorandum will constitute your authority to utilize for the additional 400 units the same basic house plan and design that was approved by Central Office for the Special Program 500 units. As you know, under the Special Program, minor variations were

40,000

permitted to be made by BIA for adaptation to the site(s) or, in order to make use of local building materials or to reflect local custom. If the Special Program is not extended, similar variations may be permitted at the request of the RNHAs, subject to the approval of your office or the Anchorage Insuring Office, as you may decide, and provided BIA and IES concur. <Major variations from the already approved basic house plan and design will, of course, require Central Office approval.>

With respect to land titles, this memorandum will also constitute your approval to accept for the additional 400 units title transfer documents of future interest in the land until the land titles can be conveyed by either a valid fee patent or a valid 50-year leasehold interest. This is an extension of the authorization granted for the 500 units of the Special Program, providing for a series of quit-claim type instruments of future interests for up to two years after execution of the Annual Contributions Contracts, and, we understand, is necessary because of the inability of the Bureau of Land Management to process promptly the large number of land title claims arising under the Alaska Native Land Claims Settlement Act.

*after  
dequere  
title  
BLM  
person*

Decisions regarding use of Force Account construction and establishing a ceiling on HUD-assisted total development cost per unit are inextricably related to the question of extension of the Special Program as discussed in paragraphs two and three of this memorandum. Upon receipt of further information from you on this matter, we will be in a better position to advise you on these questions. It should be noted, however, that Force Account work is subject to Davis-Bacon wage rates and the new Indian Housing final regulations will do so. The rates and pay for laborers and mechanics employed in this construction cannot be less than the wages prevailing in the locality of the projects as determined by the Secretary of Labor. In this instance, it would appear that the RNHAs can make a valuable contribution in obtaining wage rates commensurate with those presently being paid to workmen by the proper completing of Department of Labor Form SF-303, Request for Determination. Your office should make certain that SF-303's are properly prepared and do in fact present accurate representation of wages actually being paid for the various classifications, including new or different classifications representing the actual types of work and actual skills involved. It should be emphasized that journeyman classifications and skills are not required or employed in many of the jobs involved.

Before closing, we need to address the requests for ACC List amendments for cost overruns involving the projects of the Association of Village Council Presidents (AVCP) Native Housing Authority under the Special Program. In order to validate the amounts requested, we would like a member

of your staff to reexamine the particulars of the requested amendments with the BIA and the AVCP, if necessary. Before recommending to the Secretary that she authorize the increases, it is necessary that we have (1) current information on the status of these projects, (2) a statement whether the terms and conditions of the Memorandum of Understanding relating to BIA's responsibility for technical management of construction were honored in these cases and, if not, why not, and (3) evidence that the expenditures are inevitable increases which were unforeseeable and are not the result of inadequate or extravagant management.

Finally, in order to implement successfully these new initiatives, it will be necessary to maintain constant contact among HUD and BIA staff in Washington, Seattle and Alaska. The common goal is the provision of adequate housing to low-income Alaska natives. With a positive attitude and cooperation there is no reason that the issues cannot be resolved and the necessary houses built. We pledge the full support and cooperation of this office and look forward to working with you in this area.

David S. Cook

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HUNTING

# COALITION of INTERIOR ALASKA OUTDOORSMEN

P.O. Box 18  
FAIRBANKS, ALASKA 99707

## *Affiliated Clubs:*

Chena River Sports Club  
Chitina Dipnetter's Association  
Fairbanks Trailblazers, Inc.  
Interior Alaska Trappers Association  
Interior Wildlife Association  
Tanana Valley Sportsmen's Association

April 15, 1976

Dear Governor Hammond and Legislators,

Re: Senate Bill No. 335

The Coalition of Interior Alaska Outdoorsmen has previously stated their position on raising the cost of hunting and fishing licenses and big game tag fees. We now feel that it is time to better define and clarify this position.

Senate Bill 335 as passed by Senate drastically changes the license and tag fee structure. It is our understanding that over 85% of revenue generated by sales of licenses and tags comes from non-residents. Based on this information, we question how much will be gained by doubling the cost of resident sport fishing and hunting licenses. We believe fewer licenses will be sold, therefore decreasing any gain hoped to be achieved.

We believe that three other areas should be considered for additional revenue and to better distribute the cost burden to all those benefiting from fish and game management programs. These are as follows:

1. We do not believe that any valid reason exists today for a 25-cent license. If necessary, the welfare agency supporting the qualifying individual should pay the normal fee and thereby transfer these funds to the fish and game fund so federal matching monies could be received. In 1975, 5,000 25-cent licenses were sold. None of these funds went to the Dept. of Fish and Game. Since this 25-cent license allows the licensee to hunt, fish and trap it should be valued at \$15.00. Thus \$75,000.00 in possible revenues was not received by Fish and Game. When the 3 to 1 matching federal monies are added the total loss was actually \$300,000.00.
2. We believe that somewhere between one fifth and one third of the Dept. of Fish and Game's Sport Fishing and Game Division's activities are solely directed toward non hunting and fishing activities. This is estimated to consume in excess of \$2,000,000.00 of Fish and Game funds. At the present time the hunter and fisherman pays the bill for these activities. We believe a better method would be to fund these activities from general funds and thus more equitably share the costs of all activities. A general fund appropriation of approximately \$600,000.00 along with matching federal funds, would total approximately \$2,000,000.00.
3. At the present time all revenue derived from trapping licenses goes directly to the general fund account. Fish and Game does not receive any of these monies, but provides all the management efforts. Again, the hunter and fisherman is paying the bill. We believe that these trapping funds should be sent directly to the Fish and Game account. This could then be matched by federal monies. Approximately 8,000 trapping licenses were sold in 1975. This amounts to \$24,000.00. Due to loss of federal matching funds, this resulted in a loss of \$100,000.00 to Fish and Game. We would support an increase of the resident trapping license to \$10.00 providing these funds go directly to Fish and Game. This could generate \$320,000.00 in additional revenue.

We are opposed to all resident big game tag fees. The cost of administering may well offset any additional revenue derived. This will also discourage hunting by residents and may effect sales in related outdoor activities. We believe this new fee area should be approached with great caution.

Items 1 through 3 above would require a general fund appropriation of \$600,000.00 and could generate as much as \$2,620,000.00 for Fish and Game management. This would be done without changing the present resident hunting and fishing license structure.

We have not taken a position on non-resident fee increases. The legal and social ramifications are such that we think it best to concentrate our efforts on this license and fee issue as it affects us as resident Alaskans.

Again we would like to suggest that public hearings on this matter be held in several areas of the State.

Sincerely



Ivan Thorall, Chairman



# Alaska

## Professional Hunters Association, Inc.

P. O. BOX 4-1932  
ANCHORAGE, ALASKA 99509

Phone (907) 279-7837  
or (907) 344-5482

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Senate Resource Committee  
Pouch V  
Juneau, Ak. 99801

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### Subject; Proposed non-resident tag fee increase.

Many thousands of dollars are spent by the the State promoting tourism in Alaska in magazines and in papers in the lower 48. It seems inconsistent to me that on the one hand we want tourism and on the other hand we reject it by making it too expensive for the lower income tourist that come to Alaska - and when I say tourist I also mean hunter.

There seems to be a misconception to what a tag fee is. Many people seem to think that a tag fee is the price of an animal. This is not true. A hunter must buy a tag for the privilege of hunting the animal. This tag does not mean that he is buying or getting the animal, but only the right to hunt it.

Many other expenses are involved besides the tag fee in a guided or non-guided hunt. Airlines, hotels, restaurants, sporting-goods stores, air taxi operators, etc. Everyone benefits when we have this type of tourist up here.

The hunting tourist leaves much more money in Alaska, than the person that comes up to look around and take a few pictures.

Another point that we might consider is that when we increase the tag fee as the proposed legislation would do, we are only restricting those people from the lower income brackets that can not afford this type of increase. It is not going to restrict or stop the very monied hunter that wants a

### EXECUTIVE SECRETARY

DARRELL FARMEN

### PAST PRESIDENTS

BUD BRANHAM  
Anchorage

CLARK ENGLE  
Anchorage



PLEDGED FAIR CHASE

guided hunt, from coming up here. We will have less hunters, and it will not effect the majority of guides, but it will affect the hotels, resturants and all the other businesses that depend upon tourists.

If the purpose of this legislation is to reduce the number of hunters that come to Alaska, then we are accomplishing this, but I would like to make a suggestion. If what you really want is to reduce the number of hunters that come to our state, then the best way to do it is to require that all hunters must have the services of a guide, before they can hunt in Alaska. Because of the high price of the guided hunts this would materially reduce the number of people that come from the states and other countries to hunt Alaska. I do not say this to benefit the guides because that would have very little effect on them. The people that come for a guided hunt have the money to do so, but it would stop a number of hunters who are in the lower income bracket and can not afford the services of a guide. Many thousand of hunters come to Alaska and hunt moose, caribou black bear and goat on their own, because a guide is not required. Their success is not that great, but they do spend much with the charter boat operators, air taxies, roadhouses, etc. Less hunters means less business and therefore less taxes for the state.

