



Application for Appointment to Boards, Committees, and Commissions
City and Borough of Sitka

Board/Commission/Committee: Historic Preservation Commission

Name: Danielle ("D.S.") Pensley

Preferred Phone: [REDACTED]

Address: [REDACTED]

Alternate Phone: n/a

Email Address: [REDACTED]

Fax Number: n/a

Length of Residence in Sitka: 14+ months

Registered to vote in Sitka? ☒ Yes ☐ No

Employer: Jill Grant & Associates (Washington, D.C.)

Organizations you belong to or participate in:
None.

Explain your main reason for applying:

To give back to the community which has welcomed my son and me. To utilize my educational background and professional experience in historic and cultural preservation.

What background, experience or credentials will you bring to the board, commission, or committee membership?

MA's in Historic Preservation Planning. Practicum for neighborhood survey techniques. Over a decade legal experience in natural resources. Familiarity with tribal government.

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

n/a

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 11.02.2021

Signature: D.S. Pensley

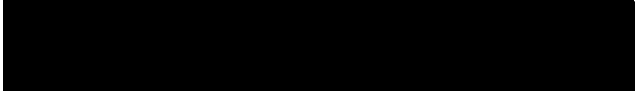
Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☒ Yes ☐ No

Return to:

Jess Earnshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street
Fax: 907-747-7403 Email: cityclerk@cityofsitka.org

DANIELLE SIBENER PENSLEY



November 1, 2021

Steven Eisenbeisz, Mayor
Assembly Members
City and Borough of Sitka
100 Lincoln Street
Sitka, Alaska 99835

re: application to the Sitka Historic Preservation Commission

Mayor Eisenbeisz and Assembly Members,

I am delighted to apply for the vacant at-large position on the Sitka Historic Preservation Commission. I hold a Master's in Historic Preservation Planning and have practiced as an attorney for almost fifteen years in tribal environmental law, natural resources law, and municipal law. Community health and sustainability have long been important to me. In the late 1990s I led a grassroots effort in Fairbanks, Alaska, to establish the first community land trust in the state. Serving on the Historic Preservation Commission would allow me to utilize my educational and professional expertise for the benefit of my fellow Sitka residents, who have provided a soft landing to my family in these unprecedented times.

To explain: My son and I moved to Sitka in August 2020 at the conclusion of a year of domestic and overseas travel . . . eighth grade on the road. Unbelievably, we ended up in Japan for the first wave of the pandemic. As Atigun and I flew back to Fairbanks from Okinawa on a pair of Alaska Airlines mileage tickets, it was clear that our plans to return to Washington, D.C. for his high school education had been irrevocably upended. For the third time it was North to the Future – but now the Tongass, not the Arctic.

I secured a legal position with the Sitka Tribe and Atigun applied and was offered a spot as a town student at Mt. Edgecumbe High School. Next we added a 16" Lund to our household and all sorts of boat parts and colorful ropes found a place next to our hiking boots and sleeping bags. We purchased the Bahovec House on DeGroff Street this spring and moved in this summer. It is delightful how many people have shared with me their memories of the house: dinners and deer tallow candles, gardens and more recent Sabbath gatherings. I feel we have deeper roots in Sitka than our actual tenure indicates.

I left tribal employment in June 2021 to take a remote “of counsel” position with Jill Grant & Associates in Washington, D.C. (Following my clerkship on the U.S. Court of Federal Claims, Ms. Grant supervised me as a junior associate with the firm at which she was a partner. Then, as now, we focused on regulatory and environmental matters for the Navajo Nation, the Shoshone Bannock Tribes, and other tribal governments in the Lower 48.) The firm fully supports my application to the Historic Preservation Commission. Indeed, Ms. Grant and her associates gently joke about my apparently unsubtle boosterism – forwarding articles from the Visitors’ Bureau, reporting our weekend adventures on the water, and gifting local books and foodstuffs on the merest whim. Jill Grant & Associates supports its attorneys’ pro bono efforts through a generous allowance of hours.

Thank you for taking the time to review these materials. I am available for any questions you may have about my interest in serving on the Historic Preservation Commission or regarding my qualifications to do so. I hope to appear in person at the upcoming Assembly meeting at which my application will be discussed – I believe November 9th.

Cordially,

A handwritten signature in blue ink that reads "D.S. Pensley". The signature is written in a cursive, flowing style.

Danielle (“D.S.”) Pensley, Esq.

Attachments

Résumé

DANIELLE SIBENER PENSLEY



LEGAL & OTHER PROFESSIONAL EXPERIENCE

Jill Grant & Associates (Washington, D.C.) 2021-present
Of Counsel

Deepen expertise on tribal risk assessments for site-specific remedies; draft Congressional testimony for tribes on proposed natural resource legislation; draft and review tribal environmental regulations, including enforcement; provide counsel to tribal environmental management on program development (diverse media) and on applications to the U.S. Environmental Protection Agency for program approval.

