



City of Dillingham
Reply Brief to Responsive Brief and Comments
On
Petition to Annex Commercial Fishing Waters,
Using Local Option Method

November 5, 2010

BOYD, CHANDLER & FALCONER, LLP

BY:

A handwritten signature in black ink, appearing to read "B.W. Chandler", is written over the printed name.

Brooks W. Chandler
Attorney for City of Dillingham

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Introduction

On June 14, 2010, the City of Dillingham ("City") filed a petition to annex, via the Local Option (voter approval) method, the Nushagak Commercial Salmon District waters and Wood River Sockeye Salmon Special Harvest area waters, together consisting of approximately 396 square miles of water and 3 square miles of land (small islands). Pursuant to 3 AAC 110.490, the City submits this reply to the public comments received on the petition.

Public Outreach

The petition was available for public review and comment through October 1, 2010. The deadline for receipt of comments was longer than normal as Dillingham wished to ensure that those engaged in fishing activity had time to consider the petition, and the Local Boundary Commission agreed.

During the public review period, the City of Dillingham at its own expense sent the City Manager, some City Council Members, and other staff to conduct Public Information Sessions as follows:

1. Call-in radio show on KDLG on August 2, 2010;
2. Dillingham City Hall on August 2, 2010;
3. Aleknagik School on August 3, 2010;
4. Clarks Point school on August 4, 2010;
5. Manokotak at the tribal office on August 17, 2010;
6. Curyung at the Curyung Tribal Council building on September 21, 2010.

Flyers and Public Notice about these meetings was posted in Dillingham and at the communities. Meeting Summaries from the 1st four meetings are found in Appendix A to the City's petition.

The City also discussed concerns and ideas at publicly noticed City Council Public Outreach Committee meetings conducted by a standing committee composed of the Mayor, two council members and the city manager on 11 monthly meetings between August 6, 2009 and October 4, 2010. Meetings of the public outreach committee were held in August, September, October and December of 2009, and in January, March, April, May, June, September and October of 2010. While these meetings were not exclusively dedicated to annexation, it was a primary topic and at most meetings members of the public attended and there were questions and discussion related to the annexation petition.

Comments Received

During the public comment review period, comments and a responsive brief were received from the following:

1. City of Aleknagik, on behalf of City of Aleknagik, Aleknagik Traditional Council, and Aleknagik Natives Ltd (Resolution);
2. Clarks Point Village Council (Resolution);
3. City of Manokotak (Resolution);
4. Ekwok Village Council and Ekwok Natives Limited (Letter);
5. Jerry Liboff (Letter);
6. Lake and Peninsula Borough (Letter);
7. City of New Stuyahok (Resolution);
8. H. Robin Samuelson, Jr. (Letter);
9. Stanley Mack (Letter);
10. Native Village of Ekuk (Responsive Brief);
11. Bristol Bay Native Association (Resolution);
12. Avi Friendman (Letter).

Responses to Common Issues Raised

1. Use of the Area Proposed for Annexation by Residents of Other Communities.

Several comments from persons living outside of Dillingham identify the number of set and drift gillnet fishermen from their communities that use Nushagak Bay to commercially harvest fish, and also noted Nushagak Bay is used for subsistence purposes. Some of these comments state that this demonstrates their social and economic connection to Nushagak Bay, and that it is thus regional in nature. Commenters also cite a 1987 DCRA staff report that paraphrases a 1986 LBC decision on a similar petition as precedence for considering Nushagak Bay to be regional in nature. Use of Nushagak Bay by residents from areas in addition to Dillingham does not require rejection of the current Dillingham petition.

This situation is analogous to Wasilla residents who work in Anchorage. They live in one city yet regularly commute to another city to work. These Wasilla residents clearly have economic, social and transportation connections to Anchorage. It is common for transportation, economic, and social connections to exist among municipalities and regions.

Even in Bristol Bay this situation is the rule, not the exception. Table One below presents Commercial Fisheries Entry Commission (CFEC) data for Bristol Bay in 2008 (2005 and 2000 data is available, but not presented here and demonstrates the same facts). The residency of fishermen who participate in each of the five Bristol Bay fisheries is shown. Each fishery and all the Bristol Bay commercial fishing district waters are regional in nature to the extent that fishermen from not only the adjacent home community, but also from all over Bristol Bay, all over Alaska, and from outside the state, use the waters and have economic, social and transportation connections to them. In Togiak, just under half the fishermen are from outside of Togiak, yet, Togiak was allowed to annex the entire 183 square miles of its adjacent commercial fishing district into its municipal boundary, thus enabling it to derive tax benefits from the adjacent fishery resource that is harvested by people from throughout the region and state.

In Bristol Bay’s five commercial fishing districts, participation rates by:

- the adjacent community varies from 2% to 55%;
- Bristol Bay region fishermen, but not from the adjacent community, varies from 4% to 18%;
- Alaskans from outside Bristol Bay varies from 12% to 41%;
- Non-Alaskan residents varies from 14% to 61%.

Bristol Bay commercial fishing waters are all “regional” in nature. What the Local Boundary Commissioners must examine and determine is whether Dillingham has an economic, social and transportation connection to these waters it is proposing to annex, and, if the totality of the facts in this case warrant annexation. 3 AAC 110.135.

Table One - 2008 Bristol Bay Fisheries Participation and Harvest, by Residency also showing Local Fish Tax in Effect in the District		
District	Residency of Persons with Commercial Landings	Percentage of Total Pounds of Harvest
TOGIAK DISTRICT		7,000,839 total pounds
• Togiak 3% Local Fish Tax in effect	207 total persons	
Togiak/Twin Hills residents	55%	76%
Other Local Bristol Bay residents	18%	8%
Other Alaskan residents	12%	8%
Non Alaskan residents	14%	7%
Unknown	3%	2%

UGASHIK DISTRICT		
<ul style="list-style-type: none"> • Pilot Point 3% Local Fish Tax in effect • Lake and Peninsula Borough 2% Local Fish Tax in effect • Total = 5% Local Fish tax in effect 	341 total persons	14,157,202 total pounds
Pilot Point residents	3%	3%
Other Local Bristol Bay residents	9%	8%
Other Alaskan residents	41%	41%
Non Alaskan residents	46%	49%
Unknown	1%	0%
NAKNEK DISTRICT		
<ul style="list-style-type: none"> • Bristol Bay Borough 3% Local Fish tax in effect 	1,088 total persons	62,367,864 total pounds
Naknek/Kvichak residents	13%	11%
Other Local Bristol Bay residents	5%	4%
Other Alaskan residents	26%	22%
Non Alaskan residents	54%	62%
Unknown	2%	2%
EGEGIK DISTRICT		
<ul style="list-style-type: none"> • Egegik 3% Local Fish Tax in effect • Lake and Peninsula Borough 2% Local Fish Tax in effect • Total = 5% Local Fish tax in effect 	584 total person	41,582,661 total pounds
Egegik residents	2%	1%
Other Local Bristol Bay residents	4%	3%
Other Alaskan residents	31%	24%
Non Alaskan residents	61%	71%
Unknown	2%	1%
NUSHAGAK DISTRICT		
<ul style="list-style-type: none"> • No Local Fish Tax in effect 	807 total persons	43,742,147 total pounds
Dillingham residents	19%	19%
Other Local Bristol Bay residents	13%	10%
Other Alaskan residents	28%	30%
Non Alaskan residents	38%	40%
Unknown	2%	1%

Source: Commercial Fisheries Entry Commission

The following are important notes to the figures generated for harvests and participation in the Bristol Bay fishing districts:

- 1) The figures represent commercial catches on S03T and S04T permits only. Test fishing, confiscated catch, personal use or discards are not included.
- 2) Harvests represent all species of salmon.
- 3) Harvest pounds are represented by "round pounds" - the weight of whole fish.
- 4) Alaska resident and Nonresident status is determined by declared residency. Some recipients of emergency transfers of permits do not have declared residencies.
- 5) Local / Nonlocal Alaska resident status is taken only from persons with declared residencies.

- 6) Participation represents the number of persons who recorded landings on fish tickets. More than one person can fish a permit during the year.
- 7) An individual can fish more than one district in a year.
- 8) Not all permit holders who actively fish will be counted in these statistics. Since 2004, dual permit operations have been allowed in the Bristol Bay drift gillnet fishery, and deliveries of fish are frequently recorded by only 1 of the 2 persons in the operation. Similarly, set gillnet operations often involve groups or families of permit holders where not all persons who are fishing will record landings. For more information on the extent of Bristol Bay drift gillnet dual permit operations, see CFEC report 09-6N.

2. A 24 Year Old LCB Analysis is Neither Binding Nor Persuasive.

Change is a constant factor of our existence. The evaluation of the City's annexation petition must be based on current conditions in the City and the area proposed for annexation, not conditions as they existed a quarter of a century ago. In addition, the Commission and staff must apply 2010 regulations, not 1986 regulations, in their consideration of this petition. As specifically discussed by the City in pages 46-50 of its initial brief, previous LBC action related to Bristol Bay regional boundaries is no reason to summarily reject the City's petition.

The proposed annexation meets the statutes and regulations in effect today. This annexation, which enables a local fish tax to be enacted in Nushagak Bay, is critical to Dillingham and the region, is in the state's best interest, and is fair and equitable.

There are significant differences between the 1986 and 2010 LBC regulations. Some of the regulations heavily relied on by the LBC in considering the City's annexation petition in 1986 simply do not exist today. The 1986 regulations required the area proposed for annexation to be "urban in character". 19 AAC 10.070(3) (former). The "urban in character" requirement no longer exists. The 1986 regulations required the City demonstrate the likelihood of "future development" within the area proposed for annexation. [19 AAC 10.070(5)]. Today's regulations instead mention "existing or reasonably anticipated" conditions. e.g. 3 AAC 110.090(a)(1-3). The City's petition is not based on speculative future growth, but presently existing conditions.

In 1986, the City was required to demonstrate that existing health and safety conditions "endangered" current residents. 19 AAC 10.070(6)[former]. The current regulations do not require proof of "endangerment". 3 AAC 110.090(a)(2)("existing . . . health, safety and general welfare conditions).

In 1986, the City was required to demonstrate that extension of City services to the area proposed for annexation was "necessary to enable the City to provide adequate service to City residents". 19 AAC 10.070(7)[former]. No such requirement exists today. Instead, the City

must demonstrate: (1) that residents within the territory proposed for annexation receive directly or indirectly the “benefit of services provided by the annexing city”; and (2) that “essential municipal services” cannot be provided more efficiently by another city or borough. 3 AAC 110.090(a)(6),(b).

In 1986, the LBC was concerned about “disincentives” to Borough formation. (Ekuk Brief, Ex. 4, p. 5). The passage of 24 years without any Borough being formed compels one conclusion. A Borough is unlikely to be formed in Nushagak Bay in the foreseeable future. There is no reason to believe the next quarter century will be any different than the last quarter century in this regard. The reasons a Borough will not be formed do not have to do with the people of Dillingham who have consistently suggested Borough formation. Therefore, “disincentive”, even if still a regulatory concern, must be disregarded as a practical matter.

Existing financial conditions favor annexation. The financial information discussed by Mr. Erickson, (Ekuk Brief at Exhibit 8) demonstrates why annexation to an existing city with multiple revenue sources, rather than formation of a borough with a single source of revenue, is the most efficient and practical way to provide services to the commercial fishing population in the area to be annexed. A borough based on a single revenue source is simply not the most practical way to extend local government to this area. Even if this were not the case, the concept that future borough formation is “enormously complicated” if annexation proceeds (Ekuk Brief, Ex. 8, p.4), is simply not true. If a borough were ever formed in this area, any borough tax is simply added to Dillingham’s fish tax as is the case in Pilot Point and Egegik. This is not complicated. It is identical to the situation in the Kenai Borough where both city governments and borough governments levy sales tax on the same transactions. Any new borough formed in the region would displace Dillingham as the tax collector and simply remit to Dillingham and Togiak¹ their portion of the fish tax.

The current version of the regulations contains a specific exception. 3 AAC 110.130(c)(2) (“except if those boundaries are justified by application of the standards of 3 AAC 110.090-3 AAC 110.135”). This exception allows the Commission to include large areas of water such as proposed by Dillingham within proposed expanded municipal boundaries if the resulting city meets regulatory standards regarding, “need” 3 AAC 110.090, “character” 3 AAC 110.100; “resources” 3 AAC 110.110; “population” 3 AAC 110.120, “boundaries” 3 AAC 110.130, and is in the “best interests” of the state. 3 AAC 110.135. As demonstrated in its initial petition, (see pages 39-62), and elsewhere herein, Dillingham’s request meets the standards of these specific requirements. Accordingly, the inclusion of a large area of water in the annexation petition is not of itself mean the area is not part of the Dillingham community.

¹ It is inconceivable to Dillingham that a borough would not include Togiak.

In addition to the changed regulatory environment other conditions have changed significantly since 1986. The value of the fishery has decreased making it less practical that it would comprise the entire financial base for a future Borough government just as it will not provide the entire financial base for Dillingham. Many efforts at Borough formation have floundered evaporating the argument annexation will prevent a Borough from forming. Clearly annexation by Dillingham (which never occurred) cannot be said to have caused the failure of a borough to be formed. The most logical reading of the historical record results in the conclusion a borough is unlikely to be formed in this area for reasons unrelated to the instant petition for annexation.

Other communities have increased connections with Dillingham since 1986. Aleknagik regularly sends high school students to the City of Dillingham School District's high school. Affidavit of William McLeod. Clarks Point families also have sent children to Dillingham for high school. Id. Dillingham's provision of educational services to communities indirectly impacted by the proposed annexation emphasizes Dillingham's function as a regional hub for an area that extends even beyond the boundaries of the territory proposed for annexation. There are other examples of communities more tightly connected to Dillingham in 2010 than they were in 1986. Aleknagik's solid waste is deposited in the Dillingham landfill three times a week. For example, Dillingham has instituted and regularly provides ambulance service to Aleknagik, Affidavit of Gregg Burton, Exhibit M, and residents of Aleknagik receive services daily from the Dillingham Senior Center.

Perhaps the most significant changed circumstance since 1986 is Dillingham's construction of millions of dollars in infrastructure supporting the commercial fishing community. A new landfill has been built at a cost in excess of three million dollars. Nearly thirty million dollars has been spent since 1986 on multiple boat and harbor improvements some of which are currently being either designed (bank stabilization) or constructed (bulkhead extension). Exhibit N. These include bulkhead improvements, a new dock, new boat ramps, a new crane for loading and unloading vessels and substantial bank stabilization projects. These facilities must be maintained and eventually replaced. Many of the original funds came from state and federal grants; however it is simply irresponsible to assume grants will fund replacement of these facilities. The facilities benefit the commercial fishing community. A tax levied on the fish harvested in the area proposed for annexation is an obvious and rational source of maintenance and replacement funds.

3. Annexation does not Impact Subsistence.

Subsistence hunting and fishing in the territory proposed for annexation is not intended to be, and should not be, impacted by including the area within City boundaries. Subsistence is regulated exclusively by state and federal authorities. Annexation will not change any rule or regulation applicable to subsistence. Dillingham would not have legal authority to place portions of the annexed territory "off limits" for subsistence hunting and fishing. The only current Dillingham ordinance that would conceivably affect subsistence is DMC 9.86.020(D),

which only allows shotgun pellets to be discharged when more than ½ mile from a road within City limits. Dillingham acknowledges that this ordinance would need to be modified to allow the discharge of rifles when an appropriate distance from shore in order to accommodate subsistence hunting with rifles in addition to shotguns. This would be accomplished as part of the City's transition plan.

4. The Existence of Facilities or Plans for Future Facilities in Other Communities does not Diminish Dillingham's Ties to the Territory Proposed for Annexation.

Manokotak has a place to buy fuel, a hydraulic lift, winter boat storage, and a VPSO. However, the fuel that Manokotak asserts it is providing is made available by private for-profit businesses and entities, not the City of Manokotak. Dillingham, Manokotak, Aleknagik and others all provide mutual aid and all willingly support each other, AST and USCG efforts when called upon. Manokotak's assertion that it assist with public safety affirms this, nothing more.

The Native Village of Ekuk states that it partners with Bristol Bay Area Health Corporation ("BBAHC") and Ekuk Fisheries to maintain a health aide and clinic in the village. But, Ekuk does not explain what being a "partner" means. Ekuk does not indicate it actually contributes any money or property or supplies for this clinic. There is no explanation of how long this clinic has been in operation, whether it is likely to continue into the indefinite future, how it is staffed and when it actually operates. This service is not being provided by a municipality, it is being provided by a private corporation - BBAHC. BBAHC is based in Dillingham. See, <http://www.bbahc.org/>. BBAHC is part of the community of Dillingham and receives City services (police, fire, water, sewer, roads). Accordingly, BBAHC's ability to provide health service to those fishing for Ekuk Fisheries is not properly considered a service from another municipality. BBAHC operates a major hospital in Dillingham and the medical services available are used by those participating in the commercial fishery within the area proposed for annexation. Dillingham is the primary base for delivery of extensive medical services to the annexed area.

The existence of businesses in other communities is not threatened by annexation. Dillingham's petition is not based on claims the City is the exclusive supplier of goods and services to each and every person and vessel fishing in the territory proposed for annexation.

The Native Village of Ekuk references plans for future cooperation between Ekuk and Clark's Point village councils for a road and landfill support. Ekuk does not identify a specific project, does not provide any evidence of where any such project is in the planning phase, and does not provide any cost information for the referenced future plans. With all due respect, the City of Dillingham notes that there are lots of planned future improvements that may or may not ever come to fruition. By contrast, Dillingham is the regional center in this area with existing infrastructure and services. This infrastructure will be more easily maintained and enhanced

with additional revenue from annexation. That revenue, in turn, will be derived from participants in the commercial fishing enterprises that directly and indirectly benefit from the City's existing infrastructure.

Moreover, Ekuk, as a federally recognized tribe, should have access to IHS funding sources not available to the City of Dillingham. Ekuk should also have access to BIA tribal road funding for any road or landfill project it plans with Clark's Point. Clark's Point receives more than a hundred thousand dollars in state fisheries business tax revenues each year. Exhibit V. BIA funding will not be impacted by annexation. Clark's Point's fisheries business tax revenues will not be impacted by annexation. Pending Clark's Point – Ekuk joint projects will be allowed to exceed regardless of annexation.

Dillingham has documented real costs it bears to provide several municipal services and infrastructure used by fishing and processing industry. (Petition pp. 42-45). Revenue and user fees don't cover the costs to provide this support and facilities. Those increased costs are reflected in a level of service to the territory proposed for annexation that is far greater than that provided by any other municipality in the Nushagak region.

5. The Individuals Participating in the Seasonal Commercial Activity Within the Area Proposed for Annexation Are an "existing community" Under 3 AAC 110.130 (c).

Respondents have suggested the seasonal nature of the population of the participants in the commercial fishery means these persons are not members of "an existing local "community" as that phrase is used in 3 AAC 110.130(c)(1). Dillingham disagrees. "Seasonal population" is specifically identified as one of the factors that may support annexation. 3 AAC 110.050(a)(4), 110.120(4).

