

Alaska State Legislature

Juneau Delegation
Senator Kim Elton
Representative Beth Kerttula
Representative Andrea Doll



State Capitol
Juneau, Alaska
99801-1182

May 5, 2008

Gov. Sarah Palin
State of Alaska
Box 110001
Juneau, AK 99811

Dear Gov. Palin:

Your press office has issued a statement noting you agree with the recommendation from the disaster cabinet that the Snettisham avalanche power emergency falls short of qualifying for a disaster. We ask that you reconsider that decision after you receive the disaster cabinet's written findings.

This request is predicated upon three concerns:

1. the disaster cabinet decision limits the definition of a disaster too narrowly and your acceptance of the cabinet's decision precludes you from exercising the same latitudes exercised by your predecessors;
2. the disaster cabinet decision presupposes decisions not yet made by federal agencies and limits the ways the Alaska congressional delegation can work with federal agencies that actually may be able to assist Juneau residents; and
3. any decision to accept the disaster cabinet recommendation, without written findings that outline the criteria used by the disaster cabinet and the areas in which the City and Borough of Juneau application fell short, seems premature.

First, we believe the disaster cabinet erred by defining a disaster too narrowly. You are very familiar, given your long association with the Bristol Bay fishery, with the July 18, 1997, state disaster declaration premised on the Bristol Bay salmon run collapse. Governor Tony Knowles declared a disaster based on a temporary economic setback for certain classes of Bristol Bay residents. His disaster declaration provided state economic assistance totaling more than \$2 million to fish harvesters, crewmembers, cannery workers, and subsistence fish harvesters who faced economic hardship following the natural disaster in the Bay.

The disaster cabinet leader appears to have used another comparable to explain the disaster cabinet's failure to recommend you declare the Snettisham avalanche aftermath a disaster. Several press reports quote General Campbell citing a January 1, 2005, disaster declaration for the village of Kaktovik. He explains Juneau's situation is not as dire because the utility that provides hydroelectric power has diesel backup capacity so there are no life or safety implications.

The general's sole use of the Kaktovik comparable ignores other disaster declarations with a broader definition of disaster, including any disaster based on economic hardship. Gov. Knowles' Bristol Bay decision based on economic impacts—allowed in statute then and now—rested on the understanding that statutes allow an important, and broader, disaster definition. That definition is not so narrow as the example put forth by the disaster cabinet suggests.

Gov. Knowles, with his Bristol Bay declaration, clearly understood the implications of economic hardship (so, we believe, do you given your intervention in the Mat Maid situation predicated on economic setbacks for a smaller group of Alaskans). In fact, Gov. Knowles built upon his 1997 Bristol Bay disaster declaration with a 1998 Western Alaska fish disaster declaration that provided more than \$6 million in state assistance and helped secure another \$18 million from federal agencies.

To finish this point, we believe acceptance of the disaster cabinet recommendation limits your powers to assist economically stressed Juneau residents and that limitation not only leaves economically stressed residents here without assistance but constrains decisions you or your successors may need to make in the future. You have the same power to assist and mitigate economic hardships caused by the Snettisham avalanche that Gov. Knowles had in 1997 and 1998 in Bristol Bay and Western Alaska. The questions simply are: whether you wish to use that power; and, if not, whether departure from precedent set in Bristol Bay and Western Alaska limits future options for you and future governors.

Our concerns about limiting federal assistance are more straightforward. Failure to declare a state disaster, even though economic hardship disasters have been invoked by your predecessor, limits our congressional delegation's ability to engage the assistance of the federal government. In a discussion with General Campbell the day he announced the disaster cabinet recommendation, he said indications from the Federal Emergency Management Agency (FEMA) led him to believe that the Snettisham situation would not meet guidelines used by federal agencies.

With all due respect, we believe the most important communications with federal agencies, including FEMA, will be the ones initiated by our congressional delegation following a state disaster declaration. Any conversation by any member of your disaster cabinet that ends without a definitive and written denial by federal policy makers takes our congressional delegation completely out of the picture.

We note here that both Sens. Ted Stevens and Lisa Murkowski expressed concern with your disaster cabinet's recommendation.

Finally, we don't yet know the criteria applied by the disaster cabinet in its consideration of the Snettisham avalanche application. In a conversation with General Campbell shortly after the disaster cabinet recommendation was announced and just an hour or so before your press office noted you accepted the cabinet's recommendation, he noted the written recommendation from the disaster cabinet to you would not be complete for at least two days. He made that point after he was asked to outline the criteria used by your disaster cabinet and to point out where the City and Borough of Juneau request fell short.

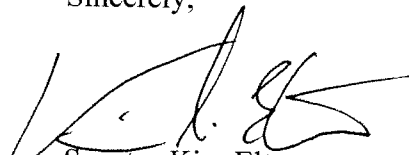
We understand his reluctance to respond to a request from a legislator for written criteria before the written criteria are provided to you. But if the written finding outlining the criteria used (or not used) was not going to be available to you for two days, we urge you to simply note that your decision to accept the recommendation was preliminary and subject to change after your analysis of any written report so your final judgment could more fully be based upon the criteria used and your understanding of precedent—especially the Bristol Bay and Western Alaska disaster declarations.

Governor, we appreciate your consideration of the points raised in this letter. Enclosed are two previous letters from members of the Juneau legislative delegation about the Snettisham avalanche consequences that have not yet been responded to by any member of your office.

In conclusion, we invite you to meet with folks in Juneau about the hardships many Juneau residents face before you finalize your decision based on the written report from the disaster cabinet. We can facilitate meetings with the United Way, Catholic Community Services, St. Vincent de Paul, the AWARE shelter, the Juneau Economic Development Council, the mayor and assembly, Alaska Electric Light and Power, or any other person or entity you may wish to discuss the issue with.

We can also arrange a fly-by of the avalanche that forced AEL&P to shift to diesel-generated power, pushing electric rates far higher than any other community in the state pays and tipping many of our neighbors into economic distress. If this doesn't fit your schedule, we would be happy to do the same for Lt. Gov. Sean Parnell, your chief of staff, or any other designee.

Sincerely,



Senator Kim Elton



Representative Beth Kerttula



Representative Andrea Doll

Enclosures

cc: Sen. Ted Stevens
Sen. Lisa Murkowski
Rep. Don Young
Mike Nizich
Gen. Craig Campbell
Mayor Bruce Botelho
CBJ Assembly members