

HB

521

"An Act creating the Mendenhall Flats State Game Refuge; and providing for an effective date."

COMMITTEE REPORT

1/15/76

HOUSE

Mr. Speaker:

Date 2-11-76

The Committee on RESOURCES has had SSHB 521

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR SSHB 521 AND THAT
CS FOR SSHB 521 DO PASS with attached amendment.

() "and" recommends it BE REFERRED TO THE _____
COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

Walter A. Anderson _____
Mike Hershberg _____

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

Walter A. Anderson Chairman

A M E N D M E N T

OFFERED IN THE SENATE:

HOUSE
XXXXXX

By: HOUSE RESOURCE COMMITTEE

To: AMEND SENATE BILL No. _____

HOUSE BILL No. CSSSHB521

PAGE: 3

After LINE: 17, Before Sec. 2

ADD A NEW SECTION

(f) Leases, permits and applications existing as of the effective date of this Act, shall be unaffected by this Act. Any renewals of leases or permits shall be subject to the restrictions of this chapter.

Virginia E. Kline

MAYOR OF JUNEAU

R.R. 5 Box 5916. JUNEAU, ALASKA 99803

House Resource Committee:

copy of testimony presented at 1/30/76 hearing

The present City & Borough Assembly has not taken a stand on this bill, but 2 years ago we did go on record in favor of public ownership of the Mendenhall wetlands. HB 521, creating the Mendenhall Flats State Game Refuge, appears to be a step in the direction of achieving that goal, although this bill speaks just to State lands. Creamers Dairy and Potters Marsh are two examples of areas where the State purchased private land using both fish & game fund and general fund monies to match Pittman-Robertson monies. The State might want to continue this practice of acquisition in the Juneau area. The City has already allocated open space funds, some of which could be used in such a project.

We do, however, have a couple of hesitations about this bill, most of which appear to be covered in the proposed committee substitute. The concerns are airport expansion, a site for a second bridge crossing of the Channel, and possible Channel dredging sometime in the future. The last concern is some kind of port/harbor facility at the end of Mendenhall Peninsula. Because there are no wetlands in that area, the northwest corner easily could be moved slightly eastward to exclude the potential harbor area.

Virginia E. Kline

Virginia Kline

JUNEAU MENDENHALL TIDELANDS

WHEREAS Juneau Mendenhall tidelands are an estuarine nursery that enhances fisheries in the area and a source of abundant foods attractive to waterfowl, thus are an important recreational and economic resources of the community; and dredging, filling, dumping and other destructive land use practices continue to degrade the tidelands; and the need for protection of the Mendenhall tideland was recognized in 1966 when the Council first urged protection of the area by resolution; and the Alaska Department of Fish and Game prepared in 1967 professionally competent management plan for these tidelands; and the University of Alaska's Institute of Social, Economic and Government Research endorsed the ADF&G plan in 1971 after a study of social, biological and economic factors involved; and the Spokane, Wash. consulting firm, Environmental Concern, Inc. in a 1972 Borough financed study reiterated the need for protection and preservation of these tidelands; and the Assembly of the City and Borough of Juneau recommended and urged the acquisition and management of much of the Juneau tidelands by State Agencies in 1974; and the National Marine Fisheries Service, the U. S. Fish and Wildlife Service, the Alaska Department of Fish & Game, other qualified agencies and professionals have repeatedly reiterated the value of preserving these tidelands for the record of public hearings in Juneau; and tideland destruction continues in spite of massive public concern and in spite of the previously mentioned diverse professional opinion;

BE IT RESOLVED the Council urges that the Governor and the State Legislature in view of the overwhelming public and professional opinion take all appropriate action to end further destruction of this valuable resource.

Adopted by the Alaska Wildlife Federation and Sportsmen's Council, November 1, 1975,
Juneau, Alaska

From: Rosemary Gute
Box 2, Juneau
Alaska, 99802

January 29, 1976

To: Representative Mike Miller
House of Representatives
State Legislature, Juneau, Ak.

Dear Mike,

This is a letter of support for Bill No. 521 "An Act Creating the Mendenhall Flats State Game Refuge and providing for an effective date".

As you know, many people have been involved on and off for the last ten years in an effort to preserve what remains of the wetland area in Juneau.

A group of about forty people, which I represent, was instrumental in preventing development of a gas and oil storage facility; and a gravel dredging operation within the boundaries outlined by the bill.