Seasonal populations are not inherently inconsistent with the notion of community. Especially in Alaska, seasonal population changes are part of many fishing communities. Other towns in Alaska see significant seasonal influxes tied to fishing. Unalaska's population as much as doubles during processing seasons. Sand Point is a base for large numbers of seasonal fishermen. Participants in the commercial fishery in the area proposed for annexation in fact, consider themselves a community, and that community is integrated with year round residents of Dillingham. But, don't take the City's word for it. Observe the fishermen. With concerns about the Pebble Mine in the forefront, where did the commercial fishermen from this area hold a rally? Dillingham. (Exh. O). When fishermen wanted to include product in the Head Start program, where was the effort coordinated? Dillingham. Exhibit P. When fishermen want to attend courses in the "Business of Fish" where do they go? Dillingham. Exhibit Q. Local fish and game and subsistence advisory boards hold meetings in Dillingham. Exhibit R.

The presence of a large area of water within the proposed new boundaries of the City of Dillingham is not inconsistent with the existence of a community based in Dillingham. Other towns in Alaska include areas of water used by seasonal participants in commercial fisheries.

St. Paul, (255 sq. miles of water, 40 sq. miles of land), Togiak, (45 sq. miles of land, 183 sq. miles of water); Unalaska (110 sq. miles of land, 110 sq. miles of water); Pilot Point, (25 sq. miles of land, 115 sq. miles of water); and Sand Point (7 sq. miles land, 21 sq. miles of water) for example. Clearly, the mere presence of a large area of water within a boundary is not determinative of the existence of a community connected with an incorporated city.

In 1986, the LBC focused on an amazingly narrow definition of community as a “neighborhood”. The current regulations do not restrict the LBC to a dictionary definition of community, but instead allow the Commission to consider “relevant factors”. 3 AAC 110.920. Dillingham submits that the following factors are relevant in considering the persons seasonally fishing in the territory proposed for annexation part of the community of Dillingham:

1. They have a common interest in the health and welfare of the commercial and subsistence salmon fishery. This would include a common interest in: (a) regulatory issues impacting the salmon fisheries, (b) potential impact to the fishery from proposed offshore oil and gas development or onshore mineral development, (c) the availability of air transportation from the Dillingham airport for shipment of processed fish out and needed supplies in to Dillingham.
2. They have a common interest in the operation, maintenance and upgrade of port and harbor facilities in Dillingham.
3. They have a common interest in the availability and adequacy of medical services, vessel repair services and supply services in Dillingham.

This community of interests among and between persons commercial fishing in the area proposed for annexation is sufficient to qualify these persons as a “community” as that term is used in 3 AAC 110.130(c)(1).

6. Disincentives to Borough Formation are not a Practical Concern.

Several respondents indicate a concern that if the City’s annexation petition is approved that will provide a “disincentive” to Borough formation. In doing so, they harken back to similar concerns expressed by the LBC in 1986. In addition, some respondents feel any tax collected should either be collected or disbursed on a regional basis beyond the boundaries of the proposed enlarged City of Dillingham or that there is not “enough” of a remaining tax base to support a future borough.

Current regulations do not speak of “disincentives” to Borough formation. Instead, they reflect the “best interests of the State”, one of which is identified as “the promotion of a limited number of local government units”. 3 AAC 110.135(2). For annexation petitions the issue is not “disincentive” to Borough formation, but whether the enlargement of city boundaries is preferable to incorporation of a “new” city or “creation of a new borough service area”. 3 AAC

110.982(7). The current formulation of “best interests of the state” focuses not on theoretical future boroughs, but existing boroughs. There is not an existing borough. Therefore, the only relevant inquiry regarding promotion of a minimum number of governmental units is whether annexation is preferable to incorporation of a new city. Annexation is obviously preferable to incorporation of a new city. The territory proposed for annexation could not possibly be incorporated as its own city. Accordingly, the only way to promote a minimum number of local government units that meets the current requirement is through annexation.

Even if the Commission believes impact on theoretical future borough formation should be examined, a review of past history indicates annexation by Dillingham is not a realistic impediment to borough formation. Unlike 1986, this Commission does not have competing petitions for annexation filed by Clark’s Point and Dillingham before it. The extent to which a pending competing annexation petition demonstrated that problems were “regional” in nature simply does not exist in 2010. The fact that no borough has been formed in the ensuing 24 years demonstrates granting Dillingham’s petition is not a disincentive to borough formation. The failure of those complaining about the proposed annexation to now be residents of an existing borough is not of Dillingham’s making and is certainly not caused by the filing of the current petition. Dillingham has been a leader in trying to form a borough in the area several times over the last 20 years without success. Dillingham has been an active participant and advocate for borough formation in the region because we value and believe in promoting a regional voice and regional perspective, and support regional sharing of resources, taxation and tax revenue. Many of those commenting that the current proposed annexation should instead be a borough formation and taxation effort have opposed borough formation in the past. Based on this history, it is hard to predict when a borough formation effort will be successful. The time has come to recognize that formation of a borough is neither imminent nor significantly impacted by annexation.

The basic premise regarding “disincentives” to borough formation is itself a flawed assumption. It is assumed a local Dillingham fish tax would result in a “loss” of “over half the Nushagak salmon tax base”. (Ekuk Brief, Ex. 8, p.4). The tax base consists of the fish themselves. The fish population will exist independently of municipal boundaries and will remain a potential “tax base” for a new borough regardless of annexation. The experience of other communities (see Petition pp. 48-49) demonstrate the feasibility of municipal fish tax within a borough. Dillingham’s tax would not “enormously complicate” borough formation as claimed by Ekuk (Ekuk Brief, Ex. 8, p.4). The same procedures would apply to borough formation. The same petition would need to be followed and the same administrative process would ensue. While Dillingham can now attest from experience that the LBC process is not “simple”, that process for borough formation is not altered by annexation.

Borough formation has been examined in the past and these studies are available to staff and will not be regurgitated here. To the extent those studies suggest a borough is financially “marginal” that fact favors annexation. Unlike a new borough, Dillingham is already functioning

as a local government. This allows fish tax revenue to be focused on fishery related infrastructure and services.

Annexation is in the best interests of the State for other reasons as well. Dillingham is today, and will always be, the most logical local government to provide essential public services and facilities to support the commercial fishing fleet harvesting salmon in Nushagak Bay. The proposed annexation provides a means (levy and collection of a local fish tax on transactions that currently are not taxed) that has proven successful in the development of sustainable communities in Alaska. A fiscally sustainable Dillingham is certainly in the state and region's best interest. Capturing revenue escaping the region from non Alaskans is in Dillingham's and the region's best interest.

Even if the past 25 years was somehow reversed and a borough was formed with regional support, Dillingham will still be the major port and access to the Nushagak Bay for fishermen. A borough is not going to build an entirely new port or harbor facility at some other location outside Dillingham. Rather, the existing infrastructure centered in Dillingham will be the focus of support to the commercial fishing fleet. A rational practical examination of the history of this area, and the City's existing facilities, compels the conclusion that extension of existing City of Dillingham boundaries, rather than the theoretical, formation of a new borough is the most efficient and effective way to serve the area proposed for annexation.

Moreover, if borough formation is ever going to be resurrected, there has to be a significant "game changer". There is reason to believe approval of annexation will serve as the "game changer" and actually increase the likelihood of borough formation. Dillingham believes many of the past concerns regarding borough formation are based on the unknowns inherent in creation of a new government structure, and a failure to fully appreciate the benefits of the potential revenue stream from a local fish tax. Once other towns in the region actually see the benefits the additional revenue source creates, it is logical they would take a fresh look at the question of borough formation.

7. Dillingham has Promised to Share the Benefits of Increased Revenue with Other Communities.

Respondents have expressed concerns that Dillingham will not spread the benefits of additional tax revenue. Dillingham adopted Resolution 2010-85. Exhibit S. This establishes a fisheries improvement fund that will be supported with a portion of the local fish tax revenue levied within the territory proposed for annexation to benefit the Nushagak Bay fisheries and communities. Dillingham knows of no better way than adoption of Resolution 2010-85 to express its commitment to communities outside the proposed expanded city boundaries.

Concerns are voiced that expanding municipal boundaries will increase the amount of fish processed within City boundaries. (Ekuk brief at 6). Ekuk admits this is speculative and presents no data regarding past receipts of apportioned state fisheries tax to quantify the amount of revenue possibly lost due to expanded City boundaries. Ekuk has never received any

shared tax payments from the State. Exhibits U and V. Manokotak receives less than \$10,000 annually. Exhibit T. However, this should not be impacted by annexation. All available information indicates all floating processing (which forms the basis for the allocation of state tax amongst communities in the region) occurs outside the proposed expanded municipal boundary. See, Petition pp. 52-54 see also, Response to Stanley Mack).

8. Reserves are not Sufficient for a Sustainable City of Dillingham.

Respondents have suggested that the City of Dillingham does not “need” an additional revenue source in order to sustain historical support services and infrastructure benefitting those engaged in commercial fishing in the area proposed for annexation. These concerns reflect a misunderstanding about what a “reserve” account is and why funds are held in reserve. Of the \$6.5 million held in reserve as of July 1, 2009, more than \$5,000,000 was designated or restricted for a variety of purposes. Affidavit of Frank Burrus. The petition demonstrated the financial strains experienced by Dillingham from operating the small boat harbor at deficit levels. (Petition p. 7, 30, 42). This deficit cannot continually be funded from reserves and maintain a sustainable City of Dillingham. The budget submitted with the petition (Exhibits C-1, C-2) establishes that post-annexation revenue will be applied to eliminate recurring small boat harbor deficits.

9. Local Option is an Appropriate Ratification Method.

Commenters feel the local option method of annexation is unfair and favor legislative review. The basis for this argument is that they are impacted by annexation, but would not have a vote in the local option election. Commenters will have ample opportunity to participate in front of the LBC. Having had a full and fair opportunity to participate in the Commission’s thorough examination of the issues provides fairness. A local option election will only be held if the Commission (which is supposed to evaluate annexation as an independent body free from political influence) has approved sending the petition to the voters for ratification. That decision itself may be subject to judicial review. Those participating in the LBC administrative proceeding are accorded a full and fair process.

As shown repeatedly in the petition, a significant majority of persons impacted by the proposed annexation reside in Dillingham. The City has always desired that annexation be submitted to Dillingham residents for approval and it is logical that this occur. While there is never 100% participation in any election, Dillingham residents should be allowed an opportunity to vote either to approve or disapprove this significant step in the history of their community.

That others who would be impacted by annexation would not be able to vote in the Dillingham election does not make the local option method inherently less fair than legislative review. Individual citizens do not get to vote in the legislative review process. Members of the Legislature from Southeast, the North Slope and the Interior have little connection to

Dillingham or Bristol Bay but would have the ability to veto any annexation approved by the Commission.

That persons that live outside Dillingham do not vote on matters in Dillingham that effect them is not unusual. Residents from the region, particularly those that engage in fishing activities, regularly use the City of Dillingham landfill. Dillingham doesn't ask residents of other regions who use its services and infrastructure to vote before they use local roads or landfill. In 2008, 9% of harvest in the Togiak District was accomplished by Dillingham residents, and another 8% of the catch was harvested by other Bristol Bay region residents. All paid the Togiak local fish tax to Togiak. Yet, neither Dillingham nor other Bristol Bay region residents demanded to vote in City of Togiak matters. In 2008, 1% of those fishing in the Egegik District were Dillingham residents and 3% were residents from other places in Bristol Bay region. All pay both the Egegik 3% local fish tax and 2% Lake and Peninsula Borough tax, yet do not demand to vote in the City of Egegik or Lake and Peninsula Borough matters.

Using the local option method allows the vast majority of persons impacted by annexation to vote to approve or disapprove expanding city boundaries. This direct say is inherently more fair than creating the potential for a locally desired annexation to be vetoed by a legislative body whose members have a limited connection to Dillingham or the Bristol Bay region.

Response to Specific Comments and Briefs

10. City of Aleknagik, on behalf of City of Aleknagik, Aleknagik Traditional Council, and Aleknagik Natives Ltd.

The concerns based on use of the area proposed for annexation by Aleknagik residents and the extent to which Aleknagik commercial fishermen use City of Dillingham services are addressed in part 1 above. Subsistence concerns are addressed in part 3 above. The request for legislative review is addressed in part 9 above.

Dillingham disputes that set netters with sites in Ekuk do not use or benefit from Dillingham facilities. Ekuk is supplied directly from the Dillingham Small Boat Harbor typically by landing craft including the vessels Sea Trek II and Jackie M. Affidavit of Jean Barrett. That deliveries are made to tenders outside the proposed expanded boundaries does not diminish the fishing that occurs within the proposed boundaries.

11. City of New Stuyahok.

The concerns based on use of the area proposed for annexation by New Stuyahok residents and the extent to which New Stuyahok commercial fishermen use City of Dillingham services are addressed in parts 1 and 4 above. Subsistence concerns are addressed in part 3 above. The request for legislative review is addressed in part 9 above. That deliveries are made to tenders

outside the proposed expanded boundaries does not diminish the fishing that occurs within the proposed boundaries.

12. Ekwok Village Council and Ekwok Natives Limited.

The concerns based on use of the area proposed for annexation by Ekwok residents and the extent to which Ekwok commercial fishermen use City of Dillingham services are addressed in parts 1 and 4 above. The request for legislative review is addressed in part 9 above.

Dillingham disagrees that its fish tax would only benefit Dillingham residents and not the residents of the region. As explained in its petition (pages 7 - 8) and in part 7 above, fish tax revenue will be used specifically to benefit persons other than residents of Dillingham including Ekwok residents who fish within the new city boundaries.

13. City of Manokotak.

The concerns based on use of the area proposed for annexation by seasonal Manokotak residents and the extent to which Manokotak commercial fishermen use City of Dillingham services are addressed in part 1 above. The request for legislative review is addressed in part 9 above. The services provided to the commercial fishing fleet from providers based in Manokotak are discussed in part 4 above.

That deliveries are made to tenders outside the proposed expanded boundaries does not diminish the fishing that occurs within the proposed new city boundaries. While Manokotak is certainly free to file its own petition for annexation, the geographic separation from current city boundaries to Nushagak Bay raise doubt as to whether such a petition would meet the requirements of 3 AAC 110.130(b).

14. Jerry Liboff.

The concerns based on use of the area proposed for annexation by seasonal or permanent residents of Manokotak, Clarks Point, Aleknagik, Ekwok, Stuyahok, and Koliganek, are addressed in parts 1 and 4 above. The request for shared revenue is discussed in part 7 above. Concerns related to the impact of annexation on taxation by a possible future borough are addressed in part 2 above.

Dillingham disagrees that Clark's Point and Ekuk provide equal or greater service to the commercial fishing fleet than the City of Dillingham. The facts simply do not support this conclusion. Dillingham provided specific cost based information regarding services provided and the associated history of construction and maintenance of its small boat harbor. (Petition pp. 41-45). Neither Mr. Liboff nor any of the other responders identifying other services provided by or from other locations have submitted any information on the cost of those services paid by other cities and other details that would support the assertion that Clark's

Point and Ekuk (which is not a municipality in any event) provide equal services to the fishing community.

Dillingham appreciates that Mr. Libud recognizes that the commercial fishing fleet fishing within the area proposed for annexation does constitute a community.

15. Clarks Point Village Council.

As indicated in part 7 above, Dillingham is committed to share fish tax revenue for the benefit of non-Dillingham residents that participate in commercial fishing within the proposed expanded city boundary.

16. H. Robin Samuelson, Jr.

COMMENT SUMMARY

A. Support.

B. 2.5% local fish tax appropriate.

- About 38% of the commercial fishermen in Nushagak Bay are from outside of Alaska; and
- this local tax will generate revenue from them to help support their use of Dillingham infrastructure and services.
- Over half of the fish caught in Nushagak Bay are processed outside the Bay, so neither Dillingham nor any other Nushagak Bay local community gets any State business fish tax from this fish (because State tax is based on where the fish is processed). The Dillingham local fish tax, because it will be based on where fish is harvested, will provide revenue from this fish to Dillingham to help support infrastructure and services, including real costs for fisheries-related facilities and services.
- This more directly links Dillingham financially to the success of local fisheries.
- Commercial fishermen in other areas pay a local fish tax to the City of Togiak, City of Egegik, City of Chignik, Lake and Peninsula Borough, Bristol Bay Borough, Aleutians East Borough Kodiak Island Borough, the City of Saint Paul, City of Unalaska, City of Akutan, City of King Cove, City of Sand Point, and City of Atka. Dillingham also needs this revenue too to support the services Dillingham provides to the area's commercial fisheries, itself and adjacent regional fisheries.

- This new City revenue source may allow Dillingham to relax - or at a minimum stave off Increases - in property tax.

C. Dillingham is the hub community for the western Bristol Bay region.

- It spends significant municipal revenue to provide infrastructure and services used by both regional and Dillingham residents and others. Most commercial fishermen in the Nushagak Bay are not Dillingham residents, yet, virtually all use Dillingham's fishery related facilities and services. The harbor's use is truly regional in nature. While some neighboring community fishermen may not use it as frequently as non-Alaskan fishermen do, almost everyone with a boat uses it at sometime.

RESPONSE

Dillingham appreciates the support of Mr. Samuelson who is a long time participant in local fisheries.

17. Stanley Mack.

The comments based on the concept of "community" are addressed in part 5 above. The comments regarding impact of annexation on future borough formation are addressed in part 6 above. The comments based on old LBC decisions are addressed in part 2 above.

The concern regarding impact on "extraterritorial" state tax revenue allocation is incorrect. Processing that occurs outside of any municipality is tallied from the Bristol Bay Fishery Management Area (FMA) and placed into a statewide pool. This is commonly called the state shared or extraterritorial fish tax. It is distributed to municipalities based on how much was collected statewide, from within the FMA, and then a formula is used to distribute it based on a combined per capita split and per community split. Exhibit U. Dillingham does get a share of this revenue (\$31,397 in FY 10), as does Aleknagik, Clarks Point, Ekwok, Manokotak, New Stuyahok, Togiak and the Aleutians East Borough. Exhibit T. But, because this revenue is derived from processing outside the boundaries of any municipality, and because all floating processing occurs within the boundaries of Clark's Point, the "pool" of "extraterritorial" revenue will not be diminished by annexation. Nor will the number of communities amongst which the existing pool is divided be increased. Accordingly, no additional state fish tax from extraterritorial processing will be paid to Dillingham as a result of the annexation. Neither the Aleutian East borough's share nor any other community's share of this revenue will change as a result of annexation.

Mr. Mack is correct, however, in inferring that Dillingham's statement in its petition that Dillingham does not receive state shared fish tax from processing outside Dillingham's boundaries was made with regard to the State Business Fishery Tax (landing tax) administered

by the Department of Revenue. This is by far the largest amount of fish tax revenue distributed by the State. This was the source of payment of \$187,259 to Dillingham and \$100,786 to Clark's Point in FY 09. This tax transfer only comes from processing within a municipality's corporate boundaries. Exhibit V. The large payment to Clark's Point confirms that floating processing occurs within its boundaries and that fish tax revenue from this processing is not included in the "extraterritorial" revenue pool.

