IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

In the Matter of the	)	
2021 Redistricting Plan.	)	Case No. 3AN-21-08869CI

AFFIDAVIT OF MELANIE ROSE BAHNKE
(Supplemental Direct Testimony)

STATE OF ALASKA)
) ss.
SECOND JUDICIAL DISTRICT)

I, Melanie Rose Bahnke, being first duly sworn, depose and state as follows:

1. This supplemental testimony responds to the affidavit of Kimball Brace that the Valdez Plaintiffs submitted in their challenge to the Alaska Redistricting Board's (Board) Final Plan.

2. I have reviewed the new map that Mr. Brace prepared for Valdez's lawsuit. It is much different than the proposed plan submitted during the Board's redistricting work. Like its prior map, Valdez's new map shows well what happens when someone sets aside the obligation to draw a map that is fair to all Alaskans and instead prioritizes the interests of one community. While Mr. Brace placed Valdez with the Richardson Highway communities as it would prefer, that action has a cascading impact on voters all around Alaska.

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3. First, Mr. Brace's proposal splits the excess population of the Fairbanks North Star Borough into two rural districts. I understood we are generally supposed to put all of the excess population of a borough into the same district, because otherwise it could be seen as diluting the voting strength of Fairbanks voters. Our Final Plan, as well as the other plans that were submitted to us and adopted by the Board, all managed to put the excess population into a single adjacent district, thus demonstrating that it is not necessary to divide Fairbanks' excess population into two rural districts in order to accomplish a redistricting plan.

4. Second, Mr. Brace's proposal drastically expands District 39, connecting communities from the Norton Sound and Bering Sea with villages adjacent to the Fairbanks North Star Borough, and then reaches down into the Calista region. The map combines interior Alaska Native communities in the Koyukuk-Middle Yukon census area with coastal Alaska Natives in the Nome and Kusilvak census areas. These interior Alaska Native communities do not share common language, tradition, waterways, or transportation with the coastal Alaska Natives in the Nome and Kusilvak census areas.

5. The coastal communities in House District 39 rely on marine mammals for subsistence, such as whale, walrus, and seal, whereas the remote Athabascan villages in the vast Interior of Alaska depend on different species. These communities share no common transportation, obtain health care in different hub communities, and for the most part have no reason to ever interact. Coastal communities are generally included in the community development quota program ("CDQ") established by the

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Magnuson-Stevens Fishery Conservation and Management Act, and interior communities are not. Lumping such different communities of Alaska Natives into one district makes no sense to me, and is insensitive to these different cultures and people. I do not think it would be fair to the people of Interior and Western Alaska to sacrifice their right to a relatively socio-economically integrated house district just so Valdez is able to get its desire. I appreciate that Valdez would have liked us to draw its district differently, and I respect its opinions and input in this process, but I believe that our Final Plan better accomplishes a pattern of relative socio-economic integration throughout the entire state.

6. Third, Mr. Brace's proposed House District 39 is much less compact than the Final Plan's House District 39.

7. I also do not agree with moving Quinhagak from District 38 into District 37, when that Lower Kuskokwim village shares the same school district, health care system, shopping, river and culture with the other villages in the same river delta that are also tied to Bethel.

8. Mr. Brace's statement that we did not follow the *Hickel* process is preposterous. The Board drew forty house districts by focusing on the Alaska Constitution's requirement to adopt compact, contiguous, and relatively socio-economically integrated districts. We adopted our draft maps without considering data about race. After we received a Voting Rights Act analysis, we did not alter our process because the conclusion of the VRA analysis was that by drawing compact, contiguous

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and socio-economically integrated districts, we had also maintained the minority vote in the traditional Alaska Native districts.

9. Part of the VRA discussion we had in our public meeting, and which is discussed in our VRA report, is that our staff examined whether it was possible to draw rural Alaska differently to obtain a fifth Alaska Native-controlled house district, and staff determined it was not possible to do so. Even the Alaska Native coalition that submitted plans for our consideration was not able to find a way to divide Alaska Native voters into a fifth district. It does not appear that Mr. Brace's new redistricting plan creates a fifth district.

10. I disagree that the Board's Final Plan packed Alaska Native voters into house districts. Some of our house districts have a high percentage of Alaska Native voters because those communities are heavily populated by Alaska Natives. This is a consequence of where people live, not how we drew the redistricting plan.

FURTHER AFFIANT SAYETH NAUGHT.

M Bahnke
Melanie Rose Bahnke

SUBSCRIBED AND SWORN to before me this 19th day of January, 2022, at Nome, Alaska.

BRADLEY D. SOSKE
Limited Governmental Notary Public
State of Alaska
My Commission Expires with Office

Bradley D Soske 211214011
Notary Public in and for Alaska
My Commission expires: with office

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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of January, 2022, a true and correct copy of the AFFIDAVIT OF MELANIE ROSE BAHNKE (SUPPLEMENTAL DIRECT TESTIMONY) (5 pages) was served upon the following by:

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