The land in question is a rich estuarine area and supports an abundant supply of migratory waterfowl and young marine life. It is heavily used by the local populace for recreation and for educational purposes. One of its most unique aspects, and perhaps the easiest to overlook, is its ease of access by all who live in the area. It thus adds significantly to the advantages of living in Juneau. I urge passage of this bill.

Sincerely,

Rosemary Gute

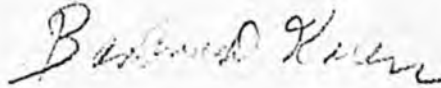
BARBARA D. KALEN
Box 317
Skagway, Alaska 99840

Feb. 6, 1976

Rep. Mike Miller
Alaska State Legislature
Juneau, Alaska
Dear Mike:

Thank you for introducing the bill to make the Juneau Wetlands a game refuge. I think this is a much needed piece of legislation, and I sincerely hope you can get it through without having all the real protection amended out of it. It is a pity that so many people genuinely can not see the value of keeping natural pieces of our land and water--it helps preserve us as well as the wildlife, if they only knew.

Sincerely,



Barbara D. Kalen

Virginia E. Kline

MAYOR OF JUNEAU

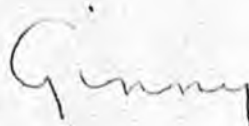
R.R. 5 Box 5916. JUNEAU, ALASKA 99803

House Resource Committee:

copy of testimony presented at 1/30/76 hearing

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Virginia Kline



THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

DATE: February 6, 1976

FILE NO.

SUBJECT: CS for Sponsor Substitute for
House Bill No. 521

Representative Nels A. Anderson, Jr.
Chairman, House Resources Committee
Alaska State Legislature
State Capitol - Pouch V
Juneau, Alaska 99811

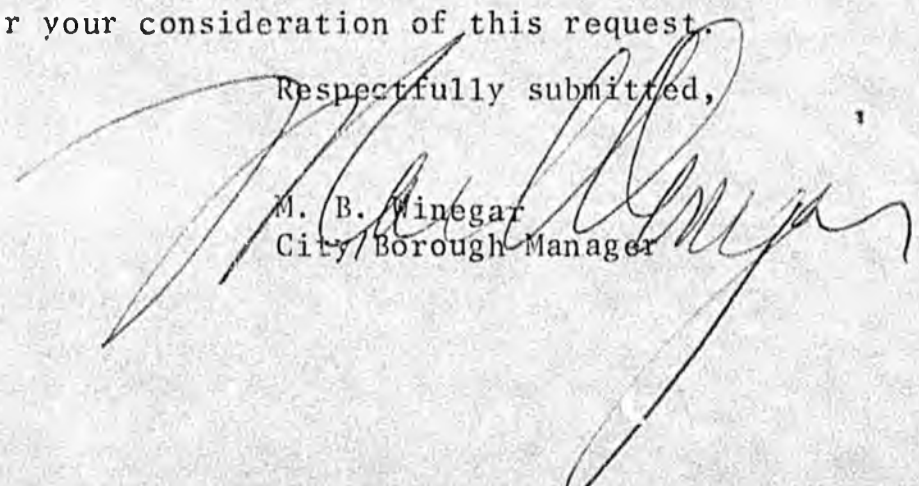
Dear Representative Anderson:

I appreciate the opportunity to appear before the Committee in order to make a statement on behalf of the Assembly of the City and Borough of Juneau regarding CSSHB 521. The Assembly wishes to assure you that it supports the concept of a game refuge in the general area described in the Bill. Nevertheless, the Assembly does have concerns about transportation corridors, airport expansion, Channel dredging, and dock and port development which might conflict with the planned use. Along this line, the Assembly appreciates the Committee's demonstrated willingness to modify the language of the Bill to speak to these and other expressed needs of the citizens of the City-Borough.

Specifically, the Assembly and the Planning Commission really have had very little opportunity to review the specific language in the Committee Substitute. Further, the Assembly is not sure that all problems have yet been identified and dealt with. As a result, the Assembly would appreciate the Committee's deferring further action on the Bill until February 20 or as soon thereafter as is possible. This will be subsequent to the next regular Assembly meeting. In the interim, the Assembly intends to thoroughly review the Committee Substitute Bill and then will be in a position to make considered recommendations to you.

Thank you for your consideration of this request.

