

HB

73

Sally Smith  
arrange  
hearing Co  
in  
Valdez

TESTIMONY OF RUSSELL W. CARILL  
DIRECTOR - ALASKA STATE PARKS

ON

H.B. 73

FEBRUARY 15, 1977

ALASKA HOUSE OF REPRESENTATIVES RESOURCES COMMITTEE

Mr. Chairman, committee members, thank you for the opportunity to comment on the Keystone Canyon State Park proposal.

In 1969, the Legislature instructed the State Department of Natural Resources to study the Thompson Pass - Keystone Canyon area, which was known at the time as one of the great scenic wonders of Alaska. A study was done and a proposal, which had great support, was developed. The proposal had so much support that the City of Valdez once had imprinted on its municipal stationary, "City of Valdez, Home of Keystone Canyon State Park."

Since that time, a lot of water has gone under the proverbial bridge. The trans-Alaska Pipeline has been driven through this State, over Thompson Pass and down to the sea at Valdez Harbor. This park proposal has been placed on the back burner. The El Paso Gas line versus the Arctic Gas proposal seems the big issue in resources now. El Paso's "all Alaska" line would diverge from the trans-Alaska Pipeline Corridor here and run through the wilderness to Port Gravina down here (indicate on map). A potential road route connecting Cordova with the rest of Alaska by road would come up here (indicate on map). Development is booming in the area.

I drafted this legislation and Commissioner Martin and I asked the Governor to send it over as an administration bill. We did so because we believe strongly that this area should be set aside as a scenic park. Set aside to encourage recreation and tourism as a part of the array of resource uses in the Copper Basin - Valdez area: to balance. if you will, some of the heavily

development oriented resource use which this area is experiencing in it's period of rapid growth.

My staff has provided you with briefing papers which give the nuts and bolts of this proposal. In addition, we have held two meetings in Valdez, and have discussed this proposal in Anchorage, Fairbanks, and Juneau at public meetings. The general consensus of feelings at the meetings in Fairbanks, Anchorage, and Juneau was favorable toward the bill. In Valdez, as you can see by the questionnaire, the community was in basic opposition.

To meet some of the needs expressed by the people of Valdez and their government, I have for your perusal, a proposed substitute for H.B. 73, which would remove from the park proposal approximately 4,000 acres of potential development land in the Lowe River Valley. The proposed substitute also contains the following stronger language regarding utility and road corridors:

The commissioner must, upon review of an approved environmental impact statement, issue a permit authorizing a right-of-way or corridor for a utility or transportation project within the boundaries of the Keystone Canyon State Park when there is no other feasible alternative.

I am hopeful that these changes will make this proposed legislation more acceptable to the people of Valdez and to this committee.

There is another argument against this bill which I will try to deal with at this time. That is a general argument which shows up frequently in the Alaskan media. Because this is my first appearance before you this session I beg your indulgence for a short time to allow me to deal with the overall picture of State Parks in Alaska.

Why set aside State Parks when the federal government is proposing more than 100 million acres for the National Parks, Forests and Wildlife Refuge systems? First, where are these federal parks? 75 per cent of them are more than 100 miles from Alaskan communities of 1,000 or more people. The State Parks, existing and proposed, are all within those 100 miles of such communities.

Second, how much do Alaskans have to say about management on the systems? On the Federal Systems, almost nothing. The laws and regulations are very nearly holy-writ. Promulgated in and enforced from Washington, D.C. One cannot hunt or trap on those lands, and many recreational pursuits are limited. Conversely on State Park lands, the laws and regulations are made in Alaska by Alaskans responsive to an Alaskan public. In 80 per cent of the State Park System, hunting and trapping is permitted. Snow-machines are permitted in many areas, and visitation is encouraged. More than twice as many people visit the State Parks as visit the National Parks in Alaska. We operate five times the number of campsites and serve a more local recreation clientele.

The last reason, and I think the best, is that if we, in Alaska, are going to talk about balanced resource use, then we can't talk out of both sides of our mouths. Our 102½ million acres should have a rational and reasonable distribution among resource uses. One of those is scenic and recreation protection and use. All of the existing State Parks make up 1.6 per cent of the State's land entitlement. Adding all proposed State Parks to the system would still leave the percentage under 4 per cent. That's 4 per cent of the land to be set aside for our people to use for active recreation pursuits. Certainly if we can drive

two highways and two pipelines through Thompson Pass and the Keystone Canyon, we can afford to pay our dues to the re-creation of the human spirit by setting aside this magnificent area as a State Park.

Ladies and gentlemen, if we are to go to Washington, D.C. and talk to Congress about a rational plan for Federal lands in Alaska, let us do the right thing with our lands so that we can hold our heads high and talk from a position of the strength of our convictions. Thank you.



