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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT DILLINGHAM

NONDALTON TRIBAL COUNCIL, KOLIGANEK VILLAGE TRIBAL COUNCIL, NEW STUYAHOK TRADITIONAL COUNCIL, EKWOK VILLAGE COUNCIL, CURYUNG TRIBAL COUNCIL, LEVELOCK VILLAGE COUNCIL, TROUT UNLIMITED and AIFMA COOPERATIVE	)	
Plaintiffs,	)	
v.	)	
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES, and TOM IRWIN, Commissioner of Natural Resources,	)	
Defendants,	)	
and	)	
PEBBLE LIMITED PARTNERSHIP, Acting through its General Partner, PEBBLE MINES CORP.,	)	Case No. 3DI-09-46 CI
Intervenors.	)	

AFFIDAVIT OF MARTIN W. PARSONS

STATE OF ALASKA)
)ss.
THIRD JUDICIAL DISTRICT)

Martin W. Parsons, under oath, states as follows:

1. I am the Deputy Director of the Division of Mining, Land and Water in the Alaska Department of Natural Resources. I have reviewed the Third Amended Complaint and the State of Alaska's Motion to Dismiss the Third Amended Complaint,

and provide this affidavit in support thereof. The facts set forth herein have been gained through my official capacity and are based on my personal knowledge.

2. I have been employed at the Alaska Department of Natural Resources since December of 2003. Prior to 2003 I was employed with private industry participating in various resource management and development projects throughout the State. In December of 2003 I was hired by the State of Alaska as the Program Manager for the Abandoned Mine Land Program. In 2005 I was selected to head the Accelerated Land Transfer program. The Accelerated Land Transfer program was established under an act of Congress with the goal of fulfilling the State and ANCSA Corporation's land entitlements prior to September of 2009. During my tenure as program manager for the Accelerated Land Transfer program, I was selected to fill the position of Deputy Director for the Division of Mining, Land and Water in October of 2007.

3. As Deputy Division Director, I am responsible for supervising seven of the administrative sections within the Division of Mining, Land and Water. My supervisory responsibilities include establishing work priorities within my seven areas of responsibility, reviewing draft documents, plans, and decisions for compliance with statutory and regulatory requirements, and ensuring that the documentation supporting decisions by the commissioner to adopt or implement decisions and findings complies with statutory and regulatory requirements.

4. One of the sections I supervise is the Resource Assessment and Development Section, known as "RADS." RADS is responsible for developing, maintaining and revising land use plans for State lands, including the Bristol Bay Area

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Plan. As Deputy Director I am responsible for overseeing the preparation of land classification recommendations and submittal of these recommendations to the Commissioner of the Department of Natural Resources.

5. Based on consultation with the RADS planning staff, I have obtained concurrence from the DNR Commissioner to initiate the process to revise certain aspects of the 2005 Bristol Bay Area Plan, in accordance with his authority under AS 38.04.065(a). This public process may conclude with modifications to the current land classification order.

6. The primary objectives of the revision process are to establish a management unit and accompanying classification for the western Lake Iliamna shorelands; revise the "minerals" land use designation to better correspond with the Mineral Land classification definition at 11 AAC 55.130; revise the list of criteria that are used to identify sensitive habitats to include caribou and moose wintering and calving areas; revise the definition of "recreation" to better correspond with the Public Recreation Land classification definition at 11 AAC 160; reclassify as Wildlife Habitat Land the spawning and rearing areas of navigable anadromous waters; and co-classify the Lower Talarik Creek Special Use Area as Wildlife Habitat Land (11 AAC 55.230) and Public Recreation Land (11 AAC 55.160). These changes may affect other aspects of the 2005 BBAP, in which case additional changes or revisions to the Plan may be implemented.

7. These proposed changes to the Plan meet the regulatory definition of a plan amendment at 11 AAC 55.030(f)(1)(A). Therefore, pursuant to 11 AAC 55.030(f)(1), the revision process must comply with AS 38.04.065, including the same procedural and

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public participation guarantees applicable to the initial development of an area land use plan.

8. I expect to issue the public review draft of revisions to the 2005 BBAP within 140 days (20 weeks) after the Plan amendment process is initiated.

9. DNR will provide a public comment period on the draft revisions to the 2005 BBAP that is no shorter than 60 days.

10. I expect that the DNR commissioner will issue a decision regarding revisions to the 2005 Bristol Bay Area Plan no later than one year (365 days) after initiation of the Plan revision process.

11. I have reviewed the Third Amended Complaint. The issues raised in the first eight causes of action could be addressed through the administrative process at 11 AAC 55.270, which authorizes any person, group or agency to propose a classification or reclassification of State land, and requires the DNR commissioner to either deny the proposed classifications or revise the plan as described in 11 AAC 55.030(f). The proposed changes to the Plan identified in paragraph 6 of this affidavit respond to some of the issues raised in the Third Amended Complaint.

12. If the first eight causes of action were to be submitted as a petition to reclassify land, it would be most efficient for DNR to address those issues as part of the revision process described above. Therefore, I have instructed RADS to wait until the Court rules on the State's motion to dismiss before initiating the Plan amendment process.

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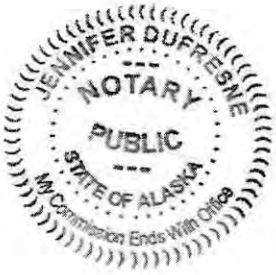
FURTHER AFFIANT SAYETH NAUGHT.

DATED this 29th day of June, 2012.

Martin W. Parsons

SUBSCRIBED AND SWORN TO before me this 29 day of June, 2012 at Anchorage, Alaska.



Notary Public in and for the State of Alaska
My commission expires: with office

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