What I am saying is that the proposed increase is not going to drasticially effect the guided hunts in Alaska, but it will effect the other small businesses that depend on tourism to quite some extent.

If you recall in 1973 after the last price increase in tags the number of non-resident hunters purchasing tags dropped from 11000 approx. to 8000. I have no idea what the drop would be now after this proposed increase, but I am sure it would be substantial.

On a 16 or 18 day hunt, most guided hunters normally buy 5 tags which in the past has amounted to \$525.00. On a hunt of this type he expects to take three trophies and the other tags are just in case he has a chance at additional game.

If this increase goes into effect we may look forward to a hunter buying only three tags for \$600.00 instead of five tags for \$1000.00 The revenue to the state would be increased by \$75.00, but with a substantial decrease in the number of hunters it seems to me that in the long run the state will come out on the short end, when we consider reduced taxes from small businesses, reduced income from Airlines and the state ferry system.

We all should in the future think of the hunter as a tourist,

and every time a piece of legislation comes up pertaining to hunters, to try to think of them as tourists first and hunters second. The hunter is one of Alaska's greatest tourist. They have contributed much to the state and businesses, almost everyone benefits from these hunters that come up here. When the pipeline boom is over we are going to be left with an economy that is based on tourism and some commercial fishing operations. Alaska has no industries as such and our dependence on the tourist is very great for all businesses, not just the guiding business, BUT ALL BUSINESSES.

Thank you for taking the time to read this as I know you are all very busy people.

Stan Frost  
President A.P.H.A. Inc.

# Interior Wildlife Association of Alaska

Conservation - Wise USE of Resources

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PHONE (907) 456-4762 • BOX 60255 • FAIRBANKS, ALASKA 99701

Mary Hayes, Secretary

## S T A T E M E N T

February 6, 1975

to the

SENATE RESOURCES COMMITTEE

regarding

PREDATOR CONTROL IN ALASKA

Our group wishes to go on record as strongly endorsing predator control in Game Management Unit 20A. Further, we wish to call to your attention that game herds are being seriously reduced in many areas of Alaska at this time, in some cases due to hunting, but mainly wolf predation as shown by the poor moose and caribou calf survival. We believe an expanded control effort on wolves beyond 20A is warranted as soon as possible. In particular, the Nelchina, Eagle-Circle, Tanana, Galena and Bettles areas.

Our group is well aware of the squabble with the anti-hunting groups that is sure to ensue and that this initial effort in 20A must be performed as cleanly and smoothly as possible. We also believe that the Game Department is underestimating the magnitude of the undertaking in Unit 20A. We first believe that they are underestimating the number of wolves in 20A (see attached article by a biologist-guide residing full time on Wood River in the middle of 20A). And, secondly, we believe they are overestimating the effectiveness of Super Cubs in taking wolves in 20A. It is our belief that something over 70 percent of 350 wolves must be taken to effect any control. We believe that Super Cubs, given enough time, might effect a 40 percent take. But beyond that we think the Department, Legislature, Governor and Game Board should be prepared to use a helicopter for the remainder of the job. In fact, it could be done much more effectively right from the start using a helicopter. We suggest, however, that up to 40 percent of the wolves could be removed at no cost to the state if shooting permits are issued to individuals of proven capabilities and integrity immediately; then be prepared to use a helicopter during March to complete the job.

However it is done, we want to reiterate that our group endorses this long overdue effort to manage a few acres of Alaska for the benefit of the hunting public rather than as a national park.

"Concerned Sportsmen"

Jay fees  
15.1

STATE OF ALASKA BOARD OF FISH AND GAME

TO: Members of the Board of  
Fish and Game

DATE: May 3, 1975

FROM: Ivan Thorall, Chairman *IT*

SUBJECT: Management and regulations  
governing the taking of  
game on state refuges.

The rule-making powers of the Board of Fish and Game as set forth in Sec. 16.05.250 and other sections of title 16 are often confusing to me (as well as others, I assume) because they overlap or are duplicated by the Commissioner's powers and duties.

As I understand the law, we are bound by the actions of the Legislature to promulgate regulations dealing with the management of our wildlife on the refuges as well as on other areas of the state. I am listing below the laws or portions of them which may explain, somewhat, my reasons for disagreeing with the other members of the board on the afternoon of April 12, 1975, when we approved a motion which attempted to hand over our regulatory authority to the "Feds" and/or the state administration.

I still maintain that no muskoxen may be legally "taken" from Nunivak Island or anyplace else in the state except under regulations promulgated by the Alaska Board of Fish and Game.

I will certainly welcome comments and explanations to the contrary from anyone.

16.05.050 Powers and duties of commissioner. The commissioner has, \_\_\_\_\_, the following powers and duties:

(6) capture, propagate, transport, buy, sell or exchange game for propagating, scientific or stocking purposes.

16.05.340 License and tag fees.

(17)

(b) The commissioner may issue without cost a permit to collect fish and game, subject to the limitations he considers appropriate, for scientific, propagative, or educational purposes. \_\_\_\_\_

16.05.930 Exempted activities.

(a) This chapter does not prevent the collection or exportation \_\_\_\_\_ for scientific \_\_\_\_\_ or for propagation \_\_\_\_\_ purposes under a permit which the department may issue and prescribe the terms thereof.

16.40.010 Disposition of surplus animals. \_\_\_\_\_ the department may, under regulations promulgated by it \*\*\*, grant the surplus \_\_\_\_\_ for breeding \_\_\_\_\_ or scientific \_\_\_\_\_ purposes.

\*\*\* This is the Taylor law. I think the legislature meant the board instead of the department because as far as I can determine the department has no authority to promulgate regulations.

MORE

May 3, 1975

Following are the laws dealing with the Boards authority regarding State Game Refuges.

16.20.010 Legislative recognition. The legislature recognizes that:

- (1) the state has jurisdiction over all fish and game in the state except in those areas where it has assented to federal control;
- (2) \*the state has not assented to federal control of fish and game in those areas which were set apart as National Bird and Wildlife Refuges while the state was a U. S. territory;  
\*emphasis added.

16.20.020 Purpose. The purpose of this chapter is to protect and preserve the natural habitat and game population in certain designated areas of the state.\*\*\*

\*\*\*It should be evident to everyone by now that the "Feds" have not managed or allowed the state to manage the game on Nunivak Island in a manner to protect and preserve the natural habitat and game populations. They have accomplished this mismanagement by invoking their trespass rule against us. There is some evidence to indicate that they are up to no good in other areas. The bureaucrats of D.C. seem mainly interested in establishing themselves as the sovereign, not as good game managers.

16.20.030 Refuges established. (a) Those land areas now included in the National Wildlife Refuge System which are cited in this subsection are designated as state game refuges, and the board shall assign them appropriate refuge names:

- (10) Nunivak Island Refuge

16.20.040 Regulations. \*The board shall, under ch. 5 of this title establish regulations governing the taking of game on state game refuges it considers advisable for conservation and protection purposes. \*emphasis added.

I am still hung up on this matter. In my opinion, according to law, it requires board action to establish regulations to manage the muskoxen on Nunivak Island. And until the Legislature sees fit to knuckle under to the Feds I must continue to oppose federal control of our wildlife, especially when it will throw an otherwise viable program into a mess like they have made of the muskoxen mismanagement program of Nunivak Island!!!


INSTRUCT'L  
UNITS

STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE AFFAIRS AGENCY

POUCH Y · STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

MEMORANDUM

February 26, 1976

SUBJECT: Fiscal Impact of CSSB 610 and Related Matters (W.O.#'s 2233 & 2241)  
TO: The Honorable Frank Ferguson  
FROM: A. R. Latham  
Research Analyst 

The fiscal impacts to the education foundation program due to CSSB 610 follow:

Section 1: Based upon fiscal 1976 figures the heating, electricity, water and sewer costs for the Rural Education Attendance Areas have been determined and will be found in Table 1.

Section 2: Altering the foundation unit allotment statement to read 3006 and over--160 plus one for each 21 pupils or fraction of 21 affects only Anchorage and Fairbanks. Increased costs will be found in Table I.

Sections 2 & 3: Altering the minimum floor for instructional units from one to two affects only secondary schools, and the cost increase is reflected in Table 1.

Section 4. Changing the base instructional unit from \$23,500 to \$26,000 significantly increases costs over fiscal '76. This increase is found in Table 1.

