

Discussion Notes & Timeline of Events Leading to SRES October 14, 2026 Hearing DNR Land Transfer to AIDEA

CHARITABLE LAND USE – AS 38.05.810

Subsections (b)-(d) of AS 38.05.810 provide the rules and restrictions on the charitable land benefit:

- First, they may only be leases (not transfers), and are limited to 55 years.
- Then it must be a nonprofit, association, club, or society operating exclusively for “charitable, religious, scientific, or educational purposes, or for the promotion of social welfare.”
- The use may NOT be for “commercial development.”
- And the land cannot be closed to the general public.
- Finally, the applicant must provide proof of tax-exempt status.
- A charitable leasee may be charged less than market value and their financial resources may be taken into account.

So the charitable use provisions are pretty strict.

Calls into question whether the DNR conveyances of significant acreage to AIDEA and AHFC, under AS 38.05.810(a) for “public use” is lawful; procedurally adequate; and supported by DNR’s due diligence.

Dec 11, 2025 - “This is a CORRECTED SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES issued on December 3, 2025, concerning transfers of state resources to other state agencies, including public corporations, for public purposes.”

Link: <https://aws.state.ak.us/OnlinePublicNotices/notices/View.aspx?id=221913>

“11 AAC 98 is amended by adding a new section to read:

11 AAC 98.010. Public purpose. In AS 38 and 11 AAC 51.010 - 11 AAC 97.990, “public purpose” means a use or disposal of state land or resources that contributes a substantial benefit to the general public, including if the use or disposal

- (1) furthers the delivery of governmental services or functions by a federal or state agency or a political subdivision;
- (2) promotes the general health, safety, or welfare;
- (3) facilitates access to and enjoyment of the natural resources of the state;

(4) supports private commerce or industry that contributes to the economic development of the state or any part of the state, including the creation, retention, or expansion of employment opportunities; or

(5) is otherwise determined by the commissioner to be in the interest of the state. “

July 10 – original public comment period noticed

Proposed Land Conveyance to Alaska Industrial Development Export Authority near the city of Houston

Link: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=224431>

August 19 – letter from SRES to Crowther – concern re: ADL 234762

August 20- public comment period extended additional 30 days

Extension to Public Comment Period - Proposed Land Conveyance to Alaska Industrial Development Export Authority near the city of Houston - Alaska Online Public Notices

Link: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=224879>

September 1 – from Giessel to Crowther – public records request

“Pursuant to the Alaska Public Records Act (AS 40.25.100 – AS 40.25.295) (APRA), I request information regarding the Department of Natural Resources’ recent proposals for no-cost state land transfers to the Alaska Industrial Development and Export Authority (AIDEA) and the Alaska Housing Finance Corporation (AHFC) under AS 38.05.810(a), public use conveyances, for the following: [As detailed in September 1 emailed public records request].”

2AAC 96.325 Response to request; time limits

(a) Except as otherwise provided in this section, as soon as practicable, but not later than the 10th working day after the date the agency receives a request for public records that complies with this chapter, the public agency shall

(1) furnish all requested records that are disclosable; and

(2) advise the requester which of the requested records are nondisclosable, if any, and the specific legal authority and specific facts supporting nondisclosure.

...

(d) A public agency may extend the basic 10-working-day period established under (a) of this section for a period not to exceed 10 additional working days by providing notice to the requester within the basic 10-working-day period. The notice must state the reasons for the extension and the date by which the office expects to be able to furnish the requested records or to issue a determination that the records are not disclosable. The notice must include a statement that the extension is not invoked for purposes of delay....

September 4 – Legislative Legal Services memo – Proposed transfer of state land to AIDEA (Work Order No. 35-LS0103)

September 9 – 2nd public comment letter from SRES re: ADL 234762

Additional comments and attachment of Legal Services memo; note that SRES requested responses from DNR to the Legislative Legal memo and both submitted letters.

September 10 – initial response from DNR to request for information

“We will undertake this work as expeditiously as possible without impairing DNR’s ability to fulfill its other responsibilities.”

