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February 21, 2024

Alaska Local Boundary Commission
550 West 7th Ave, Suite 1650
Anchorage, AK 99501-3510
By Email to LBC@alaska.gov

Dear Commissioners:

Subject: Xunaa Borough petition fails to meet standards for incorporation. It should be disqualified.

We, Mike Taylor and Karen Colligan-Taylor, residents of Gustavus, have been involved in incorporation issues here since Gustavus first attempted to organize as a City in about 1980. We were active participants when the city finally incorporated in 2004 and again in 2010 when the city annexed the Falls Creek Hydroelectric project lands. Our city has benefitted greatly from LBC's professional reviews and advice. Further, we have been active in the administration of our City since incorporation. Both of us have served on the City Council and both have served terms as Mayor. Karen was a council member on the 2009-10 annexation committee. Mike served four mayoral terms more recently and continues on the council today. As Mayor in 2022, Mike wrote the response by the City of Gustavus to the invitation by Hoonah to join in forming the Xunaa Borough. We tuned in to the informational presentations by Jed Smith to the Hoonah City Council and the Gustavus City Council. We participated in a meeting by the Gustavus Visitors Association wherein members expressed concerns. So we, Karen and Mike, bring considerable municipal experience to our comments regarding the proposed Xunaa Borough.

Gustavus residents wish the best for Hoonah, our neighboring community, as they seek to serve their residents, so it pains us to take a position in opposition to their proposal. The petition to incorporate the Xunaa Borough has stirred substantial interest, even alarm here. Community members feel the Xunaa Borough as proposed would severely encroach on lands and waters critical to Gustavus lifestyles and economy. It would restrict future opportunities for growth and community success in Gustavus. We dispute many misstatements and exaggerations made in the petition regarding the centrality of Hoonah to our region and other matters. We know you are hearing these complaints loudly in submitted comments from individuals and businesses. The City Council of Gustavus last night approved a resolution with an attachment that details specific reasons why the petition fails the standards for incorporation. We need not repeat those specifics in our comments, but we note that the Gustavus concerns echo those of Pelican, Tenakee Springs, Elfin Cove, and Juneau, which would also be adversely affected. We support the concerns of those communities as strongly as we advocate for our own.

The Xunaa Borough petition's faults boil down to three fatal flaws.

First, the proposed Xunaa Borough government is not designed, or intended, to be a true regional government. In Alaska, a borough is intended to be a regional government, inclusive of all people in the region, with the expectation that all will willingly work together to form a borough to meet regional needs. The Xunaa Borough is not the outlined Glacier Bay Model Borough serving all the region's

population centers. The City of Hoonah invited Gustavus, Pelican, and Tenakee Springs to join them, but only after Hoonah had already designed a borough that the other communities would not want to join. (To our knowledge they didn't ask Elfin Cove but forced them in to avoid creating a prohibited enclave.) Frankly, we doubt that Hoonah truly wanted any of the other communities in their borough. They propose no regional services, only a regional tax. All Hoonah really wants is authority over a vast area of largely-unpopulated land and water with no responsibilities to serve anyone living outside Hoonah. *Essentially Hoonah has proposed to annex 10,000+ square miles to the City of Hoonah for the benefit of Hoonah only.* Because Alaska Statute forbids annexing vast unpopulated lands to a City, they propose to change the name of the City of Hoonah to the Xunaa Borough. Name change notwithstanding, the violation of Alaska Statute is not in the best interests of the State of Alaska and fatally disqualifies the petition.

Second, the proposed Xunaa Borough creates effective enclaves of Gustavus, Pelican, and Tenakee Springs, in violation of State Statute. It will be nearly impossible for the isolated communities to form, if they choose, their own compatible borough, or boroughs, as true regional governments when their population(s) rise to the minimum. Formation of an independent contiguous borough would require excision of territory from the Xunaa Borough, which would be politically divisive and a major headache for the LBC. *A borough that neatly excludes and isolates three major population centers with half the region's population is not a regional government and should not be a borough.* The creation of enclaves contrary to Alaska statute is not in the best interest of the State of Alaska and fatally disqualifies the Xunaa Borough as proposed.

Third, the Xunaa Borough is proposed for the wrong reason. The purpose is not to provide a regional government to address the shared needs of all parties in the region, but rather to gather under the authority of the present City of Hoonah all the lands across which the Huna Tlingit ranged centuries ago. The petition repeatedly cites original Tlingit homeland boundaries as justification for the proposed Xunaa Borough boundaries. To be sure, the historical presence of the Huna Tlingit across the region is undisputed. Tlingit history is rightfully celebrated and will continue to be regardless of the formation of any borough. As the comments from the City of Gustavus note, the 19th century boundaries of Huna Tlingit occupation are legally irrelevant to setting modern borough boundaries serving the people living in the region today. Municipal boundaries in the 21st century should reflect the interests and occupations of 21st century inhabitants and their communities with all having equal rights under the law.

3AAC 110.055(2)(B) suggests there should be "a reasonably predictable level of commitment of the population in sustaining a borough government." It's unfortunate that Hoonah officials did not first approach the other regional population centers to gain concurrence and support for a regional government *before* designing one unilaterally. If cities in your region do not clearly support borough formation, then one should not be formed.

The Xunaa petition should be disqualified in its entirety.

Sincerely,

Mike S. Taylor, MS, and Karen Colligan-Taylor, PhD