18. Lake and Peninsula Borough.

The Lake and Peninsula Borough ("L&P") applauds Dillingham's efforts. The Lake and Peninsula Borough's understanding that Dillingham does not propose to impact L&P's ability to levy and collect sales tax on fish caught within the proposed expanded boundary of the city and processed within L&P is correct. Dillingham is willing to provide a credit against sales tax levied now, or in the future, on fish "severed" within L&P and brought to Dillingham for processing. Dillingham also agrees to join in regional conversations to sort out fish harvest, tender, transfer and processing reporting and any resultant tax issues related to floating processors.

19. Bristol Bay Native Association.

The concerns based on use of the area proposed for annexation by seasonal or permanent residents of Manokotak, and Clark's Point are addressed in part 1 above. The services provided to the commercial fishing fleet from these locations, and from the fish cannery at Ekuk Breach, are either provided by private companies or are much less significant than the services provided by the City of Dillingham.

The request for shared revenue is discussed in part 7 above. The claim this has not previously been discussed is not accurate. Dillingham sent representatives to Clark's Point and to Manokotak specifically to discuss the annexation petition, including Dillingham's planned use of revenue. See, supra, p. 4 for a summary of meetings held outside Dillingham. It is not necessary to condition approval of annexation on agreements regarding shared revenue because Dillingham has already committed to using fish tax revenue to benefit commercial fishermen who live in Manokotak and Clark's Point. See also, Exhibit S.

It is not accurate to say the tax base is "severed" from Ekuk. Shore based processing occurs at Ekuk. This provides a potential tax base should Ekuk seek to incorporate as a city and qualify for a share of state fisheries business tax.

The claim that public safety, water and waste disposal services are "badly needed" at Ekuk is not specific. Dillingham is not aware of a high crime rate amongst the seasonal set netters at Ekuk, and, BBNA has not provided specific examples demonstrating a need for public safety services. Similarly, the BBNA comments do not identify any specific water needs of Ekuk set netters or show how those needs are not being met by the local cannery.

Ekuk is not a municipality and there are no permanent residents at Ekuk. The idea that this collection of set net sites would qualify for funding for a Village Safe Water project is far fetched; however, Dillingham's annexation petition does not prevent any such effort by Ekuk set netters. Nor does it prevent the Native Village of Ekuk from attempting to access BIA or IHS funding for water improvements.

20. Avi Friedman.

Mr. Friedman is mistaken. Ekuk Beach is not included within the proposed annexation. See, Petition, Exhibit A-1, para. 6 (boundary parallels mean low water line); see also, Petition, p.48 (no uplands included). To the extent Mr. Friedman sees this as a distinction without a difference, the petition and this reply explain in great detail how Dillingham will use fish tax revenue to continue to operate, maintain and improve the substantial infrastructure in Dillingham which supports those fishing from Ekuk Beach. (Petition pp. 7-8, 40, 43-45).

21. Native Village of Ekuk Responsive Brief.

Dillingham respects the past traditions associated with the Native Village of Ekuk, however, annexation must be evaluated based on current conditions. The current population of Ekuk is zero. Exhibit W. Ekuk is headquartered in Dillingham. Id., p.2. Ekuk housing programs build homes for tribal members exclusively in Dillingham. Exhibit X.² Ekuk has not provided information on the primary place of residence of its members, but the location of headquarters, the construction of homes in Dillingham and the known fact that Mr. Heyano himself lives in Dillingham, is significant evidence that Ekuk members are present in Dillingham.

Just because Ekuk is based in Dillingham, and its Dillingham members will directly benefit from annexation, does not mean Ekuk is compelled to support the City's annexation petition. Ekuk is entitled to and does provide arguments against annexation³. Many of the substantive positions asserted by Ekuk are addressed elsewhere in this reply and will not be repeated here. Ekuk's position on whether the City's petition meets the community requirement or qualifies for the exception to that requirement has been discussed previously at Part 5. Ekuk's position that the 1986 LBC decision should govern the current annexation petition has been discussed previously at Part 2. Ekuk's expressed preference for formation of a new borough is discussed at Part 6,

² Exhibit X identifies properties included in "PILOT" agreements between Dillingham and the Bristol Bay Borough Authority. The properties referenced as "Ekuk Dillingham" subdivision were constructed by BBHA for Ekuk members.

³ Ekuk suggests it has a witness "prepared to testify" regarding who pays current Dillingham taxes and the effect of annexation on economic development but offers no substantive information on this topic to which the City can respond. Ekuk brief, Exhibit 8, pp.6-7. Accordingly, the city will await specifics on these issues and respond accordingly.

and Ekuk's position on use of the local option method of annexation approval is discussed at Part 9.

Some of Ekuk's arguments are based on inaccuracies, half-truths, and misrepresentations contained in its brief. The opening allegation that annexation "would exclude other villages and municipalities in the region from the benefits" that would or could result from a borough government (Ekuk Brief at 3) is a straw man. Dillingham's response is "what Borough government"? For decades Dillingham has promoted borough formation and advocated for borough formation in the region. The response from Ekuk (and some other of those responding to Dillingham's petition) has always been no. So the idea that Ekuk wants a borough or believes it would benefit from a borough does not square with the historical record. Even if it did, the presence of a city levying a fish tax within the boundaries of a new borough would not be unprecedented. Pilot Point and Egegik (among others) levy such a tax within the existing Lake and Peninsula Borough. (Petition, p. 49). Togiak already levies such a tax and presumably would be included within the boundaries of any new borough.

The claim that Native Village of Ekuk members would not be allowed to vote on the local option petition (Reply Brief at 3), is not quantified. The only specifically identified member (Mr. Heyano) is a Dillingham resident⁴. If registered to vote, Ekuk members living in Dillingham will be able to participate in the requested local option election.

Ekuk speculates Dillingham "threw in" the WRSSHA to the proposed expanded boundary. (Ekuk Brief at p.3 n.2). Not true. This fishing region is directly adjacent to the City, whose inclusion was a logical result of the City's stated goal to receive revenue from a local fish tax. In 2010, 13.43% of the total harvest came from the WRSSHA.

Ekuk believes the fact boats fish in more than one region argues against annexation. (Ekuk brief at 5). This is not relevant. Boats originating in Dillingham also fish in those districts including those that have existing fish tax levies in place.

Ekuk's fisheries business tax generalizations mix the concept of a local fish tax with the existing state tax apportionment of state tax. State tax is not reduced by the presence of a local fish tax as explained in the City's response to Mr. Mack.

At page 7 of its brief, Ekuk misattributes counsel's argument about the impact of a local fish tax to an asserted position of Northern Economics. The first sentence of point (4) is indeed from the referenced Northern Economics report. The remainder of point (4) is not from the Northern Economics report, but simply an argument of counsel. Moreover, the tax is based on the actual catch of fish. Those that catch more fish pay more tax.

⁴ The City does not have access to tribal registration records.

Similarly misleading is Ekuk's repetition of new expenditures while omitting mention of the current costs. (Ekuk brief p. 8). Ekuk also engages in sleight of hand when representing that Dillingham spent "only \$330,000 in annual costs" for fisheries related expenditure. (Ekuk brief p. 9, n.11). This ignores the elephant in the room - deferred maintenance of existing infrastructure whose replacement cannot anticipate grant funding. Ekuk mentions alleged costs incurred by other cities (Ekuk Brief at p.10); however, neither Ekuk nor any of the identified communities submitting comments quantifies their expenses.

The supposed concern that floating processors would move operations to Clark's Point, Ekuk Brief at 11 is specious. The information derived from state fisheries tax payments indicate all floating processing already takes place within the boundaries of Clark's Point. Exhibit __. Even if more processing did occur within the boundaries of Clark's Point, that community will receive a larger allocation of the state fisheries tax or, alternatively, establish its own fish tax.

Ekuk alleges the proposed boundaries will "likely have deleterious effects on Manokaotak and Alegnagik", Ekuk Brief at 11; however, the supposed "deleterious effects" are not identified. Igushik Beach set netters include Dillingham residents and the "transportation" connection between Dillingham and Alegnagik is as much via the existing road as it is up the Wood River.

Ekuk attempts to distinguish Dillingham's petition from a very similar annexation for the City of Togiak approved by the Commission in 1985. (Ekuk Brief at 16). Ekuk claims Togiak's annexation of territory whose community consisted of seasonal commercial fishermen was justified because of the need for Togiak to address alcohol abuse "in the area to be annexed". However, the alcohol abuse that needed to be addressed was not simply in the area to be annexed, but within the entire existing City of Togiak boundary. Moreover, the discussion in the 1985 Togiak decision of the "clear and present threat to public safety" to which Ekuk refers was specifically required by existing regulations. e.g. 19 AAC 10.070(6)[former](annexing city must show existing health and safety conditions "endanger" residents). The current regulations do not require such proof of "endangerment". 3 AAC 110.090(a)(2)("existing . . . health, safety and general welfare conditions). Accordingly, Ekuk's effort to differentiate Togiak on this basis is not relevant.

That Dillingham's need for annexation is based on securing a source of funding for continued maintenance, operation and improvement of existing infrastructure to support commercial fishing while Togiak's need for annexation was based on securing a source of funding to address alcohol abuse problems resulting from commercial fishing is not significant. The underlying justification is addressing on shore impacts and expenses related to commercial fishing. Dillingham's need for annexation is fundamentally the same need which the Commission found compelling in approving Togiak's annexation and Egegik's incorporation. There is no conceptual difference between a need for revenue to address seasonal commercial fishing related alcohol expenses and a need for revenue to operate, maintain and enhance significant public infrastructure such as docks and harbors supporting seasonal commercial fishery efforts. Both

are genuine community needs and both are appropriately funded in part by a local fish tax levied within an expanded municipal boundary.

Ekuk's reference to "extraterritorial powers" (Ekuk Brief at p. 20) suggests an unfeasible approach to extension of services within the territory proposed for annexation. Title 29 does not extend municipal powers beyond existing boundaries. Rather, AS 29.35.020 extends a municipality's "jurisdiction" to provide services beyond existing boundaries. Jurisdiction to provide services does not create taxing power beyond municipal boundaries. A city's extraterritorial powers do not include the ability to levy tax outside municipal boundaries. Accordingly, extension of Dillingham's jurisdiction to the area proposed for annexation does not address the need for operation and maintenance of the extensive port, harbor and landfill facilities necessary to support commercial fishing activity.

Ekuk claims that evidence that some tax payers within the area proposed for annexation will not use municipal services means annexation is not allowable. This is not the case in any community in the State of Alaska. Local schools are supported with property tax payments made by individuals with no children attending school. Local libraries are funded by tax payments from individuals who, for whatever reason, choose not to use the library. Fire departments are funded by tax payments made by individuals who are fortunate enough never to have a fire anywhere near their property. Tourists who make minimal use of city facilities contribute to their operation and maintenance through sales tax and bed tax payments. The standard to be applied by the Commission is whether people within the area to be annexed will receive or could reasonably be expected to receive municipal services. 3 AAC 110.090(a)(6). This does not require a showing that 100% of persons subject to annexation will make use of City services.

In addition, the fact that persons live in other villages, but work in the fishing industry in the area proposed for annexation is not, of itself, proof that these individuals do not make use of Dillingham's port and harbor services or otherwise indirectly benefit from City services. Most of these individuals will travel to Dillingham for medical services on a regular basis. Many vessels from other villages transit the Bay and go to Dillingham for services and supplies. Some tender fish directly to shore based processors located in Dillingham thereby indirectly benefitting from city services provided to Peter Pan. Trucks and vessels destined for the Ekuk beach fishery annually depart from Dillingham's harbor via landing craft, and there are multiple landing craft deliveries to the Ekuk cannery that originate from Dillingham. Affidavit of Gene Barrett. In summary, the existence of City services benefits a significantly large proportion of those working in the territory to be annexed. This shows the Commission that annexation is in the best interests of the State. 3 AAC 110.090(a)(6), 3 AAC 110. 135.

Ekuk claims that there does not appear to be "formally established plans" to overhaul or upgrade existing facilities. Ekuk Brief at 21. This is a clever word play on the phrase "formally established" and completely ignores the identified needs of the existing harbor discussed in the City's petition (Petition, pp. 45-46), which are described as "to be constructed" and the current

in progress construction of an extensive sheet pile bulkhead. (Petition, p. 44, Exhibit N).⁵ No city in Alaska does everything at once. Even if Dillingham was not engaged in ongoing port and harbor upgrades, a lack of projects needed in the Dillingham port and harbor, but unable to be “formally” designed, would demonstrate exactly why annexation is appropriate. To provide an additional source of funding for the necessary upgrades that benefit those fishing in the area proposed for annexation.

Ekuk claims the delivery of fish caught within the area proposed for annexation to land based processors outside the proposed extended boundaries proves that this area does not meet the “character” requirement of 3 AAC 110.100. Ekuk Brief at 22. But, the City is not proposing to annex territory which includes land based processors, and has also promised to include an exemption or credit for fish transferred within the proposed new municipal boundary which is taxed upon delivery in another city. [See, p. 21 of this reply Brief]. It certainly is not necessary for the City to show that 100% of the fish caught within the proposed new boundary is also delivered within City boundaries in order to show the territory is “suitable” for annexation and that existing transportation “patterns” support annexation. 3 AAC 110.100(5),(6).

Ekuk’s claim that existing City revenues are “adequate” to continue to provide and maintain infrastructure to support the commercial fishing community, Ekuk Brief at 23, is a fantasy. As explained in the City’s petition and the affidavit of Mr. Barrus submitted herewith, the City’s boat harbor enterprise fund has been operating at a deficit and much of the City’s existing reserves are dedicated for specific expenses. The concept advanced by Ekuk - that Dillingham should first go broke and then start an annexation process, is stupid. The need for additional sources of revenue to maintain, operate and improve existing fishing-related facilities is financially obvious. The need will only grow as existing facilities age. Ongoing maintenance is not appropriately funded from reserves. The City’s annexation petition represents prudent realities. The facilities historically used in support of commercial fishing in the area proposed for annexation will not continue to exist without additional funding sources for their maintenance.

Ekuk’s claim that the seasonal commercial fishing community is not “stable”, Ekuk Brief at 24, is contradicted by its own historical recitation. The Bristol Bay commercial fishery has existed for 125 years. Exhibit Y. There are numerous instances of generations continuing to commercial fish in the area proposed for annexation. Many of the same permit holders return year after year after year. Permit data compiled by the Commercial Fisheries Entry Commission calculated an annual statewide permit turnover rate of 8 per cent. Exhibit Z.⁶ Even assuming that none of the permit transfers are to children of original permittees (which is certainly not the case); this transiency of the commercial fishing community is similar to Anchorage or State

⁵ Project 17 on Exhibit N is in the construction phase. Project 18 on Exhibit N is in the design phase.

⁶ Exhibit Z is an excerpt from the executive summary of a CFEC report titled “Changes in the Distribution of Alaska’s Commercial Fisheries Entry Permits, 1975 to 2009”. The table identifying all permit transfers in this period appears at p.11 of the report.

of Alaska residents. Exhibit AA, (Only 41% of Anchorage residents lived in the same house in 2000 as they did in 1995), Exhibit BB. (169,000 people left Alaska between 2005 and 2007, while 108,000 people moved to Alaska during the same period). Based on a population of 683,000, Exhibit BB shows an annual transiency rate statewide of between 8.2% (outbound) and 5.2% (inbound)⁷. Participants in commercial fishing are as “stable” as the average Alaska resident.

Ekuk’s claim that annexation would not relieve the state government of the responsibility of providing local service, Ekuk Brief at 25 reflects an assumption that state revenue coffers will remain at existing levels and continue to allow the state to fund the replacement and repair of infrastructure originally constructed with state grant funds. This ignores the looming fall in state revenue. Expanding the local tax base most definitely will provide more funds for the maintenance and replacement of port and harbor infrastructure originally constructed with state grants. While the state is not legally “responsible” for such expenses, the state has historically funded most of the cost of these improvements and will be expected to do so in the future absent an alternate funding source. Annexation creates that source.

Dillingham has reviewed the letter report of Ekuk’s economist. The City’s reaction is that only an economist could turn a 33% increase in the price paid for a product over a two year period (compare price data on p.53 of City’s petition (.74 per lb. for sockeye) to .95 price estimate in Ekuk Brief Ex. A, p.5 n.21), into bad financial news for governments whose revenue stream depends on the price of a natural resource.

Conclusion

The comments received in response to Dillingham’s petition are not surprising and raise factors properly considered by the Commission. A careful review of the facts and application of 2010 (not 1986) regulations to those facts compels the conclusion that granting Dillingham’s annexation petition is in the best interests of the State of Alaska.

⁷ Exhibit AA is found at <http://www.fedstats.gov/qf/states/02/0203000.html> . Exhibit BB is found at <http://pewsocialtrends.org/maps/migration/> and is part of a report published by the Pew Research Center titled “Who Moves, Who Stays Put, Where’s Home” (Dec. 2008). The complete report may be found at <http://pewsocialtrends.org/assets/pdf/Movers-and-Stayers.pdf> .

Invoice for Medical Services

A307014 / 1631

City of Dillingham
514 Main St
Dillingham, AK 99576

Invoice Date: 05/07/2007
Date of Service: 02/12/2007

Tax ID: 92-0030674

Bill To

Po Box 13
Aleknagik, Alaska 99555

Patient

DOB: 02/17/1946

Po Box 13
Aleknagik, Alaska 99555



EMS Services

Date of Service: 02/12/2007
Transport From: Aleknagik Lake Rd Aleknagik
Transport To: P O Box 130 Bristol Bay Area Health Cooperation
Transport Type: ALS-1 - Emergency
Patient Conditions: 786.50

Procedures/Services/Medications Provided	Charges
[A0427] ALS-1 Emergency Specialized	\$400.00
[A0425] Mileage (20.0)	\$150.00
Total Charges	\$550.00
Prior Payments and Other Transactions	
05/07/2007 Payment (Chk Nbr: 81315551, Rept Nbr: 1621, From: FHCS Medicaid)	\$110.00
05/07/2007 Payment (Chk Nbr: 083474924, Rept Nbr: 1624, From: Noridian)	\$440.00
Invoice Balance	\$0.00

Please Pay

\$0.00

Make checks payable to: City of Dillingham

Please detach or cut on the dotted line and return this portion with your payment.

Account ID: A307014
EMS Run ID: A307014
Patient: [REDACTED]

Check Number: _____

Amount Paid: _____

EXHIBIT M
PAGE 1 OF 1



City of Dillingham Harbor Improvement Projects since 1986

1. Seafood Industrial Park Plan Resolution 87-58	\$31,000
2. Sheetpile Bulkhead Reso. 90-12	\$6,300
3. Harbor Improvements Reso. 94-25	\$100,000
4. Harbor road Upgrade Reso. 98-56	\$85,000
5. Harbor Bulkhead Improvements Reso. 99-06	\$398,850
6. Harbor and Ramp Reconstruction Reso. 99-07	\$58,635
7. Ice Machine Electrical Reso. 02-01	\$20,000
8. All-Tides Dock Reso. 04-07	\$5,313,000
9. South Boat Ramp Improvements Reso. 2006-03	\$39,450
10. North Bulkhead Extension Design (Grant) Reso 2007-18	\$100,000
11. North Boat Ramp Construction Reso. 2008-17	\$257,500

City of Dillingham Harbor Improvements Projects Since 1986(cont.)