2/8/77

designated as the Keystone Canyon State Park: beginning at the NW corner, Section 6, T9S, R4W, C.R.M.; thence easterly to the SW corner of Section 32, T8S, R4W, C.R.M.; thence northerly to the NW corner of Section 8, T7S, R4W, C.R.M.; thence easterly to the NE corner of Section 9, T7S, R2W, C.R.M.; thence southerly to the SE corner of Section 21, T7S, R2W, C.R.M.; thence easterly to the NE corner of Section 26, T7S, R1W, C.R.M.; thence southerly to the SE corner of Section 35, T8S, R1W, C.R.M.; thence westerly to the SW corner of Section 32, T8S, R1W, C.R.M.; thence southerly to the SE corner of Section 7, T9S, R1W, C.R.M.; thence westerly to the SW corner of Section 12, T9S, R2W, C.R.M.; thence southerly to the SE corner of Section 14, T9S, R2W, C.R.M.; thence westerly to the SW corner of Section 14, T9S, R2W, C.R.M.; thence southerly to the SE corner of Section 27, T10S, R2W, C.R.M.; thence westerly to the SW corner of Section 27, T10S, R2W, C.R.M.; thence southerly to the SE corner of Section 33, T10S, R2W, C.R.M.; thence westerly to the SW corner of Section 33, T10S, R2W, C.R.M.; thence southerly to the SE corner of Section 8, T11S, R2W, C.R.M.; thence westerly to the SW corner of Section 8, T11S, R2W, C.R.M.; thence southerly to the SE corner of Section 19, T11S, R2W, C.R.M.; thence westerly to the intersection of the south line of Section 21, T11S, R4W, C.R.M. with the north boundary of the Chugach National Forest; thence northwesterly along that boundary line to the intersection with the west line of Section 30, T10S, R5W, C.R.M.; thence northerly to the NW corner of Section

30, T9S, R5W, C.R.M.; thence easterly to the NE corner of said section 30; then southerly to the E 1/4 corner of said section 30; thence easterly along the east-west 1/4 line of section 29, T9S, R5W C.R.M. to the E 1/4 corner of said section 29; thence southerly to the SE corner of said section 29; thence easterly to the NE corner of section 33, T9S, R5W, CRM; thence southerly to the N 1/16 corner of said section 33; thence easterly along the N 1/16 line of section 34, T9S, R5W, CRM, to the N 1/16 corner of the E section line of said section 34; thence southerly to the SW corner of section 35, T9S, R5W, CRM; thence easterly to the SE corner of said section 35; thence northerly to the N 1/16 corner of section 25, T9S, R5W, CRM; thence easterly along N 1/16 lines of said section 25 and sections 29 and 30, T9S, R4W, CRM, to the N 1/16 corner on the eastern section line of section 29, T9S, R4W, CRM; thence northerly to the NE corner of said section 29; thence westerly to the intersection with the northern right-of-way limit of the Richardson Highway; thence westerly along said right-of-way limit to the intersection with the west section line of section 23, T9S, R5W, CRM; thence northerly to the NW corner of said section 23; thence easterly to the NE corner of section 24, T9S, R5W, CRM; thence northerly NW corner of section 6, T9S, R4W, CRM; this corner being the true point of beginning. All bearing courses for this description follow section lines, either surveyed or protracted, except where otherwise stated.

Sec. 41.20.470. DESIGNATION OF MANAGEMENT RESPONSIBILITY. The land and water described in sec. 465 of this chapter are assigned to the Department of Natural Resources for control, development, and maintenance as a state park. The Department of Fish and Game is responsible for the management of fish and wildlife resources in the Keystone Canyon State

2/8/77

Park and shall consult with the Department of Natural Resources before the adoption of regulations concerning fish and wildlife management. The maintenance of public roads and highways within the area is the responsibility of the Department of Highways, and the cost of the maintenance are to be borne by Department of Highways funds. Park regulations apply to a highway right-of-way.

Sec. 41.20.475. INCOMPATIBLE USE PROHIBITED. (a) The land and water described in sec. 465 of this chapter are closed to mineral entry.

(b) The commissioner shall designate by regulation incompatible uses within the boundaries of the Keystone Canyon State Park in accordance with sec. 460 of this chapter and those incompatible uses designated are prohibited or restricted, as provided by regulation.

(c) The commissioner must, upon review of an approved environmental impact statement, issue a permit authorizing a right-of-way or corridor for a utility or transportation project within the boundaries of the Keystone Canyon State Park when there is no other feasible alternative.