TABLE 1  
Fiscal Impact of CSSB 610

Utilities	
Electricity, water, sewer	\$ 2,000,000
Heating	1,100,000
Unit Allotment	
Anchorage	1,300,000
Fairbanks	200,000
Unit Floor	500,000
Base Instructional Unit	<u>13,500,000</u>
Total	\$18,600,000

Additional Considerations

1. Changing the minimum percentage from 93% to 95% on the \$26,000 base will increase costs approximately \$2,200,000.

2. Changing the base instructional unit from \$26,000 to \$27,500 will increase costs approximately \$7,250,000.

3. Changing the minimum percentage from 93% to 95% on the \$27,500 base will cost approximately \$2,200,000.

4. The changes in mini-874 will decrease revenue in fiscal '77 by \$1,400,000; the bulk of this being in Anchorage - \$970,000, Fairbanks - \$230,000, Juneau - \$20,000, Kenai - \$40,000, and Matanuska-Susitna - \$60,000.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM  
LEGIBLY BECAUSE OF POOR QUALITY OF THE  
ORIGINAL.

FRZ

Basin ca 1976

Instrument School Budgets  
Supplied by AUBSD.

\* Levin

DOE

Northwest	327,746	236,673
Benning St.	143,122	103,011
Lower Yukon	361,759	133,336
Lower Kuskokwim	162,059	0
Upper Kuskokwim	56,609	0
Nechajok-Bristol	108,009	40,643
Lake/Pra-Basil	45,113	0
Aleutians	42,568	0
Phib. Is.	6039	0
Adm.	0	0
McGowan	103,659	63,311
Mig. Yukon	425,584	238,755
Up. Yukon	193,974	0
Up. Bristol	35,307	0
Up. Kuskokwim	20,027	0
Up. Tanana	127,671	0
Upper River	62,260	0
N. P. Ranch	57,836	43,187
S. P. Ranch	0	0
Med. Inst./Ranch	22,937	0
Chignik	3725	0
T. P. Ranch	41,116	0
<hr/>		
Total	2,313,127	858,118

9,115,841  
 856,118  
 -----  
 8,159,623

F.P.T.

Based on 1976 Budgets

Region Wine Normalization

Region #	T. Util	T. Ex B.	% - 0.01	Ex Util
1	398675	1,528,326	0.167	321,539
2	174,157	785,884	0.182	142,722
3	420,139	847,657	0.456	386,232
4	322,605	3,513,636	0.052	182,060
5	85,161	714,024	0.079	56,600
6	168,633	1,540,573	0.069	107,010
7	83,353	1,054,106	0.039	41,189
8	74,024	776,382	0.055	42,969
9	21,390	383,785	0.016	6039
10	18,548	1,354,238	(0.026)	0
11	131,408	783,255	0.128	100,699
12	512,310	2,207,257	0.192	423,991
13	233,044	1,053,627	0.173	189,298
14	54,952	481,077	0.074	35,709
15	89,853	1,745,646	0.011	20,027
16	171,080	1,086,143	0.118	127,634
17	116,417	1,394,207	0.044	60,649
18	70,983	491,080	0.105	51,340
19	1140	652,704	(0.038)	0
20	56,616	741,939	0.036	26,938
21	8131	140,327	0.018	2518
Unk.	<u>61,880</u>	<u>575,500</u>	<u>0.064</u>	<u>38,047</u>

Total 3,274,899 24,312,483 2,363,210

0.095 2,302,400

F.R.T

Based on 1976 Budgets

Region 1 Northwest 1976

Village	T. Unim	T. Ex. B	%-001	Excess Unim.
Ambla	53,710 —	171,859	0.267	46,715
Buchho	20,471 —	124,197	0.125	15,503
DEERING	2,752 —	93,794	—	—
Kiana	56,533 —	188,270	0.260	47,002
Kivalina	47,230 —	251,055	.148	37,186
Kobuk	6,362 —	57,010	0.072	4,081
Noatak	48,162 —	252,856	0.150	38,048
Nogalik	116,000 —	582,341	0.159	92,714
Shungnak	<u>47,455 —</u>	<u>203,779</u>	0.193	<u>44,497</u>
Total	327,675	1,728,316		327,746

Region 2

Bearing Strait

U. Naga	T. U. 1	TEX. R	% - 0.04	Fr. Unit
Council	8114 -	41,695	0.155	6446
Koyuk	41,010 -	137,157	0.259	35,524
Shishmaref	48,662 -	268,199	0.141	37,934
Talkeetna	22038 -	138,932	0.119	16,481
Wales	47,458 -	107,662	0.392	43,072
wt. 175	<u>6875 -</u>	<u>80235</u>	0.046	<u>3665</u>
Total	174,157	785,884		143,122

Region 3 Lower Yukon

Village	T. Unit	TEB	% 007	E. Unit
Alatnam	145,958	202832	0.680	113,412
Emmanah	72,955	10,052	0.689	68,955
Mt. Vill.	72,955	137,371	0.491	67,504
Pitmeat	69,252	152147	0.415	<u>63,166</u>
<u>Total</u>				313,077
Russian Dies	11968	102709	0.677	<u>7860</u>
				320,936
Tongue Lodge (Franklin)	<u>46,923</u>	<u>152506</u>	0.268	<u>40,823</u>
	420,137	847,057		361,759

Region 4 Lower Kuskokwim

U.I.	T. Unit.	T.E.D.	% - 0.04	Ex Unit.
Atmautluak	12,600 -	95,863	0.091	8,765
Bethel	288,924 -	3,169,325	0.037	162,152
Kangiqsuak	17,325 -	179,245	0.057	10,155
Platzman	<u>3,756 -</u>	<u>69,223</u>	0.014	<u>987</u>
Total	322,605	3,513,656		182,059

Region 5 Upper Kuskokwim

Unit	T Unit	Tex. Ad.	%-0.04	F. Unit
Area	48,185 -	280,311	0.132	36,572
Deathbed	10,620 -	122,273	0.047	5,729
Crossed Ck	8,099 -	94,079	0.046	4,335
Steamer	5,830 -	92,080	0.024	2,197
Stony River	6,226 -	64,945	0.056	<u>3,628</u>
Total				52,861
Red Unit	6,151 -	60,336	0.062	<u>3,748</u>
	<u>85,161</u>	<u>714,524</u>		56,609

Nusuguh - Bu 1570

Regio 6 ~~Bering Strait~~

U. Name	T. Unit	T. Ex. Bud	% 0.01	Ex. Unit
Alekasin	11572 —	105715	0.070	7,363
N. Alekasin	840 —	45977	—	—
Chamot	8805 —	66128	0.073	6,160
Ehweh	8713 —	94,617	0.052	4,328
Koligash	7772 —	108786	0.031	3413
Leueh	7772 —	89,451	0.047	4,194
Mansuh	12285 —	251046	0.005	2247
New Stangoh	47,851 —	218467	0.178	39,078
Tograh	53,419 —	464012	0.075	34,859
Twin Hill	<u>9571</u> —	<u>95,164</u>	0.061	<u>5,767</u>
Total	162,533	1,540,503		102,009

# Region 7 Lake/Penn-Burn/Bay

Village	T. Util	T. Ex. B.	% - 0.04	Ex. Util.
Chigwin	0 —	49,006	—	—
Chigwin Bay	3971 —	54,853	0.032	1777
Chigwin Lake	5174 —	92,054		1492
Egegik	14,405 —	100,785	0.103	10,374
Tegayig	5032 —	55,022	0.051	2831
Tuaniq	0 —	49,107	—	—
Kohlerok	7477 —	78,497	0.055	4337
Neshelan	4807 —	116,963	0.001	132
Noodahoo	23,604 —	179,604	0.091	16,420
Peeko Bay	4311 —	53,516	0.041	2170
Pennyville	4692 —	88,593	0.013	1148
Pilot Pt.	6000 —	56,925	0.065	3723
Penn Harbor	<u>7880 —</u>	<u>79,277</u>	0.009	<u>709</u>
Total	23,353	1,054,106		45,113

Region 8 Aleutian Chain

U. Name	T. Unit	T. G. B	%-C. 34	E. Unit
Athens	3562	50627	0.030	1537
Atka	7485	62483	0.080	4786
Belkatski	3383	50871	0.027	1348
Cold Bay	5094	82,243	0.022	1784
Nelson Legua	4605	62201	0.034	2117
Fulin Pass	8100	58,342	0.100	5766
Nikolski	11211	59385	0.149	8835
Sand Pt	<u>30584</u>	<u>349,723</u>	0.047	<u>16,595</u>
Total	74,024	776,382		42,568

Region 9      Pribilof

U. S. Reg.	Pop. Unit.	T. E. S.	% - 0.01	Ex. Unit.
St. Geo.	6440 —	77426	0.013	3343
St. R-1	<u>14950 —</u>	<u>306359</u>	0.009	<u>2696</u>
Total	21,390	383,785		6039