Sitka Tribe of Alaska (Sitka, Alaska) 2020-2021
Family Law Attorney

Represented Native and non-Native victims of domestic violence in emergency and long-term protective order hearings, custody and divorce filings, and conservatorships; worked with the tribal administration to manage a U.S. DOJ Legal Assistance to Victims grant; trained advocates and strengthened the tribal partnership with the women's shelter and other service providers. Attended the National Institute for Trial Advocacy "Building Trial Skills" course and classes on domestic violence advocacy.

City of Fairbanks (Fairbanks, Alaska) 2017-2019
Deputy City Attorney

Advised municipal departments on day-to-day issues such as code enforcement, risk management, and collections; worked with the City Attorney, the engineering department, and outside counsel to shape the city's response to groundwater contamination, which resulted in a federal lawsuit against 3M Company, Tyco Fire Products, and others; advised the board of directors for the regional metropolitan planning office and drafted key documents during its transition to an independent 501(c)(3).

University of Alaska Fairbanks, School of Natural Resources & Extension 2017-2019
Affiliate Faculty

Designed and delivered a three-credit 200-level course on Public Land Law & Policy. Enrollment ranged from 22 to 26 students, many with field experience as park rangers, miners, wildfire fighters, whalers, or guides. The curriculum covered the history of public lands acquisition and disposition; the roles of the federal land management agencies; the National Environmental Policy Act; the regulatory scheme for specific resources like timber or minerals; and the unique Alaskan context, including subsistence.

Tanana Chiefs Conference (Fairbanks, Alaska) 2016-2017
Tribal Government Specialist

Drafted and revised constitutions, codes, and ordinances for Alaska Native tribes throughout Interior Alaska; advised tribal councils on waivers of sovereign immunity, land use issues, and election procedures; participated in negotiations with the state to address civil diversion and other jurisdictional agreements; guided tribal court judges on procedural matters and reviewed draft orders; presented at conferences and workshops on topics such as due process and appellate procedure in tribal court. Undertook extensive village travel in Interior Alaska and elsewhere in the state.

State of Alaska, Department of Law, Civil Division (Fairbanks, Alaska)

Assistant Attorney General – Environment and Natural Resources

2013-2015

Provided aid-to-agency to the Departments of Environmental Conservation and Natural Resources regarding environmental violations, compliance orders, and settlements; reviewed proposed disposal decisions, including leases and material sales; assisted in drafting air quality regulations; represented the state in all aspects of administrative appeals in state superior court; supported cost recovery efforts against potentially responsible parties; advised agency staff when responding to public record requests.

Nordhaus Law Firm (Washington, D.C. and Santa Fe, New Mexico)

Associate

2009-2013

Drafted tribal statutes and regulations for solid waste disposal, open burning, coal mine remediation, and cleanup standards; assisted in preparing "Treatment as State" applications and jurisdictional statements under the federal Clean Air Act and Clean Water Act; worked with tribal program staff to ensure transparent notice-and-comment rulemaking; examined treaties and title records to determine the ownership of parcels within reservation boundaries. Submitted an amicus brief to tribal court analyzing the Navajo Fundamental Law in the context of insurance coverage for soil contamination.

The Honorable Victor J. Wolski, U.S. Court of Federal Claims (Washington, D.C.)

Law Clerk

2007-2009

EDUCATION

Cornell University, Department of City & Regional Planning (Ithaca, New York)

M.A., Historic Preservation Planning, 2012

Thesis: *Existence, Persistence, Resistance: Preserving Subsistence in the Copper River Delta, Alaska*

Practicum: Neighborhood survey for the Abel Bennett Tract Historic District in Binghamton, New York

Cornell Law School (Ithaca, New York)

J.D., *cum laude*, 2007

- Extern, U.S. Department of Justice, Environment & Natural Resources Division
- Editor, CORNELL LAW REVIEW; David J. Marcus Memorial Prize
- CALI Awards in Theories of Property and Federal Indian Law
- Research Assistant to Professor Gregory S. Alexander
- Summer Internships: U.S. Department of Justice, Tax Division; Fairbanks North Star Borough, Legal Department; The National Trust for Historic Preservation, Legal Department

Princeton University (Princeton, New Jersey)

A.B., School of Public Policy and International Affairs, *cum laude*, 1993

Thesis: *The Socialist City? Urban Planning in Berlin, Capital of the German Democratic Republic*

PUBLICATIONS

Existence and Persistence: Preserving Subsistence in the Copper River Delta of Southcentral Alaska, 42 ENVIRONMENTAL LAW REPORTER 10366 (2012).