Respectfully submitted,


M. B. Winegar
City/Borough Manager

MBW/kh

ALASKA CONSERVATION SOCIETY
Box 80192
College, Alaska 99701

Honorable Nels Anderson
Chairman, House Resources Committee
Alaska State House of Representatives
Juneau, Alaska

Chairman Anderson:

For a number of years the Alaska Conservation Society has followed with interest the problem of the management of the wetlands of the Men-denhall Estuary. As early as 1966, the Department of Fish and Game prepared an assessment of the significant scenic, recreational, and habitat features and requested consideration of the potential values of this area to the community and the state.

This issue organized conservationists to launch a campaign to avert destruction by the proposed outer route of the Egan Expressway. The rise of the local "Stellar" society brought together persons of like concerns towards the campaign to protect this area. Attached you will find an original memo which initiated a ten year effort to obtain these lands in order to protect their values.

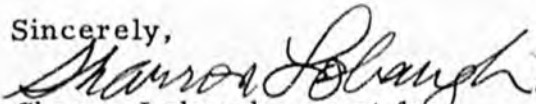
Objections to the outer route of the highway which would completely destroy the estuarine habitat could not be disputed by the highway department and consequently, the inner route was selected. Fill material was needed from this area for the highway which altered the character of these lands.

In spite of these alterations, it continues to be a major recreational area for the youth of Juneau drawing hundreds of duck hunters and bird watchers yearly. These developments have not yet altered the migratory and nesting habits of the various species of waterfowl. Hundreds of school children annually proceed across these lands each spring during "Sea Week" to experience these species first hand.

Ponds adjacent to the airport provide marvelous opportunities for pilots to delight their passengers with remarks such as "to the left you will see a pair of whistling swans."

Alaskans all should be proud to set aside such an outstanding segment of State Lands for purposes of a Refuge. We urge your favorable consideration of House Bill 521.

Sincerely,


Sharon Lobaugh, agent for
Alaska Conservation Society

Senate Bill 521

As property owners living on land adjacent to the Mendenhall Wetlands (1/2 mile Mendenhall Peninsula Road), we are in favor of passage of Senate Bill 521. Many hours of unequalled recreation in the form of skiing, snow-shoeing, walking & bird-watching, mountain gazing have been had by our family. Our children are young and the wetlands provide an excellent place for a young family to enjoy this beautiful land. The future of this area is vital to us and the preservation of the wetlands insures that Juneau Duvit remains a special place to live and raise a family.

Thank you,

Kathleen Hanna
Thomas R. Hanna

Feb 3, 1976

From: Rosemary Gute
Box 2, Juneau, Ak.

February 10, 1976

To: Nels Anderson, Chairman
House Resources Committee

Re: House Bill 521

Dear Mr. Anderson,

I attended the hearing on HB 521 on 2/3/76, but am unable to attend on 2/11/76, so would appreciate your entering this letter as testimony.

Having attended both the recent borough assembly and planning commission meetings and spoken with others in the community, it would appear that the majority are in favor of the concept of the bill, as am I.

The Department of Fish and Game seems to be the logical agency to handle the Wetlands as they have personnel trained and experienced in the area of waterfowl management.

HB 521 with its amendments appears to be an intelligent management solution for the Wetland area and I urge its passage.

Respectfully submitted,

Rosemary Gute

Preliminary Plan for Wildlife Management on the Mendenhall Wetlands

Introduction

For the last 30 years there has been a growing concern by Juneau residents for the destiny of the Mendenhall Wetlands. The concern has been the motivating factor for at least two lengthy reports dealing with management schemes. The reports are: A Preliminary Land Management Proposed for the Mendenhall River Wetlands, 1967 by Peter K. Shepard and Ronald J. Somerville, Alaska Department of Fish and Game; and Gastineau Channel Wetlands - Reconnaissance and Recommendation report for the City and Borough of Juneau, Alaska, 1972 by Environmental Concern, Inc. Both reports give detailed and ample documentation of the importance of the wetlands to the Juneau recreation scene. The focal point of both reports was that to achieve a desirable management scheme to preserve the remaining wetlands. Unfortunately wetland preservation is no closer to reality than it was in 1967. In fact both current and future development options for recreation has been greatly decreased by landfill, highway and dredging projects.

Wetland preservation was discussed during several public meetings with Borough officials. In various correspondence with State agencies it has been asked what type of management the Alaska Department of Fish and Game would initiate on the wetlands if they were to be preserved.