12. Shoreline Bank Stabilization Reso. 2008-38	\$1,500,000
13. Harbor Improvements on 2 ramps Reso. 2008-49	\$224,525
14. South Boat Ramp Improvements Reso. 2009-12	\$198,875
15. New Crane Reso. 2009-13	\$23,000
16. Small Boat Harbor Improvements (access, parking) Reso. 2009-24	\$215,000
17. North Bulkhead extension (grant) Reso. 2009-52	\$1,000,000
18. Shoreline Emergency Bank Stabilization Reso 2009-54 City's top Federal Legislative priority	\$18,530,000
19. Small Boat Harbor Renovations-Phase II Reso 2010-35	\$1,039,000
20. Request for Fed. Transportation Funding for Bank Stabilization Reso. 2010-57	\$9,430,000
TOTAL	\$38,570,135

ALASKA Journal of Commerce

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Municipality Information

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Web posted Sunday, June 17, 2007

Bristol Bay fishermen stage two rallies to protest Pebble

By Margaret Bauman
Alaska Journal of Commerce



Robin Samuelsen addresses fishermen and Bristol Bay area residents June 10 in Dillingham at a rally opposing the proposed Pebble mine.
PHOTO Courtesy Bob Waldrop

Bristol Bay commercial fishermen concerned about a proposed massive copper, gold, silver and molybdenum mine in Southwest Alaska planned to rally in Naknek June 16 to protest the project.

Peter Pan Seafoods was to donate fresh king salmon from Dillingham for the event. Speakers were to include John Lowrance of Leader Creek Fisheries and David Harsila of the Alaska Independent Fishermen's Marketing Association.

An earlier rally June 10 in Dillingham attracted more than 600 fishermen and their families.

Organizers said they expected several hundred fishermen to turn out in support of wild Alaska salmon and against plans for large-scale mining activities. The fishermen are concerned that the proposed Pebble mine could devastate fishing families, subsistence communities and local businesses that depend on salmon, clean water and the region's abundant renewable resources. Many of the fishermen hail from families who have fished for generations in Bristol Bay, the world's most renowned wild salmon fishery.

Last year a spontaneous rally in Naknek, with three days notice, attracted more than 100 commercial fishermen who were there for the start of the sockeye salmon fishery.

The object of their concern is the proposed Pebble project, which Bristol Bay fishermen, environmentalists and others say could pollute the rivers that feed into Bristol Bay.

Sean McGee, a spokesman for Northern Dynasty Mines, said the project will have to satisfy any and all relevant environmental standards and regulations that are in place at the time the company applies for permits. McGee said the time frame for applying for permits is still late 2008 and early 2009, and could be still later than that.

Izetta Chambers, a Naknek resident whose family runs a fish processing plant, is one of the organizers for the Naknek event. Chambers said she felt the Pebble project "is just too great of a risk to even consider in our spawning habitat."

Chambers said her family relies heavily on the fisheries resources and that Bristol Bay wild salmon is starting to make huge strides in the marketplace.

Mining, by comparison, "has a horrible legacy of toxic pollution. We're hoping to stop it before it starts," she said.

Margaret Bauman can be reached at margie.bauman@alaskajournal.com.

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Head Start thanks Bristol Bay fishermen

Published on February 11th, 2010 10:34 am

By LAINE WELCH



Laine Welch

Alaska Head Start honors Peter Pan Seafoods and Bristol Bay fishermen this week at a special ceremony in Juneau. The seafood company will be recognized as the top corporate sponsor by the state Head Start Association for the role it has played in providing local salmon to children and elders throughout Southwest Alaska.

"Head Start is not an easy program to run and this has been such a success. This annual award is one way we can really stand up and recognize the folks who go way above and beyond in Alaska for Head Start," said regional director Anne Shade, who nominated Peter Pan for the honor.

The "salmon to schools" program was spearheaded four years ago in Dillingham by school lunch director Patty Luckhurst, now retired after 21 years with the district.

"It drove me crazy that the best fish in the world was swimming by and yet none of it was available to our school kids," Luckhurst said.

She approached Peter Pan manager Tom Whinihan who put out a call to fishermen to donate part of their sockeye salmon catch to the kids. The company earmarked tenders in three regions for the donations, which Peter Pan processed and packaged for free.

"Tom Whinihan is a gem. He is really dedicated to this community," Luckhurst added.

So far about 50,000 pounds has been donated to the program, which has expanded from Dillingham schools to nine outlying village schools.

"Those schools also prepare meals for the elders in their villages, and they each have Head Start programs. So we're getting salmon meals to well over 1,000 kids and elders at least once a week," Luckhurst said.

Serving fish that is caught and processed locally saves the Dillingham school district roughly \$12,000 in freight and other costs each year, she added.

"The response has been so great," said Jeanne Timmerman, Head Start wellness manager. "It makes so much sense that you can hardly believe it happens in this day and age," she added with a laugh.

Peter Pan's Tom Whinihan agrees.

"Gosh, this salmon is part of their culture, yet there was so much farmed fish like Trout Treasures being brought in. This is such a team effort and it's so easy to do once you get it going. The end result is all the little people and elders benefit from it. I do feel very grateful for it," Whinihan said.

Whinihan is always quick to credit the local fishermen.

"They are the ones doing the hard work and being so generous with their donations. We help facilitate it and ours is the easy part." he said.

Ultimately, the hope is that similar partnerships will occur in other regions.

"We hope our fish message gets out to all the state. We would love to see it happen in other Alaska communities," Anne Shade said.

"If we can do this with a local processor here, there is no reason other schools and communities that have fish processors can't do the same thing," Patty Luckhurst emphasized.

"It would be such a good thing if they all got together and made it happen," Whinihan said. "It's so easy and it is not a lot of effort on anyone's part once you get it going. So much of it is just good communication before hand, and then it all falls into place."

Halibut updates

There will be a bit less Pacific halibut for seafood buyers this year, but the bite isn't as bad as the industry expected. The coast wide catch limit of 50.67 million pounds is nearly 2 million more than anticipated, although it is still a 6.4 percent decrease from 2009. The International Pacific Halibut Commission - which oversees fisheries on the west coast, British Columbia and Alaska - set the catch limits at its annual meeting last week in Seattle.

Alaska always gets the lion's share of the halibut - the 2010 Alaska catch is 42.36 million pounds, a drop of 3.3 million from last year. The start date of the fishery is March 6 - 15 days earlier than the 2009 season. That will get fresh, first of the season halibut to market just in time for Lent - the seafood industry's biggest sales season. Market watchers predict prices to fishermen will start out very high. That, of course, remains to be seen.

The IPHC also took up proposals to change regulations at its annual meeting. A lot of time was spent on halibut sport fish issues, according to the meeting report.

A proposal to create harvest tags for all recreational halibut fisheries in Alaska drew support, saying it would improve data collection. The commission took no action on a proposal to change Alaska sport fish filleting requirements. It will, however, direct a working group to bring the issue back to the table next year. Commissioners said they want to see "more effective management" of the state's sport charter fishery. They said they will be closely monitoring the progress of proposed catch sharing plans.

The IPHC also was asked to reconvene a Halibut Bycatch Work Group that last met almost 20 years ago. The group will examine how bycatch of halibut in other fisheries can best be accounted for in stock assessments and fisheries management. Alaska's halibut fishery runs from

EXHIBIT P
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March 6 through mid-November www.iphc.washington.edu/

Fish bits

Alaska smoked salmon chowder by Ivar's Seafood won the People's Choice Award at the Symphony of Seafood new products contest last week in Seattle. In all, 14 new Alaska products were judged by an expert panel in three categories: retail, food service and smoked. All winners will be kept secret and announced at a big bash Feb. 19 at the Den'aina Center in Anchorage. All winners get a trip to the International Boston Seafood show in March.

Industry reports say salmon is likely to be in short supply this year, due in great part to huge shortfalls from fish farmers in Chile. Chile is the biggest exporter of farmed salmon to the U.S., but disease outbreaks for the past year have cut shipments by more than 40 percent. Some insiders predict demand for salmon could take a hit overall this year due to higher prices.

Fishermen-owned Silver Bay Seafoods has partnered with Leader Creek Fisheries in Bristol Bay to sell herring and salmon products. Silver Bay has three plants in Sitka, Craig and Valdez.

Alaska's Pollock Conservation Cooperative is among the top 10 finalists for an international Seafood Champion award by the Seafood Choices Alliance. The pollock co-op has increased the amount of food produced per pound of pollock by 40 percent and has donated \$10 million to University of Alaska research since 1999.

Contact us about this article at editor@thedutchharborfisherman.com

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The Bristol Bay Times

Workshop offers fishermen training

Published on May 19th, 2010 1:58 pm

By TAMMY JUDD

Bristol Bay commercial fishermen won't have to cast their nets too far to catch some additional training on the business side of their vocation.

Bristol Bay Economic Development Corp., University of Alaska Fairbanks Bristol Bay campus and the Marine Advisory Program will offer The Business of Fish 2010 for the second consecutive year in Dillingham.

The workshop kicks off with a reception, open house and registration from 6:30 to 8:30 p.m. today, May 20, at the Bristol Bay Campus. The workshop sessions take place all day Friday and Saturday, May 21-22.

There is no charge for the workshop unless the participant decides to take the workshop for UAF credit. In that case they would register on Thursday and attend all three days.

Otherwise participants are asked to sign in each day to help BBEDC track how many attend. Last year's sign in sheet totaled 40 people although organizers said more people than that were there but not all of them signed the sheet.

Dillingham Mayor Alice Ruby, who is economic and development coordinator at BBEDC, said the target audience for the workshop is resident fishers, especially those who are or who may be participants in BBEDC's Permit Loan Program.

Marine Program Advisory agent Izetta Chambers said the loan program is a "sweet deal," since BBEDC covers a good percent of the loan for the fishermen.

Loan program participants are required to obtain at least eight hours of training from an approved list every year.

"We put together the workshop in an effort to provide the forum for them to get training because it's not always easy to find events that relate," Ruby said.

The workshop sessions will offer fishermen the opportunity to develop business savvy for their operations.

"It helps them get the tools and skills they need to manage their fisheries business," Chambers said. "I'm really trying to stress that language in terms of this isn't just a lifestyles things, it isn't something we've just inherited from our parents or grandparents, this is a business and that's why it's aptly named The Business of Fish."

On Friday morning Chambers and Glenn Haight, also of MAP, will teach "Direct Marketing" and that afternoon they will be joined by Ruby to lead "Getting In or Out of the Business."

Saturday's sessions are divided into three concurrent "tracks" so people can pick and choose their topics.

Ruby said the topics were chosen from suggestions that came out of last year's event and from comments received throughout the year from fishermen.

She hopes to double the number of participants at this year's workshop in Dillingham and for the first time they will offer the same workshop in Naknek this June.

"We hope to attract 40-50 [participants] in Naknek," Ruby said.

Ruby said they've received some suggestions about moving the workshop to the winter months rather than spring, so in the coming year they'll be looking at that possibility. They would also like to offer the training in other communities.

"If funds and interest hold out, we hope to make it an annual event and even to expand to other sub-areas such as Togiak," Ruby said.

For more information contact BBEDC at 842-4370.

Tammy Judd can be reached at tammy@alaskanewspapers.com, or by phone at 907-348-2438 or 800-770-9830 ext. 438

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BRISTOL BAY FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

VOLUME I

Bristol Bay Native Association
Dillingham, Alaska
March 3, 2010

COUNCIL MEMBERS PRESENT:

- Molly Chythlook, Chair
- Pete Abraham
- Alvin Boskofsky
- Dan Dunaway
- Dale Myers
- Dan O'Hara
- Richard Wilson

- Regional Council Coordinator - Donald Mike

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BRISTOL BAY FEDERAL SUBSISTENCE
REGIONAL ADVISORY COUNCIL

PUBLIC MEETING

Dillingham City Council Chambers
Dillingham, Alaska
September 23, 2010

COUNCIL MEMBERS PRESENT:

- Molly Chythlook, Chair
- Pete Abraham
- Dan Dunaway
- Thomas Hedlund
- Nanci Morris Lyon
- Dan O'Hara
- Richard Wilson

- Regional Council Coordinator - Donald Mike

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CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2010-85

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING THE ESTABLISHMENT OF A REGIONAL FISHERIES IMPROVEMENT FUND EFFECTIVE WITH THE IMPLEMENTATION OF A LOCAL RAW FISH SALES/SEVERANCE TAX.

WHEREAS, Resolution No. 2010-10, adopted February 11, 2010, authorized the City Mayor to submit a petition to the Alaska Local Boundary Commission (LBC) for annexation of commercial fishing waters to the City of Dillingham using the local voter approval process; and,

WHEREAS, the petition was accepted for review by the Local Boundary Commission on July 1, 2010; and,

WHEREAS, the territory contemplated for annexation is generally described as the Nushagak Commercial Salmon District, and the Wood River Sockeye Salmon Special Harvest Area; and,

WHEREAS, if the LBC approves the petition, Dillingham will hold a local election to ask Dillingham voters if they agree to annex in commercial waters and levy a 2.5% local raw fish sales/severance tax; and,

WHEREAS, this annexation and its accompanying local raw fish sales/severance tax will provide revenue to the City of Dillingham to help pay for services and infrastructure that the region's commercial fishermen and fleet use while in town and will help make the community more financially sustainable; and,

WHEREAS, the City of Dillingham recognizes the need for, and benefit of, improved fisheries infrastructure, for both the increased value to the harvester and for decreasing forgone harvest; and,

WHEREAS, the City recognizes that although the City of Dillingham bears a majority of the costs incurred by the fishery, it is a regional resource, and that it would be both right and beneficial to dedicate a percentage of the revenues to improving fishery infrastructure in the Municipal boundaries; and,

WHEREAS, the City recognizes the specific contribution of regional fishers and that fisher's success is now directly tied to the success of the City of Dillingham; and,

WHEREAS, DMC Chapter 4.04, Fiscal Policies, Section 4.04.030, Funds Designated, allows that additional funds may be created as needed by resolution; and,

WHEREAS, Dillingham City Council has determined that there is a need to establish the Regional Fisheries Improvement Fund to provide funds for small capital projects and leverage large capital projects that improve the fisheries in the annexed area by

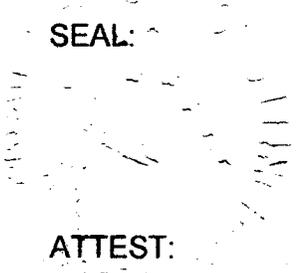
increasing the value of the fisheries through higher quality or increased marketing, or the reduction of foregone harvest;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the establishment of the Regional Fisheries Improvement Fund effective with the implementation of a local raw fish and severance tax.

BE IT FURTHER RESOLVED that the City Council will establish a process for seeking advice and including the neighboring communities of Aleknagik, Clarks Point, Eku, Ekwok, Koliganek, Manokotak, New Stuyahok, and Portage Creek in the decisions for implementation of the Regional Fisheries Improvement Fund.

PASSED and ADOPTED by the Dillingham City Council on October 7, 2010.

SEAL:





Alice Ruby, Mayor

ATTEST:



Janice Shilanski, City Clerk

Municipality	FY 06 Shared Fisheries Business Tax Payment	FY 07 Shared Fisheries Business Tax Payment	FY 09 Shared Fisheries Business Tax Payment	FY 10 Fishery Resource Business Tax Payment
Aleknagik	\$4,824.56	\$6,061.42	\$7,004.30	\$7,004.30
Clark's Point	\$3,542.24	\$4,307.91	\$4,825.82	\$4,825.82
Dillingham	\$22,817.85	\$27,272.96	\$31,396.35	\$31,396.35
Ekwok	\$4,073.14	\$4,835.96	\$5,602.19	\$5,602.19
Manokotak	\$6,605.10	\$8,014.20	\$9,182.78	\$9,182.78
New Stuyahok	\$6,931.81	\$8,253.32	\$9,889.63	\$9,889.63
Togiak	\$9,610.79	\$11,421.60	\$13,493.40	\$13,493.40

Distribution of State Shared Fisheries Business Tax

Administered by Alaska Department of Commerce, Community and Economic Development (sometimes called "extraterritorial" fish tax)

2009 Program Year Table 1 Annual Report		State Shared Fish Business Tax	
		FY 09 Funding:	\$1,920,635.26
Fisheries Management Area	Pounds of Fish & Shellfish Processed	FMA % of Statewide Processing	FMA Allocations
FMA 1: Pribilof Islands	19,094,122	0.689%	\$13,225
FMA 2: Aleutian Islands	1,371,919,329	49.475%	\$950,233
FMA 3: Alaska Peninsula	220,357,353	7.947%	\$152,626
FMA 4: Chignik	14,640,118	0.528%	\$10,140
FMA 5: Bristol Bay	205,297,594	7.404%	\$142,195
FMA 6: Lower Kuskokwim	2,596,681	0.094%	\$1,799
FMA 7: Upper Kuskokwim	0	0.000%	\$0
FMA 8: Lower Yukon	1,724,435	0.062%	\$1,194
FMA 9: Middle Yukon	0	0.000%	\$0
FMA 10: Upper Yukon	134,885	0.005%	\$93
FMA 11: Norton Sound	1,648,192	0.059%	\$1,142
FMA 12: Kotzebue-Northern	0	0.000%	\$0
FMA 13: Kodiak Island	325,164,075	11.726%	\$225,219
FMA 14: Cook Inlet	86,909,809	3.134%	\$60,196
FMA 15: Prince William Sound	214,754,896	7.745%	\$148,746
FMA 16: Yakutat	5,602,004	0.202%	\$3,880
FMA 17: Northern Southeast	48,559,666	1.751%	\$33,634
FMA 18: Central Southeast	158,106,247	5.702%	\$109,509
FMA 19: Southern Southeast	96,449,100	3.478%	\$66,804
Totals	2,772,958,506.00	100.000%	\$1,920,635

Distribution of State Shared Fisheries Landing Tax

Administered by Alaska Department of Commerce, Community and Economic Development (sometimes called "extraterritorial" fish tax)