Region 10 Alaska

Uillage	T. Unit	T. E. B.	$\frac{1}{2}$ - 0.04	F. Unit.
Alaska	<del>16,548</del>	1,354,238	—	—
Total	18,548	1,354,238		<u>0</u>

Region 11 176 units

Village	Top Unit	TLB	% 0.01	F. Unit
Aruc	43969	109571	0.365	39,626
H. G. Cross	47496	205895	0.191	39,250
Line off.	0	48,564	—	—
176 units	28,653	249,367	0.075	18,678
P. h. h.	8620	78,775	0.069	5467
T. h. h.	2680	50,101	0.013	676
T. h. h.	0	41,975	—	—
Total	131,458	783,235		103,699

Region 12 Mill Rates

City	T. Unit.	T. Ex. B.	% - 0.04	Exc. Unit
Allahabad	13,407	121,480	0.070	8,547
Bethesda	14,832	54,780	0.231	12,641
Hughes	8,724	73,034	0.079	5,803
Hunter	47,889	146,142	0.288	42,043
Kalby	48,588	208,578	0.193	40,229
Kayakuta	32,413	111,161	0.252	27,967
Mary	1066	66,553	—	—
Mary	43,752	165,293	0.225	37,140
Nutley	202,268	622,746	0.285	177,358
Ruby	15,822	124,136	0.087	10,856
Tarboro	<u>83,547</u>	<u>513,664</u>	0.123	<u>63,000</u>
Total	512,310	2,207,967		425,524

Region 13 Upper Yukon

Unit	T. Unit	FE-13	% - cov	Cr. Unit
Arctic Ull.	24,434	116,866	0.207	24,434
Brick Ch.	5,878	58,906	0.060	3,514
Chalky ss.	18,286	92,855	0.157	14,574
Crude	16,131	64,232	0.211	13,561
Fl. Yukon	130,828	642,476	0.195	125,129
Ramparts	12,984	62,112	0.167	10,503
Stevens Ull.	4,586	56,168	0.040	2,259
<u>Total</u>	<u>233,044</u>	<u>1,093,629</u>		<u>193,974</u>

Region 14 Upper Railroad

Vill.	T. Util.	T. Ex. B.	% - 0.04	Ex. Util.
Anderson	31,915 -	355,367	0.050	17,704
Business Court	6312 -	38,140	0.125	4,785
Cannell	<u>16,721 -</u>	<u>87,570</u>	0.151	<u>13,218</u>
Total	54,952	481,077		35,707

Region 15 Upper Tanana West

U.V	T Unit	T Ex B	%-0.04	Ex Unit
D.H. Jones	54,727 -	1,163,313	0.007	8154
Ft. Conely	<u>35,126</u>	<u>582,333</u>	0.020	<u>11,833</u>
Total	89,853	1,745,646		20,027

Region 16 Upper Tanana East

U. II	T. Unit	T. Ex. 15	% - 0.07	Ex. Unit
Bohke	10,302 -	54578	0.149	8119
Engle	13308 -	100136	0.593	9303
Nonamy	66468 -	235815	0.242	57035
Thornhill	11,750 -	87544	0.074	8248
Toh	<u>69252 -</u>	<u>606070</u>	0.074	<u>44,929</u>
Total	171,080	1,046,143		<u>127,634</u>

Page 17 Copper River

U. H.	T. U. H.	T. E. B.	% - 0.04	F. U. H.
Chis redm.	9975	80832	0.083	6742
Copper Co.	11,445	123933	0.052	6488
Gatona	15379	91900	0.127	11703
Glenwell	66,322	902790	0.033	30,210
Kenny	13296	154372	0.046	7121
Paxson	0	40,380	-	-
Total	116,417	1,354,207		62,264

Region 18 Non-Hemp Penalties

Village	T. Unit	T. B.	% - 0.04	Ex. Unit
Angoon	49,230	363,347	0.095	34,696
Ellis Cove	0	37,400	-	-
Gustavus	21,753	90,333	0.201	18,140
Klukwan	-	-	-	-
Teachu Spring	-	-	-	-
<u>Total</u>	70,983	491,080		52,836

Region 19 Southern Peninsula

Village	T. Unit	T. Ex. B.	% - 0.04	Ex. Unit.
Cape Dale	0	58,554	-	-
Cottman Cove	240	60,627	-	-
Elkayman	0	35,631	-	-
Flea Cunch	0	31,663	-	-
Gaskelashuan	0	26,219	-	-
Nankat Bay	0	40,304	-	-
New Kasaan	0	29,126	-	-
Panz Alia	0	34,659	-	-
Roosevelt Harb.	0	35,095	-	-
Rouss Bay	0	37,237	-	-
St. J. Harb.	600	33,842	-	-
Thomas Bay	300	158,223	-	-
Whale Pass	0	67,698	-	-
Total	1140	652,704	0	

Region 20      Mar/Apr

Unlodge	T.U.L.	T.E.B.	% - 0.04	Fr. Unl.
Arnette	18204 -	111800	0.123	13732
Marshakotta	<u>38412 -</u>	<u>730133</u>	0.013	<u>9207</u>
Total	56,616	741,939	.	22,939

Region 21 Chugach

Unit	T. Unit	T. Ex. B.	% - 0.05	Ex. det.
T. Tiller	5795 -	51738	0.076	3525
Wh. Thin	<u>2136 -</u>	<u>88555</u>	-	<u>      </u>
Total				3525
	8131	140,327		

Byron

Whitcomb

Oil - 1/2 gal THE B 1/2 - 0.04 FE 4.1

Alcans 0 - 44734 - -

Tr: Udy 55833 - 452,734 0.083 37781

Oxycarbide 5587 - 66345 0.020 3335

Tr: Udy 0 - 27,239 - -

Tr: Udy 61880 595,830 41,116

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## NOME PUBLIC SCHOOLS

BOX 131, NOME, ALASKA 99762

March 9, 1976

Senator Frank Ferguson  
Alaska State Senate  
Pouch V - State Capitol  
Juneau, Alaska 99811

Dear Senator Ferguson:

I would like to bring to your attention State Statute 14.17.051, Instructional Unit Allotment. There appears to be a problem in this Statute for school districts located in District 18. It is my understanding that the Cost of Living Allowances which are made for figuring the instructional unit allotment for individual school districts are based upon the cost of living in the local Districts. It is this point that I have some problem in understanding; namely, that Districts 14 & 19 immediately to the South of District 18 and closer to Anchorage, receives 130% of the base Instructional Unit Allotment. District 17, lying in the area to the north of District 18 receives 133.75% of the base Instructional Unit Allotment.

If these percentage factors are based on the cost of living in the local areas I would recommend that there be some investigation of the present cost of living in District 18 in an effort to determine if District 18 is getting the benefit of the present cost of living. I have reviewed some of the major factors to be considered in a cost of living and find that indications are overwhelming that District 18's cost of living is higher than the cost of living in Districts 14 & 19. In fact, District 18's cost of living more nearly equates the cost in District 17, which receives 133.75% of the base Instructional Unit Allotment.

The City of Nome and the villages located in District 18 have been victims of very rapid inflation. Some of this inflation has been the

result of the November 11, 1974 disaster which devastated some of the businesses in the Nome community.

I would like to present the information I have gathered regarding some of the key factors that would be considered in a cost of living adjustment. The factors presented here are not complete, but they are indicators that some kind of adjustment needs to be made.

1. University of Alaska Food Basket Survey

Bethel - 186% of Seattle

Nome - 194% of Seattle - a difference of 8 percentage points

2. Wien Air Alaska's freight rates from Anchorage to Nome -\$19.90 per 100 lbs. Anchorage to Bethel - \$14.00 per 100 lbs. Anchorage to Kotzebue - \$19.90 per 100 lbs.

The Wien rates for freight from Anchorage to Dillingham are \$9.70 per 100 lbs. yet District 13 in which Dillingham is located, receives 126.25% of the basic Instructional Unit Allotment.

3. By a conversation with a resident of Bethel via phone, it has been possible to make the following comparisons:

Cost of oil in Bethel - 48¢ per gallon

In Nome - 54.6 - 57.6 per gallon

Cost of gas in Bethel - 75¢ per gallon

In Nome - 76.5 + 3% City Tax


4. The best information available to me indicates that school district employees' salaries are higher in Nome than in Bethel and these salaries directly reflect the higher cost of living in Nome.

The above references to other cities and school districts are meant to be used as reference points only in establishing indicators which point to a need for readjustment for the Nome School District and the new Regional Attendance Area served out of Nome. It does not indicate that the present percentage adjustments made for other districts are any less warranted. It indicates that District 18's cost of living should be reviewed and an adjustment should be made which brings the Instructional Unit Allotment more in line with the intent of the cost of living allowance.

