

MATANUSKA-SUSITNA BOROUGH

350 E Dahlia Ave., Palmer, Alaska 99645

CHAIRPERSON

Mike Wood

VICE CHAIR

Howard Delo

MSB STAFF

Ted Eischeid



BOARD MEMBERS

Amber Allen

Tam Boeve

Robert Chlupach

Andy Couch

Larry Engel

Dan Mayfield

Ex officio: Bruce Knowles

FISH AND WILDLIFE COMMISSION

Memorandum

Date: May 20, 2020

To: Matanuska-Susitna Borough Assembly

Borough Manager John Moosey

Borough Mayor Vern Halter

RE: West Susitna Access Road proposed Phase II MOU, between the Mat-Su Borough, Nova Minerals, and the Alaska Industrial Development and Export Authority (AIDEA)

The Matanuska-Susitna Borough Fish and Wildlife Commission (MSBFWC) held a teleconferenced meeting on May 7 to discuss the implications of AK Senate Bill 204 and the proposed MOU to develop and construct a West Susitna Access road. The meeting was listened to by several members of the public who also had significant input, both in writing and over the telephone, to these agenda items. During that meeting the MSBFWC unanimously passed a motion to direct a committee of members to draft and submit a letter to borough leadership that detailed the concerns discussed at the meeting. This is that letter.

The appearance that both SB 204 and the MOU are closely related was apparent to everyone. In a letter dated March 4, 2020, and addressed to our Valley state legislative delegation, the Borough Manager and the Borough Mayor outlined many significant problems with SB 204. Quoting from the letter: "Our concern is that the state DNR will be allowed to sell land, without meeting Borough land management, platting, road construction and waterway requirements, and will not address issues created when the land is sold. The correction of these issues would then fall on the Borough, causing a tremendous amount of additional labor and very expensive operational costs to the Borough in order to correct these issues."

MSB Fish and Wildlife Commission - Planning Division

Phone (907) 861-7833

<http://www.matsugov.us> • planning@matsugov.us

One very troubling section of SB 204 would eliminate the Recreational Rivers Act and all its provisions. This would have major implications in the construction of the access road, where 20 conventional bridges, 4 long span bridges, and 440 culverts involving lots of stream crossings would have potentially major impacts on fish habitat.

How will the fish habitat and fish producing waterways be protected in these early phases and during road construction, if construction is ultimately approved? The Borough made major gains at this past Winter, 2020, Board of Fisheries meeting to secure more salmon passage through the commercial fishery to return to their Borough natal streams. Damage or loss of this valuable habitat would directly offset these gains.

This letter would be far too long if we itemized all the concerns brought up at the MSBFWC meeting, so we'll highlight the major issues mentioned. If you wish to learn all the concerns brought up during the meeting, the material is posted on MSBFWC's webpage. Look in the May 7 meeting information under "handouts."

One concern was the lack of transparency in the Access Road MOU process. Many folks stated they had never been directly contacted about the possibility of this road being constructed. Some folks said the road route, as currently proposed, would come within close proximity of private property, some being businesses like lodges. Anticipated road traffic would have a negative effect on their operations.

Another concern was that the Phase I MOU stated that the road would have public access for all the reasons folks would travel on a rural road. The proposed Phase II MOU refers to the road as a private, industrial access road. How would this be of benefit financially to the MSB? With no explanation of this, turning the road from public to private was not acceptable to those who said if government entities were to be involved, then the road needs to have public access.

Additional concerns about the proposed MOU were discussed. There appears to be some question whether Nova Minerals is legally licensed to operate in Alaska. A member of the listening public raised the issue that there are significant cultural heritage sites in the areas which could potentially trigger federal involvement. The question of an economic analysis of cost/benefit issues was raised and whether the cost to develop a "proper" road would be offset by the benefit of the road. With government involvement, the benefits would need to be to the public and not just to a private mining company.

There was no mention in the draft MOU of how the Borough's wetlands mitigation bank would be involved in this process. A public involvement and stakeholder engagement process should be implemented, and this has not been done. Another comment was made about the MOU wording, stating that in many sections, the wording was unclear and open to interpretation, and that the wording implied a "done deal" before even being considered by the Assembly.

MSB Fish and Wildlife Commission - Planning Division

Phone (907) 861-7833

<http://www.matsugov.us> • planning@matsugov.us

Here we listed a dozen or so comments raised during the meeting. There are others as well. One listener submitted her comments on virtually every page of the entire Phase II MOU. The MSB should consider additional language protecting fish, wildlife, wetlands, and other habitats in this Phase II MOU.

There are major and significant holes in this draft. The Commission agrees with the Borough Mayor that taking up this MOU as an agenda item for Assembly action needs to be postponed. We cannot support this MOU in its current form without some more specific and detailed language that would add public confidence in the MOU, especially in the areas of fish habitat and public process. These changes, properly done, would help us understand why this would be a good thing for the Borough and its citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Wood", is centered on the page. The signature is written in a cursive, flowing style.

Mike Wood, MSBFWC Chair, on behalf of the MSBFWC

MSB Fish and Wildlife Commission - Planning Division

Phone (907) 861-7833

<http://www.matsugov.us> • planning@matsugov.us