Table 2 Shared Shared Fisheries Landing Tax			
	FY 09 Funding:	\$1,102,883.10	
Fisheries Management Area	Production Value	FMA % of Production Value	FMA Allocations
FMA 1: Pribilof Islands	\$22,922,996.37	5.982%	\$65,972.47
FMA 2: Aleutian Islands	\$347,178,134.46	90.597%	\$999,180.03
FMA 3: Alaska Peninsula	\$7,760,073.26	2.025%	\$22,333.52
FMA 4: Chignik	\$0.00	0.000%	\$0.00
FMA 5: Bristol Bay	\$3,035,925.31	0.792%	\$8,737.40
FMA 6: Lower Kuskokwim	\$0.00	0.000%	\$0.00
FMA 7: Upper Kuskokwim	\$0.00	0.000%	\$0.00
FMA 8: Lower Yukon	\$0.00	0.000%	\$0.00
FMA 9: Middle Yukon	\$0.00	0.000%	\$0.00
FMA 10: Upper Yukon	\$0.00	0.000%	\$0.00
FMA 11: Norton Sound	\$0.00	0.000%	\$0.00
FMA 12: Kotzebue-Northern	\$0.00	0.000%	\$0.00
FMA 13: Kodiak Island	\$410,804.84	0.107%	\$1,182.30
FMA 14: Cook Inlet	\$325,771.92	0.085%	\$937.57
FMA 15: Prince William Sound	\$48,399.12	0.013%	\$139.29
FMA 16: Yakutat	\$885,406.23	0.231%	\$2,548.20
FMA 17: Northern Southeast	\$0.00	0.000%	\$0.00
FMA 18: Central Southeast	\$643,607.26	0.168%	\$1,852.30
FMA 19: Southern Southeast	\$0.00	0.000%	\$0.00
Totals	\$383,211,118.77	100%	\$1,102,883.10

FMA 3: Alaska Peninsula Area									
<i>Alternative Method*</i>	Total allocation:	40% Divided	60% per capita						FY 09 Landing Tax Allocation
	\$152,626.19	\$61,050.48	\$91,575.72						\$22,333.52
Community	Population	40% divided share	60% per capita share	Calculated	Allocation	Allocation	Allocation	Allocation	Allocation
Aleutians East Boro**	70	\$8,721.50	\$3,019.45		\$11,740.95			\$1,718.03	
Cold Bay	72	\$8,721.50	\$3,105.72		\$11,827.22			\$1,730.66	
False Pass	46	\$8,721.50	\$1,984.21		\$10,705.71			\$1,566.55	
King Cove	756	\$8,721.50	\$32,610.10		\$41,331.60			\$6,047.98	
Lake & Peninsula Boro***	100	\$8,721.50	\$4,313.51		\$13,035.00			\$1,907.39	
Port Heiden	87	\$8,721.50	\$3,752.75		\$12,474.25			\$1,825.33	
Sand Point	992	\$8,721.50	\$42,789.97		\$51,511.47			\$7,537.58	
Totals	2,123	\$61,050.48	\$91,575.72		\$152,626.19			\$22,333.52	
Community Count	7								
* All municipalities share equally 40% of allocation; all share remaining 60% on a per capita basis.									
** AEB pop = Borough (2,795) - Cities of Cold Bay, False Pass, King Cove, Sand Point and Akutan									
*** Lake & Pen. Borough population = 100 as per resolutions									

Table 2
2009 Shared Amounts by Municipality by Tax and License Type

Municipality	Total	Aviation Fuel	CPV* Excise	Electric Cooperative	Fisheries Business	Fishery Landing	Liquor License	Telephone Cooperative
Anchorage	\$1,468,774	\$16,378	\$0	\$683,930	\$157,650	\$0	\$351,150	\$259,666
Juneau	464,380	70,935	0	0	342,695	0	50,750	0
Sitka	2,520,286	0	1,359,030	0	1,139,956	0	21,300	0
Skagway	3,868,620	0	3,862,970	0	0	0	5,650	0
Wrangell	156,251	0	9,975	0	129,076	0	17,200	0
Total Municipalities	8,478,311	87,313	5,231,975	683,930	1,769,377	0	446,050	259,666
Borough								
Aleutians East	2,202,129	0	0	0	2,119,328	82,801	0	0
Bristol Bay	1,630,077	0	0	10,238	1,542,615	0	11,100	66,124
Denali	51,486	0	0	20,740	0	0	0	30,746
Fairbanks North Star	418,762	0	0	418,666	96	0	0	0
Haines	507,165	0	215,410	311	278,744	0	12,700	0
Kenai Peninsula	1,271,580	0	348,645	179,144	740,339	616	0	2,836
Ketchikan Gateway	2,866,348	24,951	2,326,147	0	508,250	0	7,000	0
Kodiak Island	1,394,639	0	24,778	27,524	1,339,575	2,762	0	0
Lake and Peninsula	153,043	0	0	1,300	151,743	0	0	0
Matanuska-Susitna	790,711	0	0	183,179	3,196	0	0	604,336
North Slope	231,789	0	0	0	0	0	0	231,789
Northwest Arctic	6,409	0	0	953	0	0	0	5,456
Yakutat	248,300	0	0	0	237,966	10,334	0	0
Total Boroughs	11,772,438	24,951	2,914,980	842,055	6,921,852	96,513	30,800	941,287
City								
Adak	410,675	0	0	0	311,439	97,736	1,500	0
Akhoaik	3,699	0	0	0	3,699	0	0	0
Akutan	963,877	0	0	0	937,152	26,725	0	0
Alakanuk	875	0	0	875	0	0	0	0

* Commercial Passenger Vessel

Table 2
2009 Shared Amounts by Municipality by Tax and License Type

	Total	Aviation Fuel	CPV* Excise	Electric Cooperative	Fisheries Business	Fishery Landing	Liquor License	Telephone Cooperative
Aleknagik	3,034	0	0	173	0	0	0	2,861
Ambler	4,505	0	0	599	0	0	0	3,906
Anderson	4,961	0	0	1,194	0	0	0	3,767
Angoon	418	0	0	418	0	0	0	0
Anvik	202	0	0	202	0	0	0	0
Atka	95,057	0	0	0	80,923	14,134	0	0
Barrow	23,103	0	0	23,103	0	0	0	0
Brevig Mission	481	0	0	481	0	0	0	0
Buckland	5,665	0	0	0	0	0	0	5,665
Chevak	1,092	0	0	1,092	0	0	0	0
Chignik	65,802	0	0	0	65,802	0	0	0
Chuatbaluk	112	0	0	112	0	0	0	0
Clark's Point	101,408	0	0	0	100,787	0	0	621
Coffman Cove	304	0	0	0	304	0	0	0
Cordova	1,179,632	0	0	11,733	1,068,909	0	12,300	86,690
Craig	22,360	0	0	0	11,260	0	11,100	0
Deering	1,747	0	0	0	0	0	0	1,747
Delta Junction	7,331	0	0	7,331	0	0	0	0
Dillingham	264,586	0	0	8,482	187,259	0	4,600	64,245
Eek	367	0	0	367	0	0	0	0
Egegik	62,882	0	0	0	62,882	0	0	0
Elim	520	0	0	520	0	0	0	0
Emmonak	15,295	0	0	1,423	13,872	0	0	0
Fairbanks	199,350	0	0	126,100	0	0	73,250	0
False Pass	2,163	0	0	0	2,163	0	0	0
Fort Yukon	1,500	0	0	0	0	0	1,500	0
Galena	1,500	0	0	0	0	0	1,500	0
Gambell	864	0	0	864	0	0	0	0
Goodnews Bay	330	0	0	330	0	0	0	0
Graying	259	0	0	259	0	0	0	0
Gustavus	402	0	0	0	402	0	0	0
Holy Cross	297	0	0	297	0	0	0	0

* Commercial Passenger Vessel

Table 2
2009 Shared Amounts by Municipality by Tax and License Type

	Total	Aviation Fuel	CPV* Excise	Electric Cooperative	Fisheries Business	Fishery Landing	Liquor License	Telephone Cooperative
Homer	144,647	0	2,898	28,451	93,132	616	19,550	0
Hoonah	509,032	0	359,155	1,163	146,214	0	2,500	0
Hooper Bay	1,341	0	0	1,341	0	0	0	0
Houston	24,875	0	0	4,992	68	0	6,350	13,465
Huslia	443	0	0	443	0	0	0	0
Kachemak	1,251	0	0	1,251	0	0	0	0
Kake	9,677	0	0	571	9,106	0	0	0
Kaitag	342	0	0	342	0	0	0	0
Kenai	279,968	22,241	0	31,038	208,989	0	17,700	0
Ketchikan	250,310	0	0	0	218,560	0	31,750	0
Kiana	5,497	0	0	775	0	0	0	4,722
King Cove	590,975	0	0	0	586,975	0	4,000	0
Kivalina	5,230	0	0	580	0	0	0	4,650
Klawock	23,530	0	0	0	23,530	0	0	0
Kobuk	2,016	0	0	0	0	0	0	2,016
Kodiak	1,136,501	5,993	24,778	39,963	1,046,010	1,057	18,700	0
Kotlik	804	0	0	804	0	0	0	0
Kotzebue	68,676	0	0	10,183	0	0	0	58,493
Koyuk	652	0	0	652	0	0	0	0
Larsen Bay	66,540	0	0	0	66,540	0	0	0
Lower Kalskag	259	0	0	259	0	0	0	0
Manokotak	2,138	0	0	0	0	0	0	2,138
Marshall	604	0	0	604	0	0	0	0
Mekoryuk	415	0	0	415	0	0	0	0
Mountain Village	1,280	0	0	1,280	0	0	0	0
Nenana	2,933	0	0	2,911	0	0	0	22
New Stuyahok	764	0	0	764	0	0	0	0
Newhalen	240	0	0	240	0	0	0	0
Nightmute	291	0	0	291	0	0	0	0
Nome	41,194	0	0	0	28,894	0	12,300	0
Nondalton	300	0	0	300	0	0	0	0
Noorvik	6,954	0	0	926	0	0	0	6,028

* Commercial Passenger Vessel

Table 2
2009 Shared Amounts by Municipality by Tax and License Type

	Total	Aviation Fuel	CPV* Excise	Electric Cooperative	Fisheries Business	Fishery Landing	Liquor License	Telephone Cooperative
North Pole	80,905	0	0	76,209	96	0	4,600	0
Nulato	489	0	0	489	0	0	0	0
Nunapitchuk	601	0	0	601	0	0	0	0
Old Harbor	366	0	0	321	45	0	0	0
Palmer	166,034	69	0	24,695	3,128	0	13,500	124,642
Pelican	88,682	0	0	0	88,682	0	0	0
Petersburg	773,729	0	0	0	765,829	0	7,900	0
Pilot Station	807	0	0	807	0	0	0	0
Port Lions	600	0	0	600	0	0	0	0
Quinhagak	35,619	0	0	938	34,681	0	0	0
Russian Mission	402	0	0	402	0	0	0	0
Saint Mary's	4,748	0	0	859	3,889	0	0	0
Saint Michael	803	0	0	803	0	0	0	0
Saint Paul	1,239,523	0	0	0	969,315	270,208	0	0
Sand Point	321,995	0	0	0	294,674	22,721	4,600	0
Savoonga	2,184	0	0	994	1,190	0	0	0
Scammon Bay	824	0	0	824	0	0	0	0
Selawik	9,217	0	0	1,230	0	0	0	7,987
Seidovia	7,249	0	0	1,479	845	0	4,925	0
Seward	782,853	0	345,747	0	417,356	0	19,750	0
Shageluk	520	0	0	520	0	0	0	0
Shaktolik	982	0	0	982	0	0	0	0
Shishmaref	477	0	0	477	0	0	0	0
Shungnak	3,457	0	0	524	0	0	0	2,933
Soldotna	41,560	1,954	0	25,355	1,151	0	13,100	0
Stebbins	671	0	0	671	0	0	0	0
Tanana	180	0	0	0	180	0	0	0
Teller	408	0	0	408	0	0	0	0
Tenakee Springs	23,347	0	0	0	23,347	0	0	0
Togiak	46,084	0	0	1,254	42,595	2,235	0	0
Toksook Bay	715	0	0	715	0	0	0	0
Unalakleet	17,598	0	0	2,005	15,593	0	0	0

* Commercial Passenger Vessel

Table 2
2009 Shared Amounts by Municipality by Tax and License Type

	Total	Aviation Fuel	CPV* Excise	Electric Cooperative	Fisheries Business	Fishery Landing	Liquor License	Telephone Cooperative
Unalaska	8,251,161	0	0	0	4,207,955	4,040,106	3,100	0
Upper Kalskag	303	0	0	303	0	0	0	0
Valdez	560,421	0	28,355	24,120	375,540	0	12,300	120,106
Wales	251	0	0	251	0	0	0	0
Wasilla	288,022	1,580	0	43,623	0	0	28,600	214,219
Whittier	1,101,997	0	1,001,985	2,155	92,307	0	5,550	0
Total Cities	20,482,118	31,837	1,762,918	531,108	12,613,269	4,475,538	336,525	730,923
Grand Total	\$40,732,867	\$144,101	\$9,909,873	\$2,057,093	\$21,304,498	\$4,572,051	\$813,375	\$1,931,876

Number of Communities Shared With

124	8	13	86	59	12	34	28
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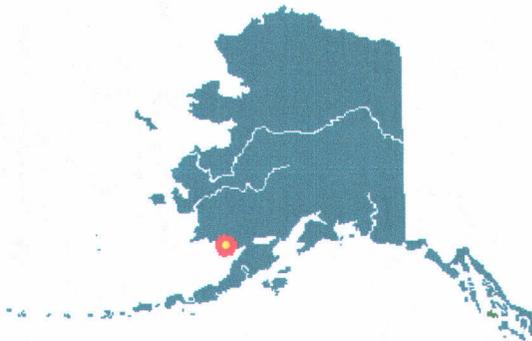
* Commercial Passenger Vessel



Search box with "find" button

Alaska Community Database Community Information Summaries (CIS)

State of Alaska > Commerce > DCRA Home Page > Community Database Online > CIS > Results



Ekuk

(EE-kuck)

For Photos of Ekuk click [here](#)

For a Map of Ekuk click [here](#)

Current Population:	0 (2009 Estimated Population (not Certified))
Incorporation Type:	Unincorporated
Borough Located In:	Unorganized
Taxes:	No taxing authority
Coastal Management District:	Bristol Bay CRSA

Location and Climate

Ekuk is located on the east coast of Nushagak Bay, 17 miles south of Dillingham. It is spread out for about 2 miles along a narrow gravel spit that extends from the Ekuk Bluffs in the shape of a hook. The community lies at approximately 58.814986° North Latitude and -158.557684° West Longitude. (Sec. 12, T016S, R056W, Seward Meridian.) Ekuk is located in the Bristol Bay Recording District. Ekuk is in a climatic transition zone. The primary influence is maritime, although the arctic climate also affects the region. Average summer temperatures range from 37 to 66 °F; winter temperatures range from 4 to 30 °F. Annual precipitation averages 20 to 26 inches. Fog and high winds are common during winter months. The Bay is ice-free from June through mid-November.

Topographic map of Ekuk area



History, Culture and Demographics

The word Ekuk means "the last village down," reflecting that Ekuk is the farthest village south on the Nushagak Bay. The village is mentioned in Russian accounts of 1824 and 1828 as Village Ekouk and Seleniye lkuk. It is thought that Ekuk was a major Eskimo village at one time. Russians employed Natives as guides for their boats as they navigated up Nushagak Bay to the trading post at Aleksandrovsk after 1818. Before the North Alaska Salmon Company opened a cannery at Ekuk in 1903, many residents had moved to the Moravian Mission at Carmel. In addition, numerous canneries sprang up during 1888 and 1889 on the east and west sides of the bay, which drew many residents away from the village. Ekuk had a school from 1958 to 1974. Today, the cannery watchman's family are the only year-round residents. In the summer, the village comes alive with cannery crews, commercial fishing, and subsistence activities.

A federally-recognized tribe is located in the community – the Native Village of Ekuk. The population of the

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community consists of 0% Alaska Native or part Native. Historically a Yup'ik Eskimo village, Ekuk is now used only as a summer commercial cannery and subsistence-use site. Many families have set net sites in Ekuk. During the 2000 U.S. Census, total housing units numbered 73, and vacant housing units numbered 72. Vacant housing units used only seasonally numbered 72. U.S. Census data for Year 2000 showed 2 residents as employed. The unemployment rate at that time was 0 percent, although 50 percent of all adults were not in the work force. The median household income was \$51,250, per capita income was \$25,000, and 0 percent of residents were living below the poverty level.

Facilities, Utilities, Schools and Health Care

As a seasonally-used area, there are no central facilities. One resident has a well. A central electric system is not available. Ward's Cannery operates its own water and sewer system and electrical generator. Their water is drawn from a lake east of the village. Electricity is provided by Individual Generators. There are schools located in the community. Local hospitals or health clinics include Clark's Point Health Clinic.

Economy and Transportation

The Wards Cove Packing Company closed in 2002. During its peak, it employed 200 workers each summer, providing a market for about 80 commercial fishing boats and over 160 beach set net sites.

Air transport is the most frequent means of getting to Ekuk. Ekuk Village Council owns a 1,200' long by 40' wide dirt/gravel airstrip. Scheduled and charter flights are available from Dillingham during the summer months. The village has a small dock on the south side. Other private docks are in use. The cannery has two docks and a boat haul-out. Clark's Point, two miles north, can be reached by snowmachine during winter.

For current Local Labor Market Information please click [here](#)

Organizations with Local Offices

Village Council - Native Village of Ekuk

P.O. Box 530
Dillingham, AK 99576
Phone 907-842-3842
Fax 907-842-3843
E-mail eva@ekukvc.net or helen@ekukvc.net
Web <http://www.bbna.com>

Regional Organizations

Regional Native Corporation - Bristol Bay Native Corporation

111 W 16th Ave, Suite 400
Anchorage, AK 99501-6299
Phone 907-278-3602
Fax 907-276-3924
E-mail jasonmetrokin@bbnc.net
Web <http://www.bbnc.net>

Regional Native Non-Profit - Bristol Bay Native Association

P.O. Box 310
Dillingham, AK 99576
Phone 907-842-5257
Fax 907-842-5932
E-mail randersen@bbna.com, vbraswell@bbna.com
Web <http://www.bbna.com>

Native Housing Authority - Bristol Bay Housing Authority

P.O. Box 50
Dillingham, AK 99576
Phone 907-842-5956
Fax 907-842-2784
E-mail dmcclosure@bbha.org
Web <http://www.bbha.org>

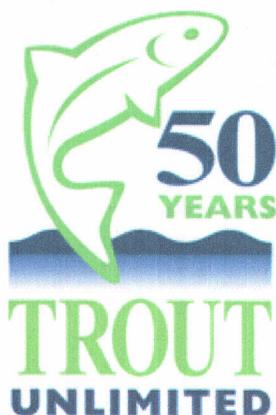
CDQ Group - Bristol Bay Econ. Dev. Corp.

