



95 Sterling Highway, Suite 2, Homer, Alaska 99603
*A non-profit organization dedicated to enhancing, preserving
and protecting the resources of Kachemak Bay State Park.*

02/08/2022

Dear House Resources Committee Members,

The Board of the Friends of Kachemak Bay State Parks stand opposed to House Bill 52 (HB-52), which proposes to remove Tutka Bay Lagoon and uplands, totaling approximately 124 acres, from the legislatively-designated Kachemak Bay State Park (KBSP) and to add three parcels on the north side of Kachemak Bay, totaling approximately 267 acres, to the Cottonwood-Eastland unit of the KBSP.

We do not support this legislation until the ramifications of the removal and potential precedents for other state park lands can be more clearly understood and addressed in proposed legislative language.

HB-52 proposes to remove land from Kachemak Bay State Park (KBSP) that includes uplands surrounding the Tutka Bay Lagoon Hatchery (hatchery), operated by Cook Inlet Aquaculture Association (CIAA), and Tutka Bay Lagoon. The bill proposes to add three parcels (listed as A,B,C) to KBSP that are contiguous with a portion of KBSP on the north side of Kachemak Bay about 17 miles northeast of Homer near East End Road.

CIAA operates the hatchery under an agreement with the Alaska Department of Fish & Game (ADFG), however the "intent to adopt" version of the KBSP Management Plan lists the hatchery as "an incompatible use" and says the state is exploring a phase-out of hatchery operations, including not renewing the CIAA operating agreement in 2031 (this is a proposed solution we would support).

The HB-52 removal of the Tutka Bay Lagoon and uplands from the state park is being proposed to fix a legal issue that the state is prohibited from disposing of real property interests in legislatively designated lands such as KBSP, with "land disposal" now acknowledged under state case law to include granting leases and easements, such as the agreement between ADF&G and CIAA.

We oppose HB-52, as currently written, because of concerns with:

- 1) Potential precedents set by transfer of state park lands and waters for primary use by a private organization.
- 2) Uncertainties about if or how Tutka Bay Lagoon lands would return to KBSP if CIAA hatchery operations ended.

We support transfer of the land parcels adjacent to the Cottonwood-Eastland unit to KBSP, recognizing that some of those parcels are already under or moving to State Park management, even though not legislatively designated as part of the park.

We also have ongoing, related concerns about potential adverse impacts of hatchery operations on Tutka Bay Lagoon, Tutka Bay, and Kachemak Bay bottom habitats and marine ecosystems, while recognizing that is not the direct subject of this legislation. The KBSP draft management plan already recognized that the hatchery is “incompatible” for Tutka Bay.

Information that we believe would help inform these decisions would include an economic cost-benefit analysis of the CIAA hatchery operations, to better understand the trade-offs between cost of operations, benefits to the fishing industry and the public, and environmental impacts, as well as long-term feasibility of the hatchery.

Given the number of complicated economic, land management and environmental issues raised in the legislative actions proposed in HB-52, we oppose this legislation.

Respectfully,

Kathy Sarns Irwin, President,
Board of Directors
Friends of Kachemak Bay State Parks

The Friends of Kachemak Bay State Park is a 501 C (3) non-profit organization,