The purpose of this paper is to describe some of the wildlife management options which ADF&G would propose to initiate if the wetland integrity were assured. Hopefully the proposed plan will add impetus for wetland preservation while management options still exist.

Management

If the Mendenhall Wetlands was classified as a state wildlife refuge, the primary management emphasis will be placed on wildlife oriented recreation, both consumptive and nonconsumptive.

Waterfowl hunting on the wetlands has traditionally been a major use of the area. It is calculated (ADF&G Reports) that hunters harvest between two and four thousand ducks and seventy-five to one hundred and fifty geese annually, making the Mendenhall Wetlands one of the important hunting areas in the state. The Mendenhall Wetlands usually ranks one or two in the state ^{for} total hunting effort. It was estimated in 1967 that duck and goose usage of the area exceeded 1,000,000 use days annually. However, since 1967 waterfowl usage and thus hunting success in the area has decreased due to habitat destruction by commercial development and increasing hunter pressure on the reduced hunting areas. Interviews with hunters in recent years indicate that most harvest occurs during the very early days of the waterfowl season. Apparently hunting pressure is so great that many of the birds are forced out of the area. Other birds migrating through find less habitat to utilize and constant hunter harassment which is not conducive to prolonged bird use.

Management of the Mendenhall Wetlands for better waterfowl hunting and viewing could consist of the following:

1. Increasing the attractiveness of the area to waterfowl, thereby providing more waterfowl for both hunters and non-hunters.

As mentioned earlier a large reduction in habitat due to commercial development has occurred on the wetlands. To

rectify this situation the waterfowl carrying capacity of the remaining wetlands will be improved. However, attracting more ducks to the wetlands must be done in such a manner so that they are discouraged from utilizing areas immediately adjacent to the airport, which could increase incidents of bird-aircraft collisions.

Establishment of shallow water impoundments in Fish Creek, Switzer Creek and the south Gastineau Channel area would improve the wetlands capacity for waterfowl. Impoundments would be established by either blasting or bulldozer-dragline work.

Possibilities for increasing goose use such as controlled burning would be investigated and initiated if deemed appropriate.

2. Redistributing hunting pressure by establishing open and closed areas. It has become apparent that hunting pressure on the wetlands has grown to such proportions that hunting management is needed to improve both quality and success of the hunt. It has been observed that the numbers of ducks and geese utilizing the wetlands decline rapidly after the season opens September 1. The main reason for the decline is a lack of adequate feeding-resting areas where birds can remain unmolested from hunting pressure. In conjunction with habitat management listed above it is proposed that all of the wetlands be closed to hunting during a portion of each week during the hunting season. Another proposal could be the closure of half the area for 3-4 day periods while the other half is open with weekly alternating openings and closures. It is believed that by

eliminating hunting pressure in certain areas for varying periods more waterfowl will be encouraged to stay in the area for longer periods. Also, with a weekly opening to hunting "opening day success" will continue throughout much of the waterfowl season.

Other possibilities for management do exist: It has been noted, from past hunter field checks, that 30 percent of the waterfowl hunters on the wetlands are under 16 years of age. Possibly a management proposal should incorporate special provisions for the young hunter such as one day of hunting for kids only. Another possibility would be construction of permanent duck blinds for hunting and general observation purposes. Decisions on what management techniques ADF&G should use would be made after a series of public hearings had been held.

Potential management options for "nonconsumptive" use of wildlife on the wetlands are numerous and actual decisions can be made following public input. Two proposals for consideration are:

1. Observation and parking areas - The new Egan Highway has one road pulloff in the Switzer Creek area. Another small road pulloff should be constructed between the airport and Sunny Point. Both areas are adjacent to both spring and fall waterfowl resting areas and these would be obvious sites for observation areas. Both areas should have signs erected describing the importance of the wetlands and listing species of birds which can readily be observed.

2. Interpretive trail system -- An interpretive self guiding trail system should be established on the wetlands. Possibly the area adjacent to the airport could be the starting point for a trail which would guide school children and interested visitors through the various wetland habitat types. At appropriate spots along the trail, signs could be erected which would explain items of interest and the importance of the wetlands.

Other "nonconsumptive uses" can be accommodated. Public meetings will gauge the local interest and desires for such activities.

Summary

Several management options for the Mendenhall Wetlands are available. However, all are based on the requirement that the wetland system suffer no further reductions from commercial development. Once this is assured management of this valuable area can begin.

Warren Ballard
Game Biologist
Division of Game