P.O. Box 1464
Dillingham, AK 99576-1464

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red 9.26.08

Project #	Move-In	Term	Taxable Date	Name	Unit Number Sequence Number	Legal Description
AK10-06	7/18/1994	15	7/18/2009	Eileen Sampson	0628-03	Lot 23, Block 2, Snagpoint Subdivision, Plat 83-3, Bristol Bay Recording District
AK10-06	12/2/1986	25	12/2/2011	Evangeline Egeland	0632-02	Lot 19, Block 2, Snagpoint Subdivision, Plat 83-3, Bristol Bay Recording District
AK10-06	12/4/1990	25	12/4/2015	Doreen Farler	0639-02	Lot 11, Block 2, Snagpoint Subdivision, Plat 83-3, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Leroy Wallona	3001-01	Lot 4, Block 4, Nerka IV Subdivision, BB Recording District
AK10-30	6/30/1995	15	6/30/2010	Isaac Wood IV	3002-1	Lot 4, Ahklun View Estates, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Teresa Seybert	3003-01	Lot 12, Nerka Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Martha Nelson	3004-01	Lot 3, Block 2, Nerka II Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Marina Jo Nelson	3005-01	Lot 7, Wood River Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Kenneth Wilson	3006-01	Lot 2, Nerka Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Brenda Muikait	3008-01	Lot 14, Block 1, Nerka IV Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Luki Akekok, Jr	3009-01	Lot 2, Block 1, Ahklun View Estates, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	William Johnson, Jr	3010-01	Lot 6, Block 4, Nerka IV Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Anuska Tiiden	3011-01	Lot 5, Cedar Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Cheri Johansen	3012-01	Lot 3, Kallenberg's Knob Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Ronald Johnson	3013-01	Lot 14c, Par 1, Sampson Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Daniel E. Savo	3014-01	Lot 3, Fireweed Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Herman Shade, Jr	3015-01	Lot 4a, Herman Shade Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Bill Maines	3016-01	Lot 8, Wood River Subdivision, Bristol Bay Recording District
AK10-30	6/30/1995	15	6/30/2010	Anusak T. Ishnook	3017-01	Lot 2, Block 1, Nerka II Subdivision, Bristol Bay Recording District
AK 10-45	12/19/2001	10	12/19/2011	Fred Washington		RETRACT OR SECURE LOT 9
AK 10-45	12/19/2001	10	12/19/2011	Venita Gomez		Lot 13, Block 1, Neqleq Subdivision, Plat 86-1, Bristol Bay Recording District
AK 10-45	12/19/2001	10	12/19/2011	Tambra Dull		Lot 5, Block 1, Neqleq Subdivision, Plat 86-1, Bristol Bay Recording District
AK 10-45	12/19/2001	10	12/19/2011	Robert Mayer		Lot 4, Block 2, Neqleq Subdivision, Plat 86-1, Bristol Bay Recording District
AK 10-45	12/19/2001	10	12/19/2011	John Stelling		Lot 6, Block 1, Neqleq Subdivision, Plat 86-1, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	Marilyn Casteel	1	Lot 3, Block 9, Nerka VII Subdivision, Plat 84-21, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	William Chaney	2	Tract "A" of 4M Subdivision, Plat 93-2, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	Hugh Schroeder	3	Lot 8, Block 2, Napaq Subdivision, Addition 2, Plat 97-8, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	Oleanna V. Pella	4	Lot 7, Block 1, Napaq Subdivision, Addition 3, Plat 2000-1, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	Flora Huffmon	5	Lot 9, Block 2, Napaq Subdivision, Addition 2, Plat 97-8, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	Bonnie Kropoff	6	Lot 10, Block 3, Napaq Subdivision, Addition 2, Plat 97-8, Bristol Bay Recording District
AK10-47	1/7/2003	10	1/7/2013	Nick J. Johnson	7	Lot 5, Block 1, Napaq Subdivision, Addition 3, Plat 2000-1, Bristol Bay Recording District
AK10-53	2/1/2004	15	2/1/2019	Rose Nicholson	5301-01	Lot 13, U. S. Survey 4985, Bristol Bay Recording District
AK10-53	2/1/2004	15	2/2/2019	Alfred Brothers	5302-01	Lot 1, Ekuk-Dillingham Subdivision, Bristol Bay Recording District
AK10-53	2/1/2004	15	2/3/2019	Melody Hiratsuka	5303-01	Lot 2, Ekuk-Dillingham Subdivision, Bristol Bay Recording District
AK10-53	2/1/2004	15	2/4/2019	Kikono Savo	5304-01	Lot 3, Ekuk-Dillingham Subdivision, Bristol Bay Recording District
AK10-53	2/1/2004	15	2/5/2019	Thomas Hiratsuka	5305-01	Lot 4, Ekuk-Dillingham Subdivision, Bristol Bay Recording District
AK10-53	2/1/2004	15	2/5/2019	Thomas Hiratsuka	5305-01	Lot 3, Sunny Acres Subdivision, Plat 87-14, Bristol Bay Recording District



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Bristol Bay Commercial Fishery Celebrates 125 Years

Bristol Bay Commercial Fishery Celebrates 125 Years

We pulla da nets, to maka da mon, to buya da bread, to getta da stren', to pulla da nets

--Lament of a Bristol Bay fisherman

As Alaskans mark the 50th anniversary of statehood this year, the commercial fishermen of Bristol Bay set sail on their 125th season on June 7th. They do so in much more comfort and with better gear than the pioneering fishermen of the Bay. Fishing today is very different from the time up until 1951 when salmon were netted from sailboats. Despite the differences, however, the essential activity remains the same – it still takes two hands to pick a salmon out of the net. In the last century and a quarter tens of thousands of pairs of hands have picked hundreds of millions of salmon from the nets of Bristol Bay.

The fishery began in 1884 when San Francisco businessman Carl Rohlffs organized the Arctic Packing Company and built the first cannery on the Bay at the Native village of Kanulik across the Nushagak River from present day Dillingham. The first commercial pack of canned salmon was only about 400 cases or 6000 fish. A meager beginning for what would become the most productive wild salmon fishery on earth. Over time more than 50 canneries would be built in Bristol Bay. Most have since succumbed to fire or neglect.

The Bristol Bay fishery embodies the enduring struggle in Alaska's history to determine who will manage our resources and who will benefit from their exploitation. With statehood Alaskans wrestled the management of fisheries away from the canneries and the federal government. Enlightened state management is often credited with saving the Bristol Bay fishery. The last two decades have experienced some of the greatest sockeye returns in history. Statehood, however, has not made the distribution of benefits from the fishery any easier. Differences in expectations and need between local and non-resident fishermen, drifters and setnetters, and differences among all users of fish in Bristol Bay continue to foment controversy over gear restrictions and allocation.

Despite all of the wrangling, however, Bristol Bay's fishermen are blessed - after 125 years they still have a fishery to squabble about. In the same period most of the other great salmon fisheries have risen and disappeared or barely limp along as shadows of former abundance. The reason is no mystery – the Bay's



freshwater salmon habitat remains intact. In 1950 the newly formed Alaska Territorial Board of Fisheries observed in its Annual Report that while commercial fishing is often blamed for fish declines:

... there is evidence to show that in numerous cases it is of minor or no consequence. The actual reasons are often found to be changes in the environment of the salmon due to natural and unnatural (man-made) conditions. Luckily the advance of civilization has, as yet, had but very minor adverse effects on our fisheries. However, a new era of progress and industrialization for Alaska is at hand. With it will come the attendant evils to our fish and game resources, just as it came to every other frontier territory. It behooves us to profit by the mistakes of others before it is too late.

This warning has come to roost in Bristol Bay. The world's greatest wild salmon fishery will not likely be compromised by management or allocation decisions. Rather, man-made changes to habitat may pose the greater threat. In the debate over fish and development we are often wooed to the latter by claims that science and technology make it possible for us to have both. Many fisheries have fallen victim to this claim. So as we celebrate our history in this anniversary year of both Statehood and the Bristol Bay Fishery we should also heed the lessons of our history. Whether we do so may well determine whether Bristol Bay fishermen will be pullin' da nets 125 years from now.

Tim Troll enjoys researching the history of Bristol Bay

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EXHIBIT
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EXECUTIVE SUMMARY

CHANGES IN THE DISTRIBUTION OF ALASKA'S COMMERCIAL FISHERIES ENTRY PERMITS, 1975 to 2009

CFEC Report Number 10-5N-EXEC

Alaska Commercial Fisheries Entry Commission
8800 Glacier Highway, Suite 109
P.O. Box 110302
Juneau, Alaska 99811-0302
(907) 789-6160

Abstract

This report provides detailed information on changes in the distribution of permanent entry permits in Alaska's limited fisheries. From 1975 through 2009, 79 permit types have been issued in 65 fisheries. The report provides both statewide and fishery-specific data on the number of permit transfers, the geographic distribution of permit holders, changes due to permit transfers, changes due to the relocation of permit holders and the year-end 2009 geographic distribution of permit holders.

The report also includes extensive information on the age of permit holders, age differences between transferors and transfer recipients, the incidence of intra-family and business partner transfers, transfer acquisition methods, and financing of permit purchases. The information contained in the report is derived from the Commercial Fisheries Entry Commission's permit and transfer survey files.

The report is published as two separate documents: an executive summary and the principal report, which is primarily a reference document.

List of Preparers

Kurt Iverson
Nancy Free-Sloan

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1	Introduction
2	Transfer Incidence
	Permit Transfers
	Transfer Rates
4	Geographic Distribution of Permits: Changes Due To Transfers, Migrations, and Cancellations
	Classification of Permits and Permit Holders
	Changes in the Distribution of Permits
15	Age Patterns Among Permit Holders
16	Transfer Survey Results
	Relationships of Transfer Participants
	Relationships of Transfer Participants, by Residency
	Permit Acquisition Method: Gift, Sale, Trade, and Other
	Acquisition Methods by Residency
	Financing of Permit Purchases
	Permit Financing by Resident Type
	Foreclosures on Permit Loans
	Permit Prices
33	Endnotes

Introduction

In 1972, voters amended Alaska's constitution to allow limited entry into the state's commercial fisheries. Following this amendment, in 1973 the State Legislature enacted Alaska's Limited Entry Act (AS 16.43), creating the state's limited entry program and giving the Commercial Fisheries Entry Commission (CFEC) the responsibility for administering the program.

Limited entry was implemented in 19 of the state's salmon fisheries in 1974. By the end of 2009, entry permits had been issued in a total of 65 commercial fisheries: 26 salmon fisheries, 19 herring fisheries, 9 crab fisheries, 5 sablefish fisheries, 3 shrimp fisheries, and 3 dive fisheries. In some limited fisheries, more than one type of permit was issued to help contain increases in fishing power. Some permits constrain the amount of gear that can be used, while others constrain the length of the vessel. To date, a total of 79 permit types have been issued in the 65 limited fisheries.¹

A legal prerequisite of the Limited Entry Act was that permits could not be locked in the hands of those who were originally issued them (i.e., the "initial issuees"). After much study and debate, the legislature chose free transferability as the means to allow permit holders to enter and exit the fisheries.

Free transferability allows the transfer of permits from parents to their children and allows family members to inherit a permit upon the death of a permit holder. It allows fishermen to enter and exit fisheries at times opportune to them, and it eliminates the need for an expensive and time-consuming bureaucratic process to handle permit reallocation. Many other transfer options were considered but were found lacking with respect to these criteria.

In 1983, the Alaska State Supreme Court decided *State of Alaska v. Ostrosky*, which challenged the constitutionality of the Limited Entry Act, particularly the free transferability provisions. The court upheld

the constitutionality of both the Act and of free transferability, and also affirmed the legislative objectives in adopting the transferability option. The decision was subsequently allowed to stand by the United States Supreme Court when it dismissed the Ostrosky appeal in *Ostrosky v. State*.

Despite the benefits of free transferability, many people remain concerned that permit transfers might result in undesirable consequences with regard to the distribution of permits. There is a concern that permits will leave the state, or that permits will disappear from isolated fishing communities which are local to a limited fishery, thereby eroding the economic base. Because of these concerns about free transferability, CFEC has produced this updated report so that the legislature, the administration, and other interested parties will be kept accurately apprised of the facts.

This edition of *Changes in the Distribution of Alaska's Commercial Fisheries Entry Permits* has been published as two separate documents. The executive summary provides tables that address the most common questions about limited entry permits. It includes information on permit holdings, and how holdings are affected by permit transfers and by the migration (relocation) of permit holders. There is also summary information from the results of permit transfer surveys. The principal report is primarily a reference document and includes more detailed fishery-specific and time series tables on the topics addressed in the executive summary. The main report also contains special sections on rural permit holders, and on permit holders who live locally to the fisheries where they hold permits.

Both the executive summary and the principal report cover all the limited fisheries and permit types for which permanent permits have been issued from 1975 through 2009. Information from Census 2000 is used to determine rural and urban classifications.

Transfer Incidence

CFEC issues both transferable and nontransferable permits in the state's limited fisheries; therefore, not all permits are available for transfer. The Limited Entry Act requires CFEC to initially allocate permits using hardship ranking systems, often called "point systems," which rank individuals based upon the relative hardship they would suffer if they were denied a permit. The Act also requires CFEC to determine levels within the point systems where persons would experience only minor economic hardship if excluded from the fishery. Persons who receive permanent permits and who are ranked at or below the minor economic hardship level receive nontransferable permits. From 1975 through 2009, 16,491 permanent limited entry permits were issued in 65 fisheries: 14,149 permits were fully transferable,² and 2,342 were non-transferable.

Some permits for a fishery may be initially issued several years after the main body of permits has been issued. This is because some applicants are difficult to classify under a hardship ranking system, and a final determination of their standing may come only after an extensive hearing and adjudication process. In other cases, permits have been issued at a later date as the result of lawsuits brought against CFEC.

Permit Transfers

During the 1975-2009 time span there were 35,132 permanent permit transfers. At the end of 2009, there were 13,580 transferable permits, and original permit holders had transferred 11,563 permits, indicating that approximately 85% of all transferable permits had changed hands at least once. Over the entire period, the average annual number of transfers per number of transferable permits was 8.4% (35,132 total transfers / 416,694 sum of all annual transferable permits).

Transfer Rates

Two types of annual transfer rates are shown in Table 1. The first is the ratio of permits transferred for the first time to the total number of transferable permits. Permits transferred for the first time are those that are held by initial issuees. Over time, this ratio would decline if no new permits were issued because each year there would be fewer permits held by initial issuees. As expected, the ratio declined, from 0.08 to 0.01, over the 1975-2009 period. Over the same period, the average annual ratio of transfers from initial issuees to transferable permit years is 0.03.

The second type of annual transfer rate is the ratio of all transfers to available transferable permits, which provides a measure of the annual turnover rate for transferable permits. This ratio varied between 0.06 and 0.13 from 1975 through 2009, and averaged 0.08 for all years combined.³ As can be seen in Table 1, the ratio dropped below the all-years average in 1989 and has remained relatively low through 2009.

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TABLE 1. Statewide Transfer Data on Permanent Permits by Year, 1975-2009

Year	Number of Permanent Permits	Number of Transferable Permits	Annual Number of Transfers From Initial Issuees	Ratio of Transfers From Initial Issuees to Transferable Permit	Total Annual Number of Transfers **	Ratio of Transfers to Transferable Permits
1975	6,762	6,762	568	0.08	590	0.09
1976	9,173	9,160	650	0.07	776	0.08
1977	9,772	9,710	780	0.08	1,108	0.11
1978	9,975	9,895	777	0.08	1,314	0.13
1979	10,104	10,016	557	0.06	1,209	0.12
1980	10,132	10,040	522	0.05	1,060	0.11
1981	10,204	10,112	505	0.05	1,092	0.11
1982	11,030	10,936	553	0.05	1,144	0.10
1983	12,488	10,965	586	0.05	1,211	0.11
1984	12,531	11,009	414	0.04	1,053	0.10
1985	12,509	11,173	387	0.03	1,111	0.10
1986	12,517	11,226	402	0.04	1,191	0.11
1987	12,492	11,253	305	0.03	1,120	0.10
1988	12,584	11,409	345	0.03	1,125	0.10
1989	12,655	11,495	276	0.02	914	0.08
1990	13,027	11,911	270	0.02	950	0.08
1991	13,066	12,000	260	0.02	929	0.08
1992	13,419	12,366	206	0.02	952	0.08
1993	13,423	12,429	216	0.02	854	0.07
1994	13,404	12,460	217	0.02	908	0.07
1995	13,357	12,461	232	0.02	1,010	0.08
1996	13,347	12,492	228	0.02	941	0.08
1997	13,639	12,798	262	0.02	961	0.08
1998	14,075	13,171	186	0.01	860	0.07
1999	14,291	13,321	172	0.01	814	0.06
2000	14,336	13,400	179	0.01	964	0.07
2001	14,802	13,708	256	0.02	958	0.07
2002	14,801	13,730	163	0.01	793	0.06
2003	14,654	13,660	183	0.01	942	0.07
2004	14,488	13,569	149	0.01	984	0.07
2005	14,536	13,653	178	0.01	1,142	0.08
2006	14,534	13,640	163	0.01	1,025	0.08
2007	14,472	13,611	165	0.01	1,082	0.08
2008	14,390	13,573	173	0.01	1,083	0.08
2009	14,413	13,580	98	0.01	962	0.07

Years	Sum of Annual Transferable Permits	Total Transfers From Initial Issuees	Ratio	Total Number of Transfers	Ratio
1975 - 2009	416,694	11,563	0.03	35,132	0.08

Notes:

* 2,249 permits have been cancelled. Except for 171 that were reinstated, these have been excluded from the year of cancellation forward.

** The number of transfers includes 334 loan foreclosures by the Department of Commerce, Community and Economic Development or by the Commercial Fishing and Agriculture Bank, and 321 subsequent transfers from these entities.

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Geographic Distribution of Permits: Changes Due to Transfers, Migrations, and Cancellations

Classification of Permits and Permit Holders

This report measures changes in permit distribution by classifying permit holders based upon where they reside. Five resident type classifications are defined. Permit holders who reside in Alaska are classified into "rural" or "urban" and "local" or "nonlocal" groups. Nonresidents are classified into a single category. The resident types and their acronyms are listed below:

ARL: *Alaska* resident of a *Rural* community which is *Local* to the fishery for which the permit applies;

ARN: *Alaska* resident of a *Rural* community which is *Nonlocal* to the fishery for which the permit applies;

AUL: *Alaska* resident of an *Urban* community which is *Local* to the fishery for which the permit applies;⁴

AUN: *Alaska* resident of an *Urban* community which is *Nonlocal* to the fishery for which the permit applies;

NR: *Nonresident* of Alaska.

DCCED / CFAB: Signifies permits that have been foreclosed upon by the Alaska Department of Commerce, Community and Economic Development (DCCED), or by the Commercial Fishing and Agriculture Bank (CFAB), and have yet to be transferred.

An example of how this classification works could be a permit holder who lives in Dillingham and holds

two limited entry permits. If one permit is for the Bristol Bay drift gillnet fishery, it will be classified as a permit held by an Alaska rural local because Dillingham is a rural community and is local to Bristol Bay. If the other permit is for the Cook Inlet herring seine fishery, then that permit will be classified as one held by an Alaska rural nonlocal because Dillingham is rural, but not local to Cook Inlet.

Urban and rural designations are based upon information from Census 2000. Because editions of this report prior to 2003 used 1990 census criteria, some changes have occurred in the rural/urban designations. In general, there are now more Alaska places designated as rural, and consequently more permits issued to persons classified as rural residents.