Analysis of Public Information

Sessions Conducted by the Alaska

Division of Parks on the Proposed

KEYSTONE CANYON STATE PARK

(House Bill 73)

Meetings Conducted In:

- Fairbanks: 6 January 1977
- Anchorage: 13 January 1977
- Juneau: 17 January 1977
- Valdez: 27 January 1977

Prepared By:

Planning Section  
Division of Parks  
619 Warehouse Drive, Suite 210  
Anchorage, Alaska 99501

1. COMMENT/QUESTION: Exclude private lands at Mile 12 of Richardson Highway. (Anchorage, Valdez.)

DISCUSSION: Future land needs of Valdez warrant exclusion of some lands from proposed park in the vicinity of private parcels near Mile 12, Richardson Highway.

RESPONSE: Proposed redescription of boundary in Lowe River to exclude 4,000 acres of developable land.

2. COMMENT/QUESTION: Would a right-of-way for power transmission lines in the park be a compatible use? (Anchorage.)

DISCUSSION: Yes, if the commissioner of Natural Resources determines that such a project is in the best interests of the state.

RESPONSE: The proposed legislation contains the following: "The commissioner may, upon review of an approved environmental impact statement, issue a permit authorizing the construction of a utility or transportation project within the boundaries of Keystone Canyon State Park when he determines that construction to be in the best interest of the state.

3. COMMENT/QUESTION: Shouldn't such a large land tract have a mineral survey before making it a park? (Anchorage.)

DISCUSSION: The proposal covers what's generally known as "Valdez Group Rock", which is associated with low mineral potential except for some gold associated with quartz veins.

RESPONSE: General mapping has occurred. Area has been prospected by company teams and individuals. Less than 10 mining claims are known to exist in the area, which are allowed to operate under existing mining law.

4. COMMENT/QUESTION: What's your policy on possible concession developments in this area? (Fairbanks.)

DISCUSSION: Concessions are allowed in state park areas if their development is compatible with park values and user demands. Concession contracts are negotiated under competitive bid procedures.

RESPONSE: Proposals for concession development invited for review at any time, but must be awarded on a competitive basis.

5. COMMENT/QUESTION: Are there trails in area? (Fairbanks.)

RESPONSE: A few unmaintained trails exist.

6. COMMENT/QUESTION: Developments - specifically trails - will encourage more use of area and thereby hurt hunting opportunities. (Fairbanks.)

DISCUSSION: Better access to unroaded or traileed areas can increase hunting pressure. Trails offer increased recreational opportunities while helping to disperse people over a larger area.

RESPONSE: Some recreational development will take place. It is the responsibility of the Department of Fish and Game to prevent over-harvest of game animals.

7. COMMENT/QUESTION: Isn't the area too rugged for building trails? (Fairbanks.)

DISCUSSION: Keystone Canyon State Park is a very rugged, glaciated mountain area with several river and creek valleys of moderate gradient.

RESPONSE: Trails could be constructed in much of the area, including Brown Creek Valley, Sheep Creek Valley, Heiden Canyon, Ptarmigan Creek, and the Tsina River Valley.

8. COMMENT/QUESTION: What's the Division of Parks policy towards commercial uses originating outside of the park, crossing through, or using the park - such as kayak trips? (Fairbanks.)

DISCUSSION: Such uses are allowed if impacts on both the park and other users is minimal.

RESPONSE: Most uses are allowed if not damaging to the park environment or irritating to other visitors.

9. COMMENT/QUESTION: How much will it cost to operate this park? (Fairbanks.)

DISCUSSION: Operations staff, equipment, space rental, and construction of recreation facilities broken down. This, of course, depends on legislative authorization.

RESPONSE:	<u>Operation</u>	<u>Construction</u>
1978	88.9	12.5
1979	75.8	300.0
1980	83.6	300.0

10. COMMENT/QUESTION: Why make this area a state park? (Fairbanks.)

DISCUSSION: Scenic beauty, accessibility, minimum resource conflicts involving timber, minerals, oil and gas, and agriculture and developable lands.

RESPONSE: The State Constitution and Alaska Statutes Title 38 and 41 mandate the establishment of an Alaska State Park System and the Keystone Canyon area is immensely qualified for such status.

11. COMMENT/QUESTION: Didn't the bill fail last year? (Juneau.)

DISCUSSION: The Keystone Canyon State Park - introduced last year by a legislator - never reached a floor vote in the House and the Senate.

RESPONSE: Bill did not become law in the 9th State Legislature and has been submitted this year by Governor Hammond.

12. COMMENT/QUESTION: Would the Division of Parks zone private land within the park boundary? (Valdez.)

DISCUSSION: Efforts will be made to preserve the scenic quality of the park. There is very little private land within the park. It is our policy to work with local government for zoning ordinances prior to taking any state zoning action.

RESPONSE: The possibility of the Division of Parks zoning private lands within the park exists at a later day.