I hope this information provides you with a basis on which to support legislation which would bring about an immediate relief to the school districts in District 18.

I would be happy to answer any questions you may have regarding the position I have presented in this letter. If you have any questions please let me know.

Sincerely,

  
Darroll Hargraves  
Superintendent

DH:jc

xc: Senator Frank Ferguson  
Representative Charles Parr

First Session - Ninth Legislature

I. REQUEST  
 Bill No. H. B. #131  
 Title: Relating to the public school foundation program.  
 Requested by: House HESS Committee Date: 2-27-75  
 Return Date Requested: ASAP  
 Agency: Education Program: Pre-Elem-Secondary Educ.

II. FISCAL DETAIL  
 Budget Request Unit(s) Affected: Financial Support Programs  
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	-0-	14,087.7	20,749.8	21,371.8	22,012.4	22,674.2
TOTAL	-0-	14,087.7	20,749.8	21,371.8	22,012.4	22,674.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	14,087.7	20,749.8	21,371.8	22,012.4	22,674.2
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	-0-/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSTS (See Fiscal Note Preparation Instructions, Section III)  
 See attached.  
 FY 77 Unit Value Increase \$25,000  
 Assume 3% growth for succeeding fiscal year  
 Formula: AS.14.17.021(c)

IV. ATTACHMENTS

V. DATE: 3/10/75 PREPARED BY: William D. Thomas

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

	<u>FY 76</u>	<u>FY 77</u>	<u>FY 78</u>	<u>FY 79</u>	<u>FY 80</u>
A) Proposed Statute	<u>112,364.1</u>	<u>123,129.3</u>	<u>126,830.4</u>	<u>130,632.6</u>	<u>134,558.3</u>
Present Statute	94,898.4	98,900.2	101,874.9	104,929.0	108,082.2
+ Revenue Sharing	<u>3,378.0</u>	<u>3,479.3</u>	<u>3,583.7</u>	<u>3,691.2</u>	<u>3,801.9</u>
B) TOTAL	98,276.4	102,379.5	105,458.6	108,620.2	111,884.1
Increase (A - B)	14,087.7	20,749.8	21,371.8	22,012.4	22,674.2

Assume 3% growth in succeeding fiscal year.

DISTRICT SCHOOLS

1000

FISCAL NOTE BACK-UP FOR SENATE BILL-610

Anchorage	I.U. Inc. 1,923,407
Bristol Bay	34,101
Cordova	52,423
Craig	17,935
Dillingham	48,321
Fairbanks N. S.	638,176
Galena	21,237
Haines	37,392
Hoonah	24,696
Hydaburg	14,938
Juneau	279,594
Kake	22,407
Kenai Peninsula	370,140
Ketchikan Gateway	175,423
King Cove	18,210
Klawock	6,378
Kodiak Island	177,332
Matanuska-Susitna	234,011
Nenana	26,922
Nome	89,810
North Slope	131,152
Pelican	6,042
Petersburg	47,808
Selawik	28,938
Sitka	127,530
Skagway	21,126
St. Mary's	19,425
Unalaska	19,275
Valdez	89,880
Wrangell	50,400
Yakutat	23,807
A'S & Contr.	1,527,964
Schools	6,306,200
<b>Total</b>	

STATE OF ALASKA  
Inter-Department Route Slip

TO: MAIL STATION NUMBER 3100

DEPARTMENT Legislature - Nm109-Captol

ATTENTION Senator Ferguson

Approval  
 Signature  
 Comment  
 Contact Me  
 Prepare Reply  
 For Your File

Note & Return  
 Initial & Return  
 ~~Return~~ As Requested  
 Return For Approval  
 Necessary Action  
 Your Information

Remarks:

FROM: MAIL STATION NUMBER 0500

DEPARTMENT Ed

BY WPI

DATE 3/16

02-002 (REV.10/73)

Dist. Schools

1000 Change from 23 to FISCAL NOTE BACK-UP FOR SENATE BILL-610

Dist. Schools	1000	Change from 23 to
Anchorage	I.U. Inc. 19 ADM 1,023,407	+ 2,616,900
Bristol Bay	34,101	
Cordova	52,423	
Craig	17,935	
Dillingham	48,321	
Fairbanks N. S.	638,176	+ 140,031
Galena	21,237	
Haines	37,392	
Hoonah	24,696	
Hydaburg	14,933	
Juneau	279,594	
Kake	22,407	
Kenai Peninsula	370,140	
Ketchikan Gateway	175,423	
King Cove	18,210	
Klawock	6,378	
Kodiak Island	177,332	
Matanuska-Susitna	234,011	
McKenana	26,922	
Nome	89,810	
North Slope	131,152	
Pelican	6,042	
Petersburg	47,808	
Selawik	29,938	
Sitka	127,530	
Skagway	21,126	
St. Mary's	19,425	
Unalaska	19,275	
Valdez	89,890	
Wrangell	50,400	
Yakutat	23,807	
A'S & Contr.	1,527,964	

Schools 6,355,200 + 2,756,931 = 9,062,131

Item VIII A - FY 1977 PROPOSED FUNDING CHANGES

After analysis of the estimated revenue and operating expenses for each regional educational attendance area for FY 1976, the following changes in the revenue and at composition should eliminate 90 per cent of the potential deficits for FY 1977.

- (1) Increase the minimum number of instructional units per school site from one (1) to three (3).
- (2) Appropriate the cost of AVEC and water and sewer utilities to the Department of Education in a category separate from the State foundation support.
- (3) Provide a \$50,000 supplemental factor to every school district with an ADM of less than 300.

FRANK,

THIS IS ONE WAY TO HELP THE  
REAA'S WITH FUNDING FOR NEXT YEAR.  
RON WESLEY WILL BE IN JUNEAU ALL  
OF NEXT WEEK. WILL HAVE HIM TALK WITH  
YOU AND ~~ANSWER~~ ANSWER ANY QUESTIONS  
YOU HAVE.

George

ALASKA UNORGANIZED BOROUGH SCHOOL DISTRICT  
ANALYSIS OF PROPOSED FUNDING CHANGES  
FY 1976

REAA	3 Unit Minimum Factor	Water And Sewer Costs	AVEC Costs	Small School District Factor	Total
Northwest	\$ 66,005	\$ -0-	\$286,860	\$ -0-	\$ 352,865
Bering Strait	124,610	-0-	122,940	50,000	297,550
Lower Yukon	-0-	96,000	81,960	50,000	227,960
Lower Kuskokwim	32,078	-0-	-0-	-0-	32,078
Upper Kuskokwim	66,005	-0-	-0-	50,000	116,005
Nushagak-Bristol Bay	62,305	-0-	81,960	-0-	144,265
Lake-Peninsula-Bristol Bay	218,067	-0-	-0-	-0-	218,067
Aleutian Chain	218,067	-0-	-0-	50,000	268,067
Pribilof Islands	-0-	-0-	-0-	50,000	50,000
Adak	-0-	-0-	-0-	-0-	-0-
McGrath	99,008	-0-	81,960	50,000	230,968
Middle Yukon	66,005	92,000	204,900	-0-	362,905
Upper Yukon	165,013	-0-	-0-	50,000	215,013
Upper Railbelt	31,431	-0-	-0-	-0-	31,431
Annette Island	-0-	-0-	-0-	-0-	-0-
Southeast	246,750	-0-	-0-	-0-	246,750
Frederick Sound	159,151	-0-	40,980	50,000	250,131
Copper River	27,025	-0-	-0-	-0-	27,025
Upper Tanana West	26,144	-0-	-0-	-0-	26,144
Upper Tanana East	-0-	-0-	-0-	-0-	-0-
Chugach	-0-	-0-	-0-	50,000	50,000
<b>TOTAL</b>	<b>\$1,607,664</b>	<b>\$188,000</b>	<b>\$901,560</b>	<b>\$450,000</b>	<b>\$3,147,224</b>

LAND

+

WATER

USE

ASSOCIATION OF SEWAGE TREATMENT PLANT OPERATORS

P. O. BOX 334  
FAIRBANKS, ALASKA 99707

17 Feb. 1976

SUBJECT; Amendments to H.B. 407  
Relating to Waste Water Treatment.

To; State Affairs Committee  
J. H. McKinnon

Health, Education, and Social Services  
S. Sullivan, Chairman

Our membership represents the Water and Wastewater Treatment and Maintenance Personnel of the Ft. Wainwright Facilities. As Federal Employees, we are not allowed to speak in behalf of the Army.

We wish to emphasize that the voluntary operator Certification Program being championed by the A.W.M.A, is not a product of the General Membership, and is not a workable product for our state.

We disagree with Sec. 46.30.040 certification.