Changes in the Distribution of Permits

Table 2 provides summary information on the initial issuance and changes in permit holdings for the assigned resident types. Between 1975 and the end of 2009, 16,491 permanent permits were issued in Alaska's limited fisheries. Alaska residents received 81.6% of the total (13,462 permits), and nonresidents received 18.4% (3,029 permits). Almost half of all permits issued (46.0%) went to Alaska rural locals, with 26.0% issued to Alaska urban locals. The remaining permits issued to Alaskans were divided between the Alaska rural and urban nonlocal resident types.

The number of permits held by each resident type can change for three reasons: permits can be transferred to other resident types; permit holders can simply move from one locale to another (migration); or permits may be cancelled.

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TABLE 2. Initial Issuance, Total Net Changes, and Year-end 2009 Permanent Limited Entry Permits by Resident Type

Residency	Total Initially Issued		Transfer		Migration		Cancelled		Total		Total 2009	
	Change	Pct	Change	Pct	Change	Pct	Change	Pct	Change	Pct	Year-end	Pct
Alaska Rural Local	7,594	46.0%	-565	-7.4%	-888	-11.7%	-705	-9.3%	-2,158	-28.4%	5,436	37.7%
Alaska Rural Nonlocal	692	4.2%	268	38.7%	-6	-0.9%	-86	-12.4%	176	25.4%	868	6.0%
Alaska Urban Local	4,293	26.0%	260	6.1%	-330	-7.7%	-756	-17.6%	-826	-19.2%	3,467	24.1%
Alaska Urban Nonlocal	883	5.4%	176	19.9%	329	37.3%	-148	-16.8%	357	40.4%	1,240	8.6%
Nonresident	3,029	18.4%	-153	-5.1%	895	29.5%	-383	-12.6%	359	11.9%	3,388	23.5%
DCCED / CFAB	0	0.0%	14	0.0%	0	0.0%	0	0.0%	14	0.0%	14	0.1%
Total	16,491	100.0%	0		0		-2,078		-2,078		14,413	100.0%

By the end of 2009, the total number of permits had decreased to 14,413 due to the cancellation of 1,695 Alaskan permits and 383 nonresident permits. Note that at year-end 2009, 14 permits had been foreclosed upon by DCCED or CFAB and had yet to be transferred.

Cancellation normally occurs on nontransferable permits when a permit holder dies or does not renew the permit. In this report, the number of cancelled permits also includes permits that were administratively removed or reconsidered through CFEC's adjudication process. Most of the cancelled permits were in the hand troll fishery (1,107, or 53.3% of the total; see Table 5) where a large number of nontransferable entry permits were issued.

When the effects of cancellation, transfers, and migration were combined at the end of 2009, Alaska residents held 11,025 permits (76.5% of the total, including the 14 permits held by DCCED or CFAB). Nonresidents held 3,388 permits (23.5%).

Decreases in the number of permits held by Alaska residents are countered by increases in the number of nonresident permits. Migration, or the change in residence of permit holders, has changed the resident / nonresident balance to a greater degree than permit transfers. By the end of 2009, the net result of permit transfer activity had decreased the number of permits held by nonresidents by 153 permits, whereas permit holders moving into and out

of Alaska resulted in a net increase of 895 nonresident permits.

Tables 3 and 4 show permit distribution at initial issuance and at the end of 2009, for the 65 fisheries and 79 permit types where limited entry permits have been issued. Table 5 shows the net effects of transfer, migration, and cancellation for the same fisheries. Table 6 also shows the results of transfers, migrations, and cancellations, but does so over all fisheries annually for the 5 resident types.

Some of the more noteworthy changes are:

The overall decline of 2,158 permits held by Alaska rural locals represents 28.4% of all transferable and nontransferable permits originally issued to them. Although migration accounted for the majority of this decrease (888 permits), Alaska rural locals also lost permits through transfer activity (565 permits) and cancellations (705 permits).

Of the decline in permits due to transfers involving Alaska rural locals, 72.6% of the decrease occurred in the Bristol Bay drift (257 permits) and set gillnet (153 permits) fisheries.

As mentioned, permit holders moving into and out of Alaska brought about a net increase of 895 nonresident permits. Net increases in nonresident permits due to migration occurred in 53 separate

permit types, especially in the hand troll fishery (114 permits) and the salmon fisheries in Bristol Bay (207), Kodiak (110), and Cook Inlet (106).

Also mentioned previously is the transfer activity that resulted in an overall net decline of 153 permits held by nonresidents. Through transfers, nonresidents increased their permit holdings in 18 permit types, but registered net decreases in 38 permit types. Some fisheries in particular show large increases in nonresident-held permits through transfers, most notably the Bristol Bay salmon fisheries, the Cook Inlet setnet fishery, and the salmon hand troll fishery.

Conversely though, in other fisheries the net result of transfers led to large decreases of permits held by nonresidents. For example, the power troll fishery, the Kodiak salmon seine fishery, the Prince William Sound salmon drift gillnet fishery, and the Cook Inlet salmon drift gillnet fishery all show substantial declines.

Alaska urban locals show a total net decrease of 826 permits from initial issuance through 2009. Cancellation of permits accounts for 91.5% of the decline. The majority of the cancelled permits are in the hand troll fishery and were cancelled due either to the death of a nontransferable permit holder, or to the forfeiture of the permit for non-payment of permit renewal fees. Combining with the drop in permits due to cancellation, Alaska urban local permit holders show a net decrease of 330 permits through migration, but a net gain of 260 permits by transfer.

Both transfers and migrations have contributed to an increase in permits held by Alaska urban nonlocals. Over the 1975-2009 period, there was a cumulative net gain of 357 permits held by this resident group, which represents a 40.4% increase in the number of permits originally issued to them. Transfer and migration activity in the Bristol Bay salmon fisheries accounted for 116 of the total net gain in permits. Altogether, Alaska urban nonlocals show net increases due to transfer in 21 permit types, and net increases due to migration in 40 permit types.

Alaska rural nonlocals are the smallest resident group. They recorded an overall net gain of 176 permits, especially through migration in the Arctic/Yukon/Kuskokwim salmon fisheries, and through transfers mainly in the Prince William Sound salmon fisheries, the Peninsula/Aleutians drift gillnet fishery, and the Norton Sound herring gillnet fishery.

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TABLE 3. Total Number of Initial Permit Holders by Permit Type and Resident Type, 1975-2009*

Permits First Issued In:	All Permits Issued to					All Transferable Permits Issued to					All Permits	
	ARL	ARN	AUL	AUN	NR	ARL	ARN	AUL	AUN	NR	Alaska Total	Grand Total
1975												
SE Salmon Seine	106	0	106	0	207	106	0	106	0	207	212	419
SE Salmon Drift Gillnet	118	1	195	4	157	118	1	195	4	157	318	475
Salmon Power Troll	264	5	406	11	286	264	5	406	11	286	686	972
Yakutat Salmon Setnet	129	3	0	22	18	129	3	0	22	18	154	172
PWS Salmon Seine	186	12	0	14	55	186	12	0	14	55	212	267
PWS Salmon Drift Gillnet	350	20	0	28	139	350	20	0	28	139	398	537
PWS Salmon Setnet	21	0	0	2	7	20	0	0	2	7	23	30
Cook Inlet Salmon Seine	76	0	7	1	1	76	0	7	1	1	84	85
Cook Inlet Salmon Drift	167	11	197	11	187	167	11	197	11	187	386	573
Cook Inlet Salmon Setnet	202	16	446	26	56	202	16	446	26	56	690	746
Kodiak Salmon Seine	76	25	162	10	111	76	25	162	10	111	273	384
Kodiak Salmon Beach Seine	13	2	18	1	2	12	1	17	1	1	34	36
Kodiak Salmon Setnet	44	3	77	13	51	44	3	77	13	51	137	188
Chignik Salmon Seine	29	12	0	29	21	29	12	0	29	21	70	91
Pen/Aleutian Salmon Seine	101	0	2	3	15	101	0	2	3	15	106	121
Pen/Aleutian Salmon Drift	98	1	1	13	49	98	1	1	13	49	113	162
Pen/Aleutian Salmon Setnet	99	0	0	9	8	99	0	0	9	8	108	116
Bristol Bay Salmon Drift	713	184	0	232	746	713	184	0	232	746	1,129	1,875
Bristol Bay Salmon Setnet	661	64	0	161	155	557	49	0	140	137	886	1,041
	3,453	359	1,617	590	2,271	3,347	343	1,616	569	2,252	6,019	8,290
1976												
Upper Yukon Salmon Gillnet	56	3	13	2	1	56	3	13	2	1	74	75
U Yukon Salmon Fish Wheel	141	2	18	2	2	141	2	18	2	2	163	165
Kuskokwim Salmon Gillnet	665	2	172	0	0	665	2	172	0	0	839	839
Kotzebue Salmon Gillnet	54	3	157	5	1	54	3	157	5	1	219	220
Lower Yukon Salmon Gillnet	680	19	0	12	1	680	19	0	12	1	711	712
Norton Sound Salmon Gillnet	178	1	23	2	0	178	1	23	2	0	204	204
	1,774	30	383	23	5	1,774	30	383	23	5	2,210	2,215
1977-78												
SE Roe Herring Seine	4	0	37	0	5	4	0	37	0	5	41	46
SE Herring Gillnet	18	0	65	1	27	18	0	65	1	27	84	111
PWS Roe Herring Seine	32	42	0	20	11	32	42	0	20	11	94	105
Cook Inlet Herring Seine	46	3	4	14	8	46	3	4	14	8	67	75
	100	45	106	35	51	100	45	106	35	51	286	337
1980-87												
Salmon Hand Troll	792	10	1,155	48	156	324	1	332	11	37	2,005	2,161
NSEI Sablefish Longline	7	2	32	2	16	7	2	32	2	16	43	59
SSEI Sablefish Longline	0	0	7	0	3	0	0	7	0	3	7	10
SSEI Sablefish Pots	1	0	1	0	1	1	0	1	0	0	2	3
SE Red,Blue King Crab Pot	1	0	3	0	2	1	0	3	0	2	4	6
SE Red,Blue,Brn Kng Crb Pot	0	0	5	0	2	0	0	4	0	1	5	7
SE Brown King Crab Pot	0	0	8	0	1	0	0	3	0	1	8	9
SE Red,Blue King/Tanner Pot	1	0	12	0	1	1	0	12	0	1	13	14
SE Brown King/Tanner Pot	1	0	2	0	3	1	0	1	0	2	3	6
SE All King/Tanner Pot	5	0	22	0	2	5	0	20	0	2	27	29
SE Tanner Crab Pot	2	1	13	0	9	2	1	12	0	5	16	25
PWS Roe Herring Gillnet	20	0	0	0	4	20	0	0	0	4	20	24
PWS Her Spawn on Kelp Pound	67	8	0	17	36	67	8	0	17	36	92	128
Kodiak Roe Herring Seine	11	10	44	2	14	9	5	36	1	6	67	81
Kodiak Roe Herring Gillnet	5	29	53	19	13	5	21	38	12	6	106	119
Kodiak Roe Her Seine/Gillnet	0	0	1	0	1	0	0	1	0	0	1	2
	913	60	1,358	88	264	443	38	502	43	122	2,419	2,683
1988-91												
BBay Herring Spawn on Kelp	275	5	0	5	5	275	5	0	5	5	285	290
Norton Snd Her Beach Seine	0	1	0	2	3	0	1	0	2	3	3	6
Nelson Island Her Gillnet	153	7	0	9	9	136	6	0	9	7	169	178
Nunivak Island Her Gillnet	45	3	0	11	5	41	3	0	7	3	59	64
Lower Yukon Herring Gillnet	94	5	0	4	3	88	2	0	2	0	103	106
Norton Snd Herring Gillnet	149	27	7	45	61	149	27	7	45	61	228	289
	716	48	7	76	86	689	44	7	70	79	847	933

(cont.)

Table 5. Net Changes in Permit Holdings Due to Transfers, Migrations, and Cancellations, by Permit and Resident Type, 1975 - 2010

Permits Issued In:	Alaska Rural Local			Alaska Rural Nonlocal			Alaska Urban Local			Alaska Urban Nonlocal			Nonresident			DCCED /CFAB
	Transfers	Migrations	Cancelled	Transfers	Migrations	Cancelled	Transfers	Migrations	Cancelled	Transfers	Migrations	Cancelled	Transfers	Migrations	Cancelled	
1975																
SE Salmon Seine	-65	0	3	4	4	0	44	-13	6	17	-5	3	0	14	28	0
SE Salmon Drift Gillnet	0	21	1	11	-10	0	33	-14	1	-3	6	0	-42	-3	0	1
Salmon Power Trawl	70	-67	3	0	2	0	56	24	3	5	3	2	-131	38	3	0
Yakutat Salmon Seine	-7	-15	2	10	-3	0	0	0	0	-11	8	1	8	10	2	0
PWS Salmon Seine	-38	-48	1	44	-3	0	0	0	0	5	25	0	-11	26	-1	0
PWS Salmon Drift Gillnet	-50	-50	1	93	-23	0	0	0	0	12	28	-1	-55	45	0	0
PWS Salmon Seine	-10	-4	0	2	0	0	0	0	0	12	3	1	-4	1	0	0
Cook Inlet Salmon Seine	-8	-6	1	2	-2	0	4	3	1	3	-3	0	-1	8	1	0
Cook Inlet Salmon Drift	46	7	0	2	-3	0	11	-51	1	0	1	0	-59	46	2	0
Cook Inlet Salmon Seine	18	17	3	-7	4	0	-26	-60	5	-9	-13	0	24	52	0	0
Kodiak Salmon Seine	-13	-22	3	19	7	0	60	-63	2	14	13	2	-80	55	3	0
Kodiak Salmon Beach Seine	0	-5	1	1	2	0	-6	-2	2	-1	2	0	6	3	2	0
Kodiak Salmon Seine	-7	-20	0	-2	4	0	48	-33	0	-3	7	0	-36	42	0	0
Chignik Salmon Seine	3	6	0	5	-4	0	0	0	0	0	-9	0	0	-9	0	1
Pen/Aleutian Salmon Seine	-34	-5	1	2	2	0	1	0	0	6	4	0	25	-1	1	0
Pen/Aleutian Salmon Drift	-60	0	0	35	-1	0	2	-2	0	9	-6	0	14	9	0	0
Pen/Aleutian Salmon Seine	4	-27	2	4	-1	0	0	0	0	-10	19	1	1	9	0	1
Bristol Bay Salmon Drift	-257	-71	4	22	-35	0	0	0	0	85	-17	2	147	123	6	3
Bristol Bay Salmon Seine	-153	-125	25	8	-2	9	0	0	0	5	-43	15	90	84	9	0
	-561	-414	51	255	-62	9	227	-211	21	186	109	26	-113	578	56	6
1976																
Upper Yukon Salmon Gillnet	-2	-23	5	-1	1	1	3	14	0	2	3	5	-2	5	3	0
Upper Yukon Salmon Fishwheel	1	-33	28	-3	5	2	4	16	8	-1	9	2	-1	3	3	0
Kuskokwim Salmon Gillnet	15	-62	66	-7	9	1	-5	20	5	-6	40	7	0	8	3	3
Kotzebue Salmon Gillnet	-8	-11	14	1	4	3	13	-28	27	-4	27	11	-2	8	5	0
Lower Yukon Salmon Gillnet	25	-101	26	-29	36	2	0	0	0	10	54	5	-6	11	1	0
Norton Sound Salmon Gillnet	11	-30	18	-4	9	2	-4	-1	6	-5	19	7	2	1	3	0
	42	-260	157	-43	64	11	11	8	61	-4	162	37	-9	36	18	3
1977-78																
SE Roe Herring Seine	2	-1	0	5	0	0	-19	1	1	5	0	0	7	0	-1	0
SE Herring Gillnet	2	1	0	1	-1	0	9	-11	0	0	0	0	-11	11	0	0
PWS Roe Herring Seine	4	-13	0	-8	-4	0	0	0	0	10	-6	0	-6	23	0	0
Cook Inlet Herring Seine	-8	-6	0	-1	3	0	-1	-3	0	-13	-17	0	-3	-17	0	0
	0	-19	0	-3	-2	0	-11	-7	1	27	-23	0	-13	51	-1	0
1980-87																
Salmon Hand Trawl	-20	-75	295	5	5	11	-24	-69	573	-2	25	43	41	114	185	0
NSEI Sablefish Longline	4	-4	0	1	0	0	0	1	0	-2	2	0	-3	1	0	0
SSEI Sablefish Longline	0	0	0	1	0	0	2	-2	0	-1	1	0	-2	1	0	0
SSEI Sablefish Pots	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SE Red/Blue King Crab Pot	-1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0

(cont.)

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Endnotes

1. (page 1) By the end of 2009, maximum number regulations have been adopted for 66 fisheries. No permanent entry permits have been issued in the Prince William Sound sablefish pot gear fishery, and therefore the fishery does not appear in this report. In addition, 2 fisheries are under a vessel limited entry program, and are also not reported herein.
2. (page 2) Although 14,149 transferable permits were initially issued (Table 3), the number of transferable permits remaining at the end of 2009 was 13,580 (Tables 1 and 4). The net loss of 569 transferable permits is due to the cancellation of 697 transferable permits and the addition of 128 permits that were converted from nontransferable to transferable status due to additional point awards through the CFEC adjudication process.
3. (page 2) Because some permits may be transferred more than once during a year, the ratio of permits transferred to available transferable permits would be slightly less.
4. (page 4) The Alaska Urban Local category is not applicable for several fisheries which have no local urban communities. These fisheries are: Yakutat salmon setnet; Chignik salmon seine; Bristol Bay salmon drift and setnet; Bristol Bay herring spawn on kelp; Lower Yukon salmon and herring gillnet; Prince William Sound salmon seine, drift and setnet; Prince William Sound herring seine, gillnet and spawn on kelp pound; Prince William Sound sablefish; and the Nelson Island, Nunivak Island, and Goodnews Bay herring gillnet fisheries.
5. (page 15) Because a person may hold more than one permit, the annual mean age may include the age of a person more than one time in its calculation. A person's age is included in the calculation for each permit held.
6. (page 16) For the purposes of this document, the transfer of a permit as part of an inheritance is considered a gift.
7. (page 18) See *CFEC Changes in the Distribution of Permit Ownership in Alaska's Limited Fisheries, 1975-1981*; February, 1983.
8. (page 19) The percentage of state-financed permits increases to 22.1% when only the purchases by Alaska residents are considered (Table 12).
9. (page 22) Permit price estimates produced for this report may differ from the CFEC monthly permit value report due to more stringent criteria for exclusion used in the monthly report.

