

From: [Patricia Phillips](#)
To: [Commission, Boundary \(CED sponsored\)](#)
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The Local Boundary Commission has discretion to amend boundaries in a petition for a proposed new borough. In *Yakutat v. Local Boundary Com'n*, 900 P.2d 721 (Alaska 1995) the Alaska Supreme Court explained: "by requiring that each borough 'embrace an area and population with common interests to the maximum extent possible,' article X, section 3 of the Alaska Constitution necessarily vests the LBC with power to find non-compliance when the boundaries originally described in a petition for incorporation do not maximize common interests. In that case, the Court ruled that "the LBC acted well within the purview of its authority in considering the desirability of future incorporation of neighboring areas such as Prince William Sound and the interests of the affected land owners and users such as the Chugach Alaska Corporation."

The City of Pelican urges the LBC to either deny the petition or redraw the boundaries to meet the requirements of Alaska law.

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