No response thereafter.

September 18 Invite to Crowther

Oct 8, from 1-3 PM, Anchorage LIO.

September 22 response from office of Crowther

“We respectfully decline your invitation to participate in this upcoming Joint Resources Committee meeting. The Governor’s office has not given us permission to attend. We are happy to answer any questions you may have via email and continue to work diligently to fill your records request.”

October 9 to Comm Crowther

“I am extending an invitation to you to speak to the Senate Resources Committee on October 26, 10 AM, at the Anchorage LIO.”

October 10 from Comm Crowther

“Thanks Senator – received and we will be back in touch with you soon.”

No response thereafter.

October 13 to DNR: repeat request for information requested on Sept 1.

September 1, 2026

Dear Commissioner Crowther:

Pursuant to the Alaska Public Records Act (AS 40.25.100 – AS 40.25.295) (APRA), I request information regarding the Department of Natural Resources' recent proposals for no-cost state land transfers to the Alaska Industrial Development and Export Authority (AIDEA) and the Alaska Housing Finance Corporation (AHFC) under AS 38.05.810(a), public use conveyances, for the following:

1. Approximately 20,000 acres to AIDEA for a proposed industrial park and scalable data center in Houston, Alaska (Mat-Su Borough).
2. Various proposals for land to AHFC between the Kenai Peninsula and Fairbanks for "dwelling units for persons of lower and moderate income or for persons in remote, underdeveloped, or blighted areas."

Specifically, I seek communications in DNR's possession regarding the origins of plans for the proposed conveyances, as requested by AIDEA and AHFC; as offered by DNR; or as requested or directed by the Office of the Governor, and providing information on the chronology of events and decision-making points and conclusions leading to DNR's proposed conveyances, particularly its substantiation for use of AS 38.05.810(a) to enable the conveyances.

The communication records I seek would likely be emails between and among officials at DNR, the Office of the Governor, AIDEA, AHFC, the Department of Revenue, and the Department of Law. I also request any attachments to the relevant emails and relevant text messages that were potentially sent from or received on government-issued devices.

I'm uncertain of the timeframes in which the executive branch began pursuing these objectives, but the state officials' email correspondence that may be helpful to me would likely be those from, to, cc'ing to, and forwarded from or to the following officials: Relevant officials and personnel at the Governor's Office; former DNR Commissioner John Boyle; DNR Commissioner John Crowther; Division of Mining, Land, and Water Director Christy Colles; Lee Cruise; Daniel Jenkins; AIDEA Executive Director Randy Ruaro; AIDEA Deputy Director Brandon Brefczynski; AIDEA Finance Officer Kelvin Goode; relevant AHFC leadership; and Acting Attorney General Cori Mills or other attorneys and officials at the Department of Law who were involved in the interpretation of AS 38.05.810(a). If helpful, I suggest specific key term searches of the following words and phrases: AIDEA; AHFC; Houston; 38.05.810, 38.05.810(a), and 38.05.810(g); reverter, revert back, reversion, and reversionary; gravel; 20,000; area plan; and commercial land.

However, since I would like to capture information clearly related to the issues described herein, I would like my request to be more broadly than narrowly construed, if necessary to achieve my intent. I also request that any withholdings or redactions are made only as strictly necessary under the law. I do not seek the documents, posts, notices, or publications that have already been made publicly available.

My concern for these records is for the public interest as a state legislator and the Chair of the Senate Resources Committee; I seek to understand the context, genesis, and processes leading to the proposals, which appear unusual and unprecedented compared to past public purpose conveyances.

In accordance with 2 AAC 96.315, please advise as soon as possible if I need to provide more detail for my request, and please assist me with identifying the records I seek.

Thank you, Commissioner Crowther. I look forward to receiving these requested records. Under the APRA and 2 AAC 96.325, I understand I can expect them within 10 working days of your receipt.

Best regards,

Cathy

Senator Cathy Giessel

Majority Leader, Alaska Senate Bipartisan Coalition

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