The Legalities of Stream Interventions: Accretive Changes to New York State Doctrine Ahead?, 25 PACE ENVIRONMENTAL LAW REVIEW 105 (2008). Cited in WATERS AND WATER RIGHTS, PART II – RIPARIANISM (Robert E. Beck & Amy K. Kelley eds., 3d ed. 2009). Honorable Mention, Smith-Babcock-Williams Writing Competition (American Planning Association) (2006).

Real Cities, Ideal Cities: Proposing a Test of Intrinsic Fairness for Contested Development Exactions, 91 CORNELL LAW REVIEW 699 (2006). Cited in Petition for Writ of Certiorari in *McClung v. City of Sumner*, No. 08-1102 (denied). First Prize, Program for Judicial Awareness Writing Competition (Pacific Legal Foundation) (2005).

The Native American Graves Protection and Repatriation Act (1990): Where the Native Voice Is Missing, 20 WICAZO SA REVIEW 37 (2005).

The Socialist City? A Critical Analysis of Neubaugebiet Hellersdorf, 24 JOURNAL OF URBAN HISTORY 563 (1998).

City Planning and State Policy in the German Democratic Republic: The Example of Neubaugebiet Hellersdorf, 19 INTERNATIONAL JOURNAL OF URBAN AND REGIONAL PLANNING 549 (1995).

BAR MEMBERSHIPS & ADMISSIONS TO PRACTICE

- Sitka Tribe of Alaska Tribal Court, 2020
- State of Alaska (since 2014); District of Columbia (since 2010); State of New York (since 2008)
- District of Alaska, 2017; U.S. Court of Federal Claims, 2008

VOLUNTEER SERVICE & RECOGNITION

- American Council on Germany, Urban Sustainability Fellow, 2018-2019
- Light of the North Jewish Congregation of Fairbanks, lay service leader, 2017-2019
- Alexander von Humboldt Foundation, German Chancellor Fellow, 2001-2002
- Echoing Green Foundation, Selection Committee, Annual Reader, 1999-2010
- Profiled in SELF MAGAZINE, article by Elisabeth Egan, *The Young and the Selfless: Eight Women Prove You Can Change the World – Before You Turn 40*, December 1998
- Drucker Foundation for Non-Profit Management, Community Innovation Fellow, 1997-1998
- Echoing Green Foundation, Public Service Fellow, 1997-2001
- Washington State Housing Finance Commission, Friend of Housing Award, 1995
- Housing Hope of Everett, Washington, Volunteer in Service to America, 1993-1995



HISTORIC PRESERVATION COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
ROBERTA LITTLEFIELD 4102 Halibut Point Road	738-4004 c 747-3444 h robbylittlefield@gci.net	7/13/10 4/24/12 5/27/15 6/26/18	01/27/12 4/24/15 5/27/18 6/22/24	Chair At large
ROBERT SAM 456 Katlian Street	738-5033 Bob_sam777@hotmail.com	2/24/15 2/27/18 3/9/21	2/24/18 2/27/21 3/9/24	Vice Chair STA
JAMES POULSON 1610 Sawmill Creek Rd	747-3219 w 747-6567 h james.poulson1@gmail.com	2/22/11 2/25/14	2/22/14 2/25/17 9/8/18 8/11/24	Secretary Historical Society
SCOTT SALINE PO Box 3183	738-7889 c shsaline@gci.net	4/26/16	4/26/19 5/14/22	At large
CHUCK MILLER 314 Katlian Street	738-4025 chuck.miller@sitkatriben-sn.gov	7/14/20	7/14/23	Native Community
KAREN LUCAS 224 Katlian Street	747-7803 karenjeanlucas@yahoo.com	10/14/2021	10/14/24	At large
ANA DITTMAR	623-7537 Anadittmar1@hotmail.com	4/10/12 5/27/15 6/12/18	4/10/15 5/27/18 6/12/21	At large
Ben Mejia Planner I	747-1814 ben.mejia@cityofsitka.org			Staff Liaison/ Secretary
David Miller 839 Lincoln Street	738-6890 assemblymiller@cityofsitka.org			Assembly Liaison

7 members from selected categories 3-year terms

Sitka Historical Society (1), Native Community (2) - one representing Sitka Tribe of Alaska, At-Large (4)

Established by Ordinance 92-1075, Amended by Ordinance 93-1150, Addition by Ordinance 97-1409

Second Wednesday, 6:00 p.m. – Harrigan Centennial Hall, 330 Harbor Drive

Revised: October 13, 2021