13. COMMENT/QUESTION: Which way is information flowing between the public and the Division of Parks? (Valdez.)

RESPONSE: Both directions, but the public meetings are for the primary purpose of receiving public comment.

14. COMMENT/QUESTION: The proposed Keystone Canyon State Park is too large. (Valdez.)

DISCUSSION: The proposed park covers 330,000 acres, mostly very steep mountainous country and glaciers.

RESPONSE: Size of park may be reduced by excluding developable lands on lower portion of Lowe River.

15. COMMENT/QUESTION: Why such a large park? Suggest a series of small roadside waysides and wilderness trails. (Valdez.)

DISCUSSION: The boundary of the proposed park has been drawn to include an optimum amount of highly scenic mountain country, primarily following hydrographic boundaries.

RESPONSE: The possibility of small roadside waysides and wilderness trails will not provide long-term assurance that lands around the waysides and trails will be protected from uses incompatible to public recreation and scenic protection.

16. COMMENT/QUESTION: Exclude 6,000 acres along Lowe River to the east of Keystone Canyon, in the vicinity of Sheep and Wortmans Creek, for development. (Valdez.)

DISCUSSION: The proposed park contains minimal development sites for campgrounds, picnic areas, visitor centers, etc. The forested area along the Lowe River in the vicinity of Sheep and Wortmans Creek provides interesting contrast to the rocky high country which constitutes 80 percent of the park.

RESPONSE: Park boundary will retain this area.

17. COMMENT/QUESTION: Disagree with giving the Commissioner of Natural Resources the discretionary power over approving utility or transportation project within the proposed Keystone Canyon State Park (41.20.475 (c) ). (Valdez.)

DISCUSSION: The Commissioner of Natural Resources presently has this power - the legislation only re-states it.

RESPONSE: Wording in legislation regarding discretionary power of commissioner to be retained.

James J. Shephard  
Star Route  
Valdez, Alaska 99686  
February 6, 1977

Representative Sally Smith  
Pouch V  
Juneau, Alaska

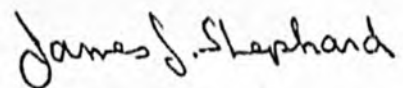
Dear Rep. Smith:

I would like to make a comment on the proposed Keystone Canyon State Park. As a land owner and resident of some of the private property located within the proposed boundaries, I object to the eminent domain provisions of the park bill.

My home and land is located at milepost 18 $\frac{1}{2}$  on the Richardson Highway, which is just about in the middle of the proposed park. I would like to be assured that my home and land is safe from public seizure (regardless of compensation) if the park bill ever becomes a reality.

Any advise or comments you could give me would be appreciated.

Sincerely,



James J. Shephard



## CITY OF VALDEZ

P.O. BOX 307  
PHONE: (907) 835-4313

ZIP CODE: 99686

January 31, 1977

Representative Al Osterback  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Subject: Senate Bill No. 73 - Keystone Canyon State Park

Dear Representative Osterback:

The citizens and city council of the city of Valdez, Alaska are violently opposed to the creation of the subject state park. This opposition has been expressed each time this specific park has been proposed since 1970.

Each time this proposal has been submitted, the City has taken exception to the superimposing of the park upon the city boundaries and encompassing privately owned lands. Each time the boundaries have been redrawn to conform to the City's demands. The proposal has been subsequently rejected and then reintroduced with the same old boundaries.

How many times do we have to oppose this same proposal? When is the State going to stop trying to force this park upon the City?

The Division of Parks allegedly scheduled a hearing in Valdez on January 11, 1977. No public notice was given; no contact made with City Hall and no one showed up at the hearing, not from lack of interest, but from lack of notice. Subsequently a hearing was held in Valdez on January 27, 1977, but only because a couple of Valdez citizens happened to attend the meeting scheduled in Anchorage and demanded a hearing in Valdez.

The proposal is completely unacceptable and the continued effort to sneak this legislation through is very repugnant. The State representatives, at the meeting on January 27, 1977, even failed to advise us that the bill had been introduced on January 19, 1977. The City's objections to the park are on file; however, the following is a brief summation.

1. The proposed park includes many private homes and private property.
2. Public utility corridors must be provided for, but presently are not.
3. Most of the park is inaccessible except to the most hardy and public penetration of the area is restricted to a very narrow margin along the existing road system.

Representative Al Osterback  
January 31, 1977  
Page 2

4. Valdez would become the only city in the country with sole land access through a state park.
5. Economic development in Valdez is dependent upon local planning and zoning powers without restrictions imposed by the State.

The Valdez hearing response from the public and from the official statement by the Chamber of Commerce and the city of Valdez has one hundred percent against park formation.

I encourage you to consider the desires of the citizens of Valdez and withdraw this bill from consideration.

