

CITIZENS' ADVISORY COMMISSION ON FEDERAL AREAS
ALASKA STATE LANDS ADVISORY GROUP
MARCH 4, 2016 | TELECONFERENCE

DRAFT MEETING MINUTES

10:13am: Call to Order

Roll Call and Introductions

Scott Ogan; Stan Leaphart; Ray Kreig; John Crowther; JP Tangen; Mead Treadwell

10:28am: Approval of Agenda

Proposed Revision to the Agenda:

- Roll Call
- Budget Update
- Discussion of the Draft Outline
- Public Participation
- Action Item Review
- Set Next Meeting Date
- Adjourn

Scott Ogan – Motion to approve agenda, as amended

Stan Leaphart – Second

No objections

Motion Passes

10:32am: Budget Update

- The Senate Finance Subcommittee restored CACFA funding yesterday
- Allocated ASLAG Budget Balance = \$36,884
- CACFA Unallocated Capital Budget Balance = \$78,551

10:37am: Draft Outline – Walk-Through

Discussion

- Intended audience for this report?
 - o Decision document for CACFA, State Legislature, Delegation, Governor and hopefully the Departments of the Interior and Agriculture
 - o Not too long, too detailed, want to be sure it is read but – as a decision document – it should be comprehensive and not just a summary
 - o Not too complicated by legal questions, but a thorough examination of all the issues
 - o As long as we hit the main points, should not worry as much about the length
- Understanding the four focal areas, mission statement and recommendations
- Consider having main points on the cover, depicted graphically, with brochure-style points
 - o “Bumper Sticker” Step
- Summary document with comprehensive backup so the technocrats can get into the details

10:49am: Status of HB 115

- Still in Senate Resources Committee; no hearing scheduled
- Scott Ogan in Juneau next week, can make further status inquiries

10:54am: Draft Outline – Walk-Through (cont.)

Discussion

- Need to fully capture Alaska Statehood Act and Constitutional issues
 - o Harkening back to Legislature’s legal opinion on HB 115

- Arizona's Study Committee just had first meeting last fall
- Wyoming Study issued contract, not releasing it until it is sent to the legislature
- Need to summarize other legal analyses of this issue

11:07am: Draft Outline – Additions

[Craig Fleener joins the meeting]

Discussion: Recommended Additions

1. Start with a Summary and Recommendations
2. Include a section in the overview or on its own regarding why we would ask for more land
 - a. What is the compelling federal interest in keeping it
 - b. Devolution and de-colonialism
 - c. We thought land we did not get would still be available for development
 - d. Cautionary note: slippery slope to get into what is the federal interest; modern-day federal interests might have meant eastern states would not have gotten their land, either
3. Go back to 1959, which of the 103M acres would we have selected knowing what we know now?
 - a. We had a land freeze, Native selections, unfreezing, etc.
 - b. What would it have been nice to have?
 - c. Did we make the right decisions in selecting lands, in retrospect?
 - d. Different value system today in what we might want lands for?
 - e. Given a criteria, which additional lands would we want to have and for what reason?
 - f. What were the federal selections based on?
 - i. Expectations of federal land use might have influenced our selection choices
 - ii. Expectations of access to lands, good faith assumptions (e.g., thought RS 2477s would be valid and available, that there would be navigable waters to use)
 - g. Be ready with land we might be willing to trade and land we want to request
4. Add text on Sagebrush Rebellion to the History on the Transfer of Public Lands
5. Add a list of grievances, like the Declaration of Independence, in the section on “Why would we ask for more land?”
6. Add Hickel lawsuits and other lawsuits (e.g., RS 2477 and navigability suits)
7. Add section on what happens in Alaska when we get more lands
 - a. Development, cohesive management, justice, conservation
 - b. Let people consider whether life is going to be better

11:31am: Draft Outline – Line Edits

12:23pm: LUNCH

1:30pm: Public Participation

No one on the phone

1:50pm: Reconvene and Roll Call

Scott Ogan; Craig Fleener; Stan Leaphart; Ray Kreig; JP Tangen

1:52pm: January 27 Meeting Action Item Review

- Letter to Presidential Candidates on Transfer of Public Lands
 - o Consider sending to all candidates, not just ones that are still in the race
 - o Consider separate drafts/emphasis/issues depending on party affiliation
 - o Stan Leaphart to draft; send to CACFA Chairman Mark Fish to review and consider issuing from CACFA or adding as a proposal for consideration at the next CACFA meeting in May
 - o ASLAG members will have draft letter review opportunity in the next couple weeks
- Ask Legislature to Follow Through With HB 115
 - o Scott Ogan will be discussing this with legislators next week

- Research Effectiveness of No More Clause
 - o A considerable amount of language on this already, compiling and summarizing could be easy and beneficial on multiple fronts
 - o More discussion needed on how this issue relates to the Transfer of Public Lands
 - o Draft stand-alone white paper, to incorporate as applicable into ASLAG Report or as appendix
 - Sara Taylor will develop initial draft
 - Stan Leaphart will supplement and finalize draft for review by the membership
- Compare/Contrast Devolution Authorities, Range of Possibilities
 - o Has been incorporated into the report outline as existing authorities to dispose and other items
 - o May be valuable research project for summer intern
- Joint CACFA/ASLAG Work Session
 - o Proposed date: May 5 (the day before the next CACFA meeting)
 - o In-person, in Anchorage
 - o Important to have opportunity to review comprehensive draft outline, receive feedback to ensure the product is on track to comport with CACFA expectations

3:04pm: New Business

Craig Fleener – Motion to make November 1, 2016 the final due date for the draft report, followed by a 30-day public review period
 JP Tangen – Second

Scott Ogan – Amend motion to make internal review draft available by October 3, 2016
 Craig Fleener – Second
No objections
Motion Passes, As Amended

Scott Ogan – Motion to recommend to CACFA making this report available to the transition team of the incoming President shortly after the election
 Craig Fleener – Second
No objections
Motion Passes

3:18pm: Adjourn

ACTION ITEMS

Develop Requests for Proposals for contract writer(s) [Sara Taylor and Mead Treadwell]
 Communicate interest in seeing movement on HB 115 [Scott Ogan]
 Draft letter to Presidential candidates; circulate to membership for review; send to CACFA Chair [Stan Leaphart]
 Draft white paper on “no more” clauses [Sara Taylor and Stan Leaphart]
 Circulate 1997 Randal O’Toole (Cato Institute) Report [Stan Leaphart]
 Circulate Sally Fairfax testimony [Sara Taylor]
 Send membership DVDs of video clips from Federal Overreach Summit [Sara Taylor]
 Full video and document archive: <http://dnr.alaska.gov/commis/cacfa/FOS.html>
 Download Plum book from Government Printing Office listing all the appointees [all]
 Link: <https://www.gpo.gov/fdsys/pkg/GPO-PLUMBOOK-2012/content-detail.html>
 Rollover Action Item: Need an army of retired Alaskans to help us write these things up