MapStats

Anchorage (municipality), Alaska

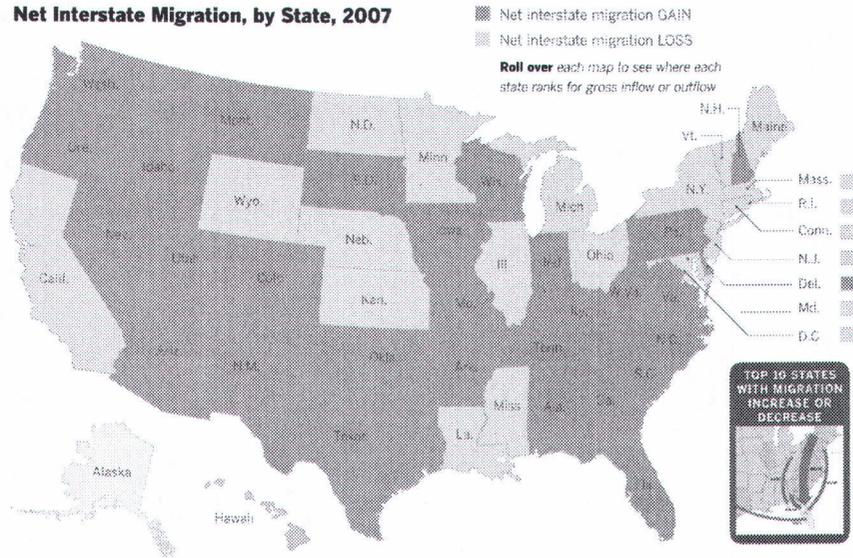
People MapStats	Anchorage	Alaska
? Population, 2006 estimate	278,700	670,053
? Population, percent change, April 1, 2000 to July 1, 2006	7.1%	6.9%
? Population, net change, April 1, 2000 to July 1, 2006	18,417	43,122
? Population, 2000	260,283	626,932
? Persons under 5 years old, percent, 2000	7.7%	7.6%
? Persons under 18 years old, percent, 2000	29.1%	30.4%
? Persons 65 years old and over, percent, 2000	5.5%	5.7%
? Female persons, percent, 2000	49.4%	48.3%
? White persons, 2000	188,009	434,534
? Black or African American persons, 2000	15,199	21,787
? American Indian and Alaska Native persons, 2000	18,941	98,043
? Asian persons, 2000	14,433	25,116
? Native Hawaiian and Other Pacific Islander persons, 2000	2,423	3,309
? Persons reporting some other race, 2000	5,703	9,997
? Persons reporting two or more races, 2000	15,575	34,146
? Persons of Hispanic or Latino origin, 2000	14,799	25,852
? White persons, percent, 2000 (a)	72.2%	69.3%
? Black persons, percent, 2000 (a)	5.8%	3.5%
? American Indian and Alaska Native persons, percent, 2000 (a)	7.3%	15.6%
? Asian persons, percent, 2000 (a)	5.5%	4.0%
? Native Hawaiian and Other Pacific Islander, percent, 2000 (a)	0.9%	0.5%
? Persons reporting some other race, percent, 2000	2.2%	1.6%
? Persons reporting two or more races, percent, 2000	6.0%	5.4%
? Persons of Hispanic or Latino origin, percent, 2000 (b)	5.7%	4.1%
? Living in same house in 1995 and 2000, pct 5 yrs old & over	41.6%	46.2%
? Foreign born persons, percent, 2000	8.2%	5.9%
? Language other than English spoken at home, pct age 5+, 2000	13.6%	14.3%
? High school graduates, persons age 25+, 2000	144,409	105,812
? Bachelor's degree or higher, pct of persons age 25+, 2000	28.9%	24.7%
? Mean travel time to work (minutes), workers age 16+, 2000	19.5	19.6
? Households, 2000	94,822	221,600
? Persons per household, 2000	2.67	2.74
? Housing units, 2000	100,368	260,978
? Homeownership rate, 2000	60.1%	62.5%

Report: Who Moves? Who Stays Put? Where's Home? (December 17, 2008)

COMINGS & GOINGS: Migration Flows in the U.S.

REGIONS STATES MAGNET & STICKY STATES

Net Interstate Migration, by State, 2007



Alaska

Total Population	Net Interstate Migration
683,000	-60,000
Moved in	Moved Out
108,000	169,000

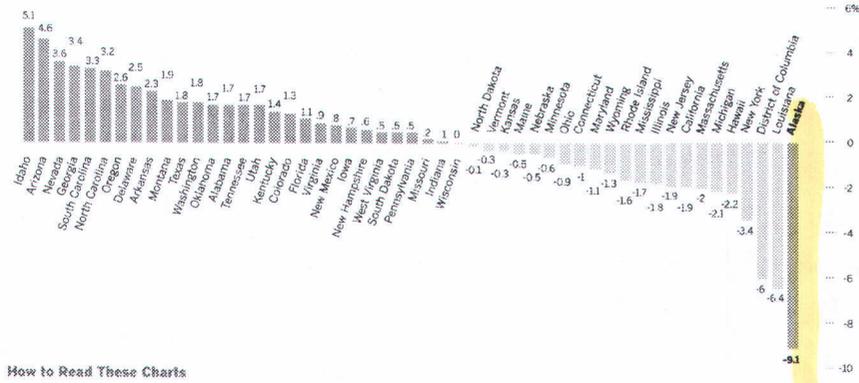
NET MOVERS BY RACE AND ETHNICITY

	TOTAL	RANK	RATE (%)	RANK
WHITE	-25,000	40	-2.3	53
HISPANIC	-13,000	46	-33.8	53
BLACK	-12,000	44	-2.6	48
ASIAN	-2,000	35	-6.7	44

Percentages are the share of the 2007 population ages 1 and over who lived in the U.S. in 2005. White, Black and Asian are non-Hispanic only.

NET MOVERS AS A PERCENTAGE OF EACH STATE'S POPULATION

Movers over a three-year period, 2005-2007, as percent of 2007 population



How to Read These Charts

The charts above rank states by the rate and size of net interstate migration over 2005-2007. On the map, orange states had more people moving in from other states than moving out to other states; gray states had more people moving out to other states than moving in from other states. Roll over any state on the map for more detail about the number of interstate movers and racial/ethnic characteristics of migrants for that state. These maps show gains or losses only from interstate movers, not from births, deaths or movement to or from other countries.

Source: Pew Research Center tabulations from American Community Survey, Integrated Public Use Microdata Series.

EXHIBIT BB
PAGE 1 OF 1

LOCAL BOUNDARY COMMISSION
STATE OF ALASKA

IN THE MATTER OF PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT)
WATERS AND WOOD RIVER SOCKEYE)
SALMON HARVEST AREA WATERS,)
TOGETHER CONSISTING OF)
APPROXIMATELY 396 SQUARE MILES)
OF WATER AND 3 SQUARE MILES OF)
LAND.)
_____)

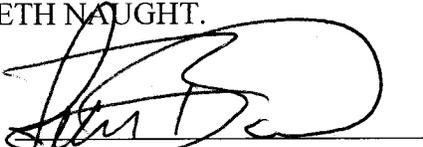
AFFIDAVIT OF JEAN BARRETT

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

1. My name is Jean Barrett. I am the Port Director of the City of Dillingham. The statements made below are based on my personal knowledge.
2. I am familiar with the use of the Dillingham small boat harbor by various commercial vessels including the destinations of those vessels and the types of cargo carried to those destinations.
3. Many supplies are transported from the Dillingham small boat harbor to Ekuk set net sites and the Ekuk Fisheries processing facility each summer. The method of transport is often by landing craft including the landing craft Sea Trek II and Jackie M, among others.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

BY:



JEAN BARRETT

SUBSCRIBED AND SWORN to before me this 4 day of November, 2010.



Lapreal Bauer
Notary Public in and for Alaska
My Commission Expires: 10/2/13

LOCAL BOUNDARY COMMISSION
STATE OF ALASKA

IN THE MATTER OF PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT)
WATERS AND WOOD RIVER SOCKEYE)
SALMON HARVEST AREA WATERS,)
TOGETHER CONSISTING OF)
APPROXIMATELY 396 SQUARE MILES)
OF WATER AND 3 SQUARE MILES OF)
LAND.)

AFFIDAVIT OF FRANK BARRUS

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

1. My name is Frank Barrus. I was the Finance Director of the City of Dillingham from May 29, 2009 until October 8, 2010. The statements made below are based on my personal knowledge.
2. I am familiar with the amount of money held by the City of Dillingham "in reserve" as of the end of FY 2009 and have reviewed the statement of Mr. Erickson marked as Attachment A to exhibit 8 in which he equates the city's "liquid reserves" to "an unrestricted surplus". This statement is a misleading use of words.
3. It is a common practice in municipal finance to "encumber" or otherwise designate use of reserve funds. The City of Dillingham followed this practice while I served as Finance Director.
4. Of the \$6.5 million dollars held in reserve by the City of Dillingham as of the end of FY 2009 there were designations or encumbrances on those funds which had been adopted by the City Council either previously or with the adoption of the FY

2009 municipal budget ordinance. Those encumbrances included the following designations of the various fund balances:

\$450,000 as an emergency reserve fund to cover approximately three months of operational expenses of the City of Dillingham. Having such a designated reserve is a standard recommended by various government finance officers' organizations.

\$1,200,000 is encumbered to provide a debt reserve equal to one year of school bond debt service.

\$1,200,000 is designated to provide local support for the Dillingham City School District in quarterly payments of \$300,000 each.

\$1,200,000 is designated as a reserve for city dock operations and operates in effect as both an emergency repair fund and an accumulated depreciation fund without specifically being designated as such.

\$200,000 is designated as a reserve for water and sewer infrastructure repairs and/or replacements. Again, this provides funds to respond to the need for immediate emergency repairs.

\$50,000 is designated for future equipment replacement.

\$125,000 is encumbered to cover cash out of accumulated unused personal leave.

\$450,000 is restricted by terms of a gift to the interest in the funds as these funds cannot be used to maintain the historic Carlson House.

Approximately \$215,000 is designated as a reserve to cover future landfill cell closure expenses.

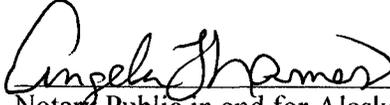
5. The total of these encumbered funds is \$5,090,000 leaving an unencumbered reserve fund balance of \$1,410,000.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

BY:


FRANK BARRUS

SUBSCRIBED AND SWORN to before me this 3rd day of November, 2010.



Notary Public in and for Alaska
My Commission Expires: 4/30/2012



BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

LOCAL BOUNDARY COMMISSION
STATE OF ALASKA

IN THE MATTER OF PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT)
WATERS AND WOOD RIVER SOCKEYE)
SALMON HARVEST AREA WATERS.)
TOGETHER CONSISTING OF)
APPROXIMATELY 396 SQUARE MILES)
OF WATER AND 3 SQUARE MILES OF)
LAND.)

AFFIDAVIT OF GREGG BURTON

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

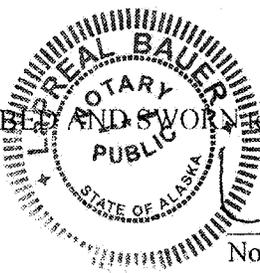
1. My name is Gregg Burton. I am the Assistant Finance Director of the City of Dillingham. I am also a member of the Dillingham Volunteer Fire Department. The statements made below are based on my personal knowledge.

2. The Dillingham Volunteer Fire and Ambulance service responds to calls originating from Aleknagik. This is done routinely. Attached is an example of one specific instance in which ambulance service was provided to a resident of Aleknagik.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

BY: Gregg C. Burton
GREGG BURTON

SUBSCRIBED AND SWORN before me this 5 day of November, 2010.



K. A. Real Bauer
Notary Public in and for Alaska
My Commission Expires: 10/2/13

BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

Invoice for Medical Services

A307014 / 1631

Invoice Date: 05/07/2007
Date of Service: 02/12/2007

City of Dillingham
514 Main St
Dillingham, AK 99576

Tax ID: 92-0030674

Bill To

Po Box 13
Aleknagik, Alaska 99555



Patient

DOB: 02/17/1946

Po Box 13
Aleknagik, Alaska 99555

EMS Services

Date of Service: 02/12/2007
Transport From: Aleknagik Lake Rd Aleknagik
Transport To: P O Box 130 Bristol Bay Area Health Cooperation
Transport Type: ALS-1 - Emergency
Patient Conditions: 786.50

Procedures/Services/Medications Provided	Charges
[A0427] ALS-1 Emergency Specialized	\$400.00
[A0425] Mileage (20.0)	\$150.00
Total Charges	\$550.00
Prior Payments and Other Transactions	
05/07/2007 Payment (Chk Nbr: 81315551, Rept Nbr: 1621, From: FHCS Medicaid)	\$110.00
05/07/2007 Payment (Chk Nbr: 083474924, Rept Nbr: 1624, From: Noridian)	\$440.00
Invoice Balance	\$0.00

Please Pay

Make checks payable to: City of Dillingham

\$0.00

Please detach or cut on the dotted line and return this portion with your payment.

Account ID: A307014
EMS Run ID: A307014
Patient: [REDACTED]

Check Number: _____
Amount Paid: _____

LOCAL BOUNDARY COMMISSION
STATE OF ALASKA

IN THE MATTER OF PETITION OF)
THE CITY OF DILLINGHAM FOR)
ANNEXATION OF NUSHAGAK)
COMMERCIAL SALMON DISTRICT)
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TOGETHER CONSISTING OF)
APPROXIMATELY 396 SQUARE MILES)
OF WATER AND 3 SQUARE MILES OF)
LAND.)
_____)

AFFIDAVIT OF WILLIAM McLEOD

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

1. My name is William McLeod. I am the Superintendent of Schools for the City of Dillingham School District ("DCSD"). The statements made below are based on my personal knowledge.

2. There are students who attend DCSD from both Aleknagik and Clark's Point some years. DCSD has an agreement with the Southwest Region School District ("SWRSD") for secondary students from Aleknagik to attend DCSD annually. No agreement exists for Clark's Point and students from there would be staying with family in Dillingham. SWRSD transports Aleknagik students across the lake and DCSD sends a bus to pick them up, transport them to school, and return them to Aleknagik after school.

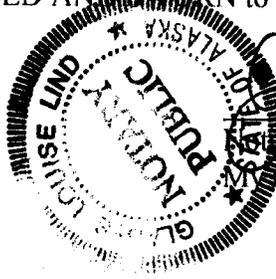
FURTHER YOUR AFFIANT SAYETH NAUGHT.

BY:


WILLIAM McLEOD

ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

SUBSCRIBED AND SWORN to before me this 4th day of November, 2010.



Gladys Louise Lind
Notary Public in and for Alaska
Commission Expires: 7/1/2012

ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

LOCAL BOUNDARY COMMISSION

STATE OF ALASKA

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SALMON HARVEST AREA WATERS, TOGETHER)
CONSISTING OF APPROXIMATELY 396)
SQUARE MILES OF WATER AND 3 SQUARE)
MILES OF LAND)

AFFIDAVIT OF MAILING

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Lynn H. Ford, being first duly sworn upon oath, deposes and states as follows:

1. I am employed as a secretary with the law firm of Boyd, Chandler & Falconer, LLP, attorneys for the City of Dillingham.

2. On November 5, 2010, I mailed a true and correct copy of the Brief of the City of Dillingham to the following:

Bristol Bay Native Corporation
P.O. Box 310
Dillingham, AK 99576

City of Aleknagik
Aleknagik Traditional Council
Aleknagik Natives Limited Village Corporation
P.O. Box 33
Aleknagik, AK 99555

Clarks Point Village Council
P.O. Box 90
Clarks Point, AK 99569

Ekwok Village Council
Ekwok Natives Limited
P.O. Box 70
Ekwok, AK 99580

BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

Avi J. Friedman
Friedman Family Fisheries
6109 Pimlico Road
Baltimore, MD 21209

Jerry Liboff
Box 646
Dillingham, AK 99576

Lake & Peninsula Borough
P.O. Box 495
King Salmon, AK 99613

Stanley Mack
P.O. Box 349
Sand Point, AK 99661

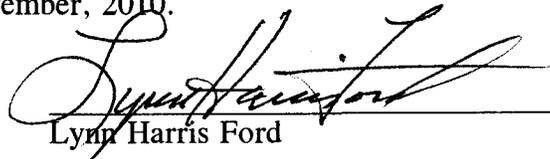
City of Manokotak
P.O. Box 170
Manokotak, AK 99628

H. Robin Samuelson, Jr.
P.O. Box 1464
Dillingham, AK 99576

City of New Stuyahok
P.O. Box 10
New Stuyahok, AK 99636

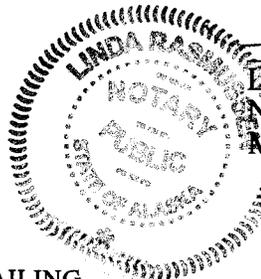
James L. Baldwin, Esq.
Counsel for the Native Village of Ekuk
227 Harris Street
Juneau, AK 99801

Dated this 5th day of November, 2010.


Lynn Harris Ford

SUBSCRIBED AND SWORN to before me this 5th day of November, 2010.


Linda Rasmussen
Notary Public in and for Alaska
My Commission Expires 11/10/14



BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
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LOCAL BOUNDARY COMMISSION

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AFFIDAVIT OF MAILING

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THIRD JUDICIAL DISTRICT)

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Aleknagik, AK 99555

Clarks Point Village Council
P.O. Box 90
Clarks Point, AK 99569

BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
ANCHORAGE, ALASKA 99501
TELEPHONE: (907) 272-8401
FACSIMILE: (907) 274-3698

Ekwok Village Council
Ekwok Natives Limited
P.O. Box 70
Ekwok, AK 99580

Avi J. Friedman
Friedman Family Fisheries
6109 Pimlico Road
Baltimore, MD 21209

Jerry Liboff
Box 646
Dillingham, AK 99576

Lake & Peninsula Borough
P.O. Box 495
King Salmon, AK 99613

Stanley Mack
P.O. Box 349
Sand Point, AK 99661

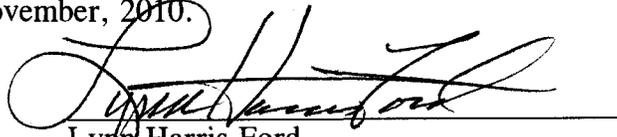
City of Manokotak
P.O. Box 170
Manokotak, AK 99628

H. Robin Samuelson, Jr.
P.O. Box 1464
Dillingham, AK 99576

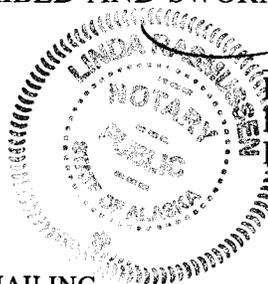
City of New Stuyahok
P.O. Box 10
New Stuyahok, AK 99636

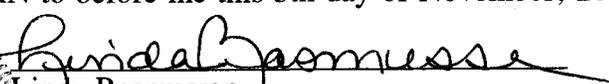
James L. Baldwin, Esq.
Counsel for the Native Village of Ekuik
227 Harris Street
Juneau, AK 99801

Dated this 5th day of November, 2010.


Lynn Harris Ford

SUBSCRIBED AND SWORN to before me this 5th day of November, 2010.




Linda Rasmussen
Notary Public in and for Alaska
My Commission Expires 11/10/14

BOYD, CHANDLER & FALCONER, LLP
ATTORNEYS AT LAW
911 WEST EIGHTH AVENUE, SUITE 302
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TELEPHONE: (907) 272-8401
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