The paragraph should be changed to define the difference between an operator, technician, and a supervisor.

The program fails to provide for a satisfactory "Grandfathers Rights" clause, and places a limit on the duration of the certificate.

We feel that a certificate should be renewable each three years simply by paying a fee. We feel an operator should have the right to leave the field for more than a year, and not lose his certificate. We feel that an operator should be entitled to ask for an inactive status without revoking certification rights. This is important for those operators in the smaller "Bush Communities."

We disagree with Sec. 46.30.050, par. 4-- Revocation of Certificates.

The right to revoke certificates for reasons other than the use of fraud or deceit in their granting, is very undesirable. This authority would give a committee the right to deny a man the lifelong right to work without a previous legal trial and conviction. This is not the way our system of justice works.

Par. 5-- Is contrary to the very Title of this bill.

Sec. 46.30.080

Temporary Certifications;

We feel that if an individual has shown that he or she is qualified to operate a community Water or Wastewater system, they should be entitled to a permanent certificate, pertinent to their respective community.

Paul Huff-- Chairman  
Galen Insteness-- Sec.  
Roy Heidel-- Treas.

*Dale H. Insteness*

# Real Estate Services Corporation

Appraisers, Counselors, Investment Analysts

KENNETH JAY GAIN, M.A.I., S.R.P.A., C.R.E.C.  
PRESIDENT

STATEWIDE SERVICE

FRANKLIN M. KING, JR., M.A.I.  
EXECUTIVE VICE-PRESIDENT

507 W. NORTHERN LIGHTS BLVD.  
ANCHORAGE, ALASKA 99503  
(907) 274-7636

GARRETT W. WALDNER  
SECRETARY-TREASURER

April 7, 1976

Representative Bob Bradley, Chairman  
Commerce Committee  
Pouch V  
State Capital  
Juneau, Alaska 99801

RE: Your Hearing on House Bill #876

Dear Bob:

I am sending this letter Special Delivery in hopes that it will arrive prior to your scheduled hearings on April 8 and 9 on the above-referenced bill. As a 25-year Alaskan, I, too, am concerned about rising land prices and having, over that period, acted both as a buyer and seller, recognize the fact that rising land values is an issue that slices both ways.

If you can, by legislation, very accurately define the "evil speculator" who drives up land prices, I, too, am in favor of putting an oppressive tax on him. Unfortunately, as noble as the goals of HB 876 may seem, it simply won't work.

As any experienced land economist is aware, there are 3 items that drive up land prices. These items in order of their impact on land values are as follows: 1) An imbalance in the supply and demand situation, i.e. when demand exceeds supply, land values rise, and when supply exceeds demand, land values drop. 2) Increasing restrictions on the development of land by the State and local agencies. The most rapidly rising costs in subdividing land is engineering and planning expenses due to the many current environmental restrictions. Current development costs, excluding land purchase and profit, in the Municipality of Anchorage now ranges from \$9500 to \$12,500 per lot. 3) The cost of developing land and the profits on such development, like any other commodity in the market, are affected by the general inflation which has been rampant in the nation for the last several years, and more particularly in Alaska due to the pipeline impact.

If House Bill #876 were addressed to any of these 3 causes of the increase in land value, it could perhaps have a positive effect. Unfortunately, it provides only an incentive for sellers to charge a higher price to offset the tax they will have to pay, or provides an encouragement for them to hold the land much longer, thereby, decreasing the supply of land available for sale at any one time. I will concede the fact, that if this bill became law, it will perhaps discourage investment type buyers from purchasing land which has no immediate prospect for development, and thereby decreasing the price that

April 7, 1976  
Representative Bob Bradley  
Page 2

sellers of such land can demand. However, it will have the opposite effect in areas of intense development such as the Municipality of Anchorage. It is my opinion that if this bill becomes law, any prudent person who has owned their land for less than 6 years will take it off the market and hold for greater profits which can be realized at that time, or will demand prices which will be enough to offset the tax. This subtle influence on sellers tends to decrease the supply of land available for sale. Therefore, in a growing area such as Anchorage where there is a strong demand for land to be used for immediate development, the net effect will be to raise land prices so that the tax can, in effect, be passed on to the buyers. In many cases, the buying market may not be strong enough so that buyers will pay for the additional cost of the tax, and, therefore, much of this land will not be saleable until after the 6-year holding period. Therefore, the secondary effect of this tax will be to immediately provide a windfall to persons such as myself, who have owned land for more than 6 years and, therefore, because of reduced competition from owners of land for less than 6 years, can charge whatever the market will bear without fear of an unreasonable sharing in our profits by the State of Alaska, which shared in none of our risk.

While I am a Democrat who happens to be pro-business, I am still liberal enough to support legislation which will prohibit business and industry from taking unfair advantage of the consumer. Unfortunately, this bill does not do what it is proposed to do. It will simply accelerate the rising land prices by limiting the supply of land for sale. If the legislature is truly concerned about reducing the cost of homesites to the average citizen, it should involve itself with action which will reduce the cost of developing land or make the many thousands of acres of State land available for sale to the general public.

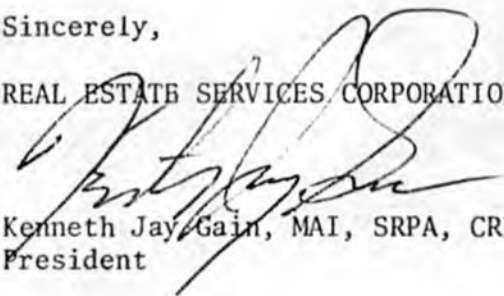
I would further submit that, while residential land prices have risen very sharply, in no way have they increased the 200% and 300% per year quoted in some of the newspaper articles. Enclosed is a copy of our 1975 Survey of the Anchorage Real Estate Market which indicates that from September 1972 through September 1975, residential land prices increased by a total of 60.29%. However, when this figure is considered after inflation, using normal investment analysis methods, the average constant dollar return to the owner has only been 7.91%. This is, of course, an attractive return when compared with many other fixed return investments, but is certainly far from exorbitant.

While rising land prices are an issue of concern to all Alaskans, any remedy should be approached from a well-researched and well-studied philosophy. I feel that House Bill #876 is a hip-shot reaction that will have exactly the opposite effect of what the bill is proposed to solve. I therefore urge that your committee hold extensive hearings throughout the State of Alaska and make a detailed study into this matter before passing a bill which will probably add greatly to the increase to cost of living of the average Alaskan citizen. If I can provide you with any additional information in this matter, please feel free to contact me.

April 7, 1976  
Representative Bob Bradley  
Page 3

Sincerely,

REAL ESTATE SERVICES CORPORATION



Kenneth Jay Gain, MAI, SRPA, CREC  
President

kj  
enc.

cc: All members of Legislature  
Anchorage Times  
Anchorage News  
Juneau Empire  
Fairbanks Daily News Miner



# ALASKA MINERS ASSOCIATION, INC.

## FAIRBANKS BRANCH

### PRESIDENT

Mark B. Ringstad  
P. O. Box 604  
Fairbanks, Alaska 99707

270 Illinois Street  
Fairbanks, Alaska 99701  
Phone: 456-5005

### VICE PRESIDENT

Carl Heflinger  
409 Clara Street  
Fairbanks, Alaska 99701

January 20, 1976

### SECRETARY

Douglas Colp  
1101 Gillam Way  
Fairbanks, Alaska 99701

The Honorable Jay S. Hammond, Governor  
State of Alaska  
Juneau, Alaska 99801

### TREASURER

Donald R. Stein  
105 Dunbar St. HA  
Fairbanks, Alaska 99701

Dear Governor Hammond:

The Fairbanks Branch of the Alaska Miners Association involving almost 200 members, at the last regular meeting, voted to object to your H. B. 169 entitled "An Act relating to land and water use and establishing the Alaska Land and Water Use Planning Council and Regulatory Commission."

This H. B. 169 is completely unacceptable and seems typical of your administration's apparent disregard for the welfare of the majority of people in Alaska and the Nation.

Sec. 46.28.020. Alaska Land and Water Use Planning Council and Sec. 46.28.030. Public Appointees. These two sections state that the council shall consist of six commissioners, one director and three public appointees. All ten members of the council are to be hand-picked by you, a condition which is completely unacceptable to members of the Fairbanks Branch of A.M.A. No council composed entirely of environmentalists and conservationists can be effective and in the best interest to a majority of Alaskans.

Paragraph (7) under Sec. 46.28.130. Purposes. Reads as follows: "the recognition of the need for a continuing supply of direct and indirect energy sources to fill the needs of the state and to contribute the state's just and equitable share in meeting national energy needs." This paragraph is excellent. Why wasn't there a paragraph recognizing the need for minerals and other resources to fill the needs of the state and the nation? Too many people today either do not understand or choose to ignore the fact that the Mineral Industry is number 1. All other industries are subordinate. You cannot grow spuds, build homes, highways, transportation modes or put clothes on your back without minerals. Why in the world then is this administration hell-bent on creating every conceivable road-block possible in order to stop resource development of any kind? The National Taxpayers Union re-



*Dedicated to the development of Alaska's Mineral Resources*



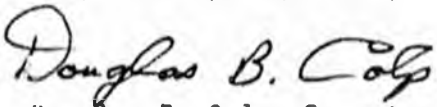
ports that "we are now in hock for over five trillion dollars which makes your and my share about \$115,000.00" How long will it take for this bubble to bust? A nation cannot buy unless it sells. It cannot sell unless it obtains minerals. According to Mr. J. Allen Overton, Jr., President of the American Mining Congress, "an area larger than the encompassing twenty five of the twenty seven states east of the Mississippi River is no longer accessible to mineral exploration." "Much of this accelerated withdrawal process has occurred since 1968, without coordination or without regard for the cumulative effect on future production of metals and minerals from domestic sources." We must either produce our required minerals or purchase them from a foreign country. We have already experienced a mild energy crisis because of our dependency on foreign oil producers. This energy crisis will have amounted to nothing, compared to a mineral crisis, should this happen. The development of domestic mineral supplies is the real key to lessening and eliminating any potential mineral crisis. Alaska has so much to contribute to her people and the nation if her politicians, her environmentalists and conservationists would get off this land-grab - stop-industry kick and exert their expertise toward an orderly progressive development plan.

Sec. 46.28.230. Qualifications (a) and (b) are completely unacceptable. No commission composed of a special interest group can formulate rules and regulations governing all aspects of any workable plan without the help and expertise from industry, resources, and other factions that would be involved with the results of this Act.

Sec. 46.28.260. Compensation. If one adds up superior court judge wages for all commissioners to other costs, including public hearings, executive directors, consultants and other necessary services, it is easily seen that the annual cost of this proposed body, will amount to probably a million dollars. We do not agree that this huge expenditure is of that great of an importance to the majority of Alaskans or the Nation.

Thank you for allowing the Fairbanks Branch of A.M.A. to express their views regarding H. B. 169. Hopefully, you may wish to reconsider your request to have this bill progress through the legislative houses.

Respectfully requested,

  
Douglas B. Colp, Secretary  
Fairbanks Branch  
Alaska Miners Association

Page 2

cc: Mr. Bill Waugaman, President A.M.A.  
Mr. Mark Ringstad, Chairman, Fairbanks Branch  
Senator John Butrovich  
Senator John Huber  
House Member Charles Parr  
House Member Mike Bradner  
✓ House Member Terry Miller  
House Member Glenn Hackney  
House Member Fred Brown  
House Member Stephen Cowper  
A.M.A. Anchorage  
A.M.A. Juneau  
A.M.A. Sitka  
A.M.A. Ketchikan

LAND

CLAIMS

SETTLEMENT

# NEWS RELEASE



BUREAU OF LAND MANAGEMENT - ALASKA  
DEPARTMENT OF THE INTERIOR



FOR IMMEDIATE RELEASE  
February 9, 1976

No. 76-06

FOR ADDITIONAL INFORMATION CONTACT:

Art Kennedy  
Chief, Public Affairs  
Bureau of Land Management  
555 Cordova Street  
Anchorage, Alaska 99501

## BLM ALASKA STATE DIRECTOR GIVEN AUTHORITY TO DECIDE ON PUBLIC RIGHT-OF-WAY NEEDS ON LANDS CONVEYED TO ALASKA NATIVES

The Alaska State Director of the Interior Department's Bureau of Land Management has been given authority to determine local public needs for rights-of-way across lands being transferred to Alaska Natives and Native Corporations under the Alaska Native Claims Settlement Act, Secretary of the Interior Thomas S. Kleppe said today.

The policies on land easements regarding access, passage, and potential use set forth in the Secretary's Order are designed to protect the public's interest in land conveyed to Alaskan Natives and Native Corporations, while avoiding undue interference with the Natives' use of the land. Reservation of easements for transportation of energy and natural resources are not covered in this Order and will be dealt with in a separate Secretarial Order.

The Secretarial Order deals with public needs for rights-of-way across lands being conveyed to natives for access, transportation, communication, utilities and recreation. In granting easements, the State Director must consider public needs, the effect an easement may have on Native lifestyles

(OVER)

2-2-2

and subsistence needs, possible environmental effects, and other factors.

The easements will assure the public's right of access to State and Federal lands, to bodies of water including the sea, and other resources of public value. Easements will not be required where other reasonable access is available.

The Secretarial Order was signed on February 5, 1976, and became effective upon signature.

# # # #

ORDER NO. 2982

Subject: Reservation of Local Easements Pursuant to Section 17(b)  
of the Alaska Native Claims Settlement Act (ANCSA)

Section 1. Purpose. The purpose of this order is (a) to establish policy, guidelines, and procedures for reserving local public easements in the State of Alaska pursuant to section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708), and (b) to delegate to the State Director, Bureau of Land Management, Alaska, the authority of the Secretary of the Interior to determine which local public easements are necessary and to reserve such easements for public use.

Section 2. Delegation of Authority. The State Director, Bureau of Land Management, Alaska, is hereby delegated the authority to determine which local public easements are necessary and to reserve such easements for public use, pursuant to the policy, guidelines, procedures, and limitations within this order.

Section 3. Scope. This order deals with local public easements. Local public easements include all public easements other than easements to be used in interregional or interstate commerce for the transportation of energy, fuels, or natural resources, or for interregional or interstate communications systems.

Instructions for the reservation of easements for interregional or interstate transportation of energy, fuels, or natural resources, and for interregional or interstate communication systems shall be promulgated separately.

Section 4. Policy. The local easement policies herein set forth will be applied to protect the public interest in land conveyed to Natives and Native corporations pursuant to the Alaska Native Claims Settlement Act and to meet the requirements of public law.

Local public easements will be reserved for public and governmental uses. Local easements in behalf of the general public for recreation, access, transportation, utilities, airports, and aircraft landing sites will be reserved only on the basis of present existing use with the following exceptions: (1) The reservation of a continuous shoreline easement extending 25 feet above mean high tide along the marine coastline of the State; and (2) the reservation of easements to assure present and future access to all public lands and resources. These exceptions describe the only local easements in behalf of the general public to be reserved for other than present existing uses. Scenic easements will not be reserved. Periodic linear and site easements for recreation purposes on rivers and streams and site easements on lakes will be reserved only to the extent necessary to provide continued public use of areas having highly significant present recreational use.

Whenever it is determined that an easement will adequately serve a governmental need in lieu of retention of title to the land pursuant to section 3(e)(1) of the ANCSA, an easement will be reserved to (a) protect existing uses, or (b) protect presently planned uses.

Easements will be precisely located whenever possible except in those instances where this would result in a substantial delay in the issuance of conveyances. Local public easements, especially existing transportation and utility easements, will be located in close proximity wherever possible. For this purpose, corridors carefully delineated in accordance with 43 CFR 2650.4-7(b)(4) may be used to permit the subsequent identification of the precise location of each easement.

Local easement corridors will be specifically identified as to location, size, and use in terms of the public easements to be contained therein.

Local easement corridors may be delineated by aliquot parts or by other means necessary to accommodate the easements. When the specific identification and definite location of all the easements within a corridor are made, those portions of the corridor reservation not used by the easements will be relinquished.

Easement provisions in interim conveyances and patents will identify uses through commonly accepted terminology, e.g., trail or road. When necessary, additional descriptive terms may be added to further

identify uses. All easements shall be reserved to the United States and subject to further regulation thereby.

The term "public easements" will include public use, access, transportation, recreation, communication, and utility easements as may be defined in State or Federal law or through historical usage. The authority granted in ANCSA to reserve public easements will be exercised to protect the public interest, including but not limited to, their right of access to and use of public land and public resources. All conveyances will be made subject to all rights of access preserved under section 17(b)(2) of the ANCSA. Identification and reservation of public easements shall include consideration of the need to assure access to Federal or State lands and resources (including the need to reserve easements for full right of access to the reserved subsurface) or land which is subject to public use.

Special consideration as to the location of such easements will be given to the effect of a proposed easement on Native lifestyle and subsistence needs. The environment and other relevant factors will also be considered. Alternative routes and modes of access will be assessed. All public easements will be periodically reviewed to determine if they continue to be required or if they should be vacated.

It should be noted that the right of the United States to enter lands conveyed to the Natives will be reserved in the patent for cadastral,

geodetic, or other survey purposes. Easements reserved for this purpose will be a general right of entry for such survey purposes along with the right to do all things necessary in connection therewith.

Determinations of easements to be reserved will be made after review of the recommendations of the Federal-State Land Use Planning Commission, other Federal Agencies, the State, the Natives, and the general public. Consideration will be given to requests for easement reservations which are timely submitted to the Bureau of Land Management accompanied by written justification.

Detailed guidelines follow to further assist the State Director in the proper discharge of the Department's responsibility for easement identification and reservation.

Section 5. Guidelines. (a) In identifying appropriate easements, an assessment must be made of the public use or purpose to be accommodated and the type of easement proposed. This order lists situations which form the basis for identification of specific easements to be reserved. However, it is not intended that such examples are all inclusive.

(b) The size of specific easements will be governed by standards set forth in applicable laws and regulations. In the absence of a controlling statute or regulation, the following standards will be

followed as general guidelines, taking into account the purposes for which the easement might be reserved. Standard sizes delineated here may be varied when such a variance is justified by specific conditions.

(1) Roads and trails. The usage of roads and trails will be controlled by applicable State or Federal law or regulation. The usages listed in these guidelines will not be listed in the conveyance either as prohibited or permitted usages of the easement but instead will be used for the purpose of determining the width of the easement to be reserved.

(A) The width of a trail will be 25 feet if the usages to be accommodated are for travel by foot, dogsleds, horseback, small vehicles, and uses of a similar character.

(B) The width of a trail will be 50 feet if the usages to be accommodated are for travel by all-terrain vehicles, track vehicles, 4-wheel drive vehicles, and uses of a similar character in addition to the uses included under (A) above.

(C) The width of a road will be 60 feet if the usages to be accommodated are for travel by automobiles or trucks and similar vehicles within a community.

(D) Major traffic arteries or roads connecting communities or regions will be 100 feet in width.

- (2) Marine coastline. In order to provide public access to and along the marine coastline and use of such shore for purposes such as the beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses, a continuous linear easement 25 feet in width upland of and parallel to the mean high tide line shall be reserved, subject to the limitations and conditions contained hereafter in subparagraph (c)(2).
- (3) Recreational rivers and streams. To provide for public use of rivers and streams having highly significant present recreational use, easements 25 feet in width shall be reserved along the bank or banks of such rivers and streams. In addition, such reservations on nonnavigable recreational rivers and streams shall include the river or stream bed.
- (4) Campsites and beaching sites. Easements may be reserved for boat and float plane pullout areas upon a shore. Also, easements may be reserved for temporary camping sites upon a shore or along a linear access route or within a reasonable distance of such shore or route. Easements for the beaching of boats and float planes, and temporary campsites shall be one acre, more or less, except where

terrain, sanitation, public safety, or intensity of public use require deviation. When appropriate, access routes to and from such beaching or camping sites shall be provided.

- (5) Other easements. Other easements may be identified, the size of which is not controlled by any applicable law or regulation. The size of such easements for any given purpose may vary from place to place depending upon the particular circumstances. When not controlled by applicable law or regulation or this order, size shall not exceed that which is reasonably necessary for the purposes of the identified easement. A nonexclusive list includes easements for railroad sidings, spurs, and stations; electric or electronic transmission or reception; communication systems; local water, gas, or sewer systems; docks; navigational aids for watercraft or aircraft; aircraft landing sites not covered under section 14(c)(4) of the ANCSA; aviation; and weather stations.

(c) This subparagraph includes a nonexclusive series of situations in which easements should be reserved pursuant to the policies enumerated in this order. The right to hunt will not be reserved on any lands conveyed pursuant to ANCSA. However, the availability of hunting on Federal or State lands will be a factor to be considered in reserving other easements hereinafter listed.

(1) Access. Easements for access by the government and the general public shall be reserved across Native lands to Federal and State facilities, resources, lands, and waters, including the ocean. Easements for access by the government and the general public may be reserved, when reasonably necessary, across Native lands to provide access to and from communities, airports, docks, boat and float plane beaching sites, reserved aircraft landing sites, campsites, water transportation routes, groups of private holdings, reserved easements for reservations and developments constituting a public use. All easements shall follow existing routes of travel when possible. Easements for rest areas and temporary camping sites will be reserved when reasonably necessary in conjunction with routes of travel. Whenever there is not an existing route of travel, easements should be reserved in topographically suitable locations.

(2) Marine coastline. (A) The easement along the marine coastline described heretofore in subparagraph (b)(2) will not be reserved if it is determined prior to conveyance that it is impracticable for use by the general public. If it is reserved and is later determined to be impracticable, it will be relinquished.

(B) In the original reservation, deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction.

(C) A marine coastline easement shall be reserved subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement reserved. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route at no cost to the United States, prior to the creation of such obstruction.

(D) Access to the ocean as a public resource will be provided on National Wildlife Refuge System lands in consonance with the rules and regulations of each refuge. Seasonal and/or temporal closures of such access routes may occur when required to protect wildlife values.

(3) Recreational rivers and streams. The easement described in subparagraph (b)(3) heretofore may be reserved when it

is determined that there is highly significant present recreational use of a river or stream for sport fishing, boating, portage, or other water related recreational activities. Highly significant present recreational use on a portion of a river or stream will justify the reservation of linear easements only on that portion where such use actually occurs and not on the entire waterway. When reasonably necessary for general public use and enjoyment of the recreational easement, additional easements may also be reserved for temporary campsites, sanitary facilities, or access to the recreational area.

The determination of highly significant present recreational use will take into account numerous factors. A river or stream need not meet all criteria to be considered as having highly significant present recreational use. The factors to be considered shall include (a) the volume of use (at least several users each year), (b) the variety of recreational experiences, (c) the uniqueness of the experiences (e.g., where trophy-sized fish or a specific species of fish may be caught), or (d) the overall quality of the experiences (e.g., white water canoeing or inspiring scenery).

- (4) Beaching sites. Site easements may be reserved at suitable locations on the bed and shore of lakes, rivers, streams, bays, and the marine coastline when determined to be reasonably

necessary for public travel along water transportation routes or when necessary for use as a boat or floatplane beaching site. Site easements may also be reserved to provide connections from water transportation routes to land transportation routes.

- (5) Lakes. Site easements may be reserved at suitable locations on the bed and shore of lakes for public utilization of the waterbody. Site easements may be reserved on lakes greater than 640 acres in area where reasonably necessary. Site easements will not be reserved where reasonable access can be provided on publicly owned waterfront. Site easements will not be reserved on lakes under 640 acres in area unless such waters have unusual recreational or transportational value for public use.
- (6) Utility, communication, weather, and appurtenant easements. To the extent reasonably necessary, in order to protect present existing uses, easements will be reserved for utility, communication, and weather purposes. Appurtenant easements may also be reserved.
- (7) Aircraft landing sites. Aircraft landing sites which are presently being used but which do not qualify as airports under section 14(c)(4) of the ANCSA may be reserved as are reasonably necessary for public access or safety. Associated space easements may also be reserved.

- (8) Space easements. Space easements may be reserved as needed to insure public safety or to permit proper use of improvements developed for public benefit or use, such as navigational aids or communication sites.
- (9) Agreements. In addition to the foregoing, the State Director is also authorized to reserve any easements necessary to insure protection of international treaty obligations and to implement any agreement entered into between the United States and the Native or Native corporation receiving the conveyance. For example, the agreement of May 14, 1974, related to Naval Petroleum Reserve Number Four, between the United States Department of the Navy and the Arctic Slope Regional Corporation and four Native village corporations, will be incorporated in the appropriate conveyances and the easements necessary to implement said agreement shall be reserved.

Section 6. Procedures. The following administrative procedures are designed to provide an organized method of handling land conveyances and the discretionary aspects of public easement reservations under the Alaska Native Claims Settlement Act (ANCSA). A selection application may be processed in part at any time so that conveyance can be made at the earliest practicable time for those portions having no conflict.

These procedures shall be used as a guide when identifying and reserving public easements and issuing decisions to convey under ANCSA. The identification of public easements to be reserved under section 17(b) of ANCSA shall be conducted concurrently with the processing of other regulatory land selection requirements.

The identification of needed easements will include participation by the Natives, State, Federal Agencies, and others having an interest in easements.

The BLM District Manager shall transmit identified easement needs to the BLM State Director. After reviewing the identified easement needs, the State Director shall determine which easements will be reserved.

The State Director will then notify all parties that participated in the development of the easement needs, including the Natives, the State of Alaska, the Federal-State Land Use Planning Commission, and interested Federal Agencies, as to the proposed easement reservations. This notice shall direct that all comments be sent to the Commission and the State Director.

It is expected that the Commission and the State of Alaska will furnish their recommendations on the proposed easement reservations within the time prescribed by regulations. If a recommendation is not submitted by the Commission or the State within the time period established by regulations, 43 CFR 2650.4-7(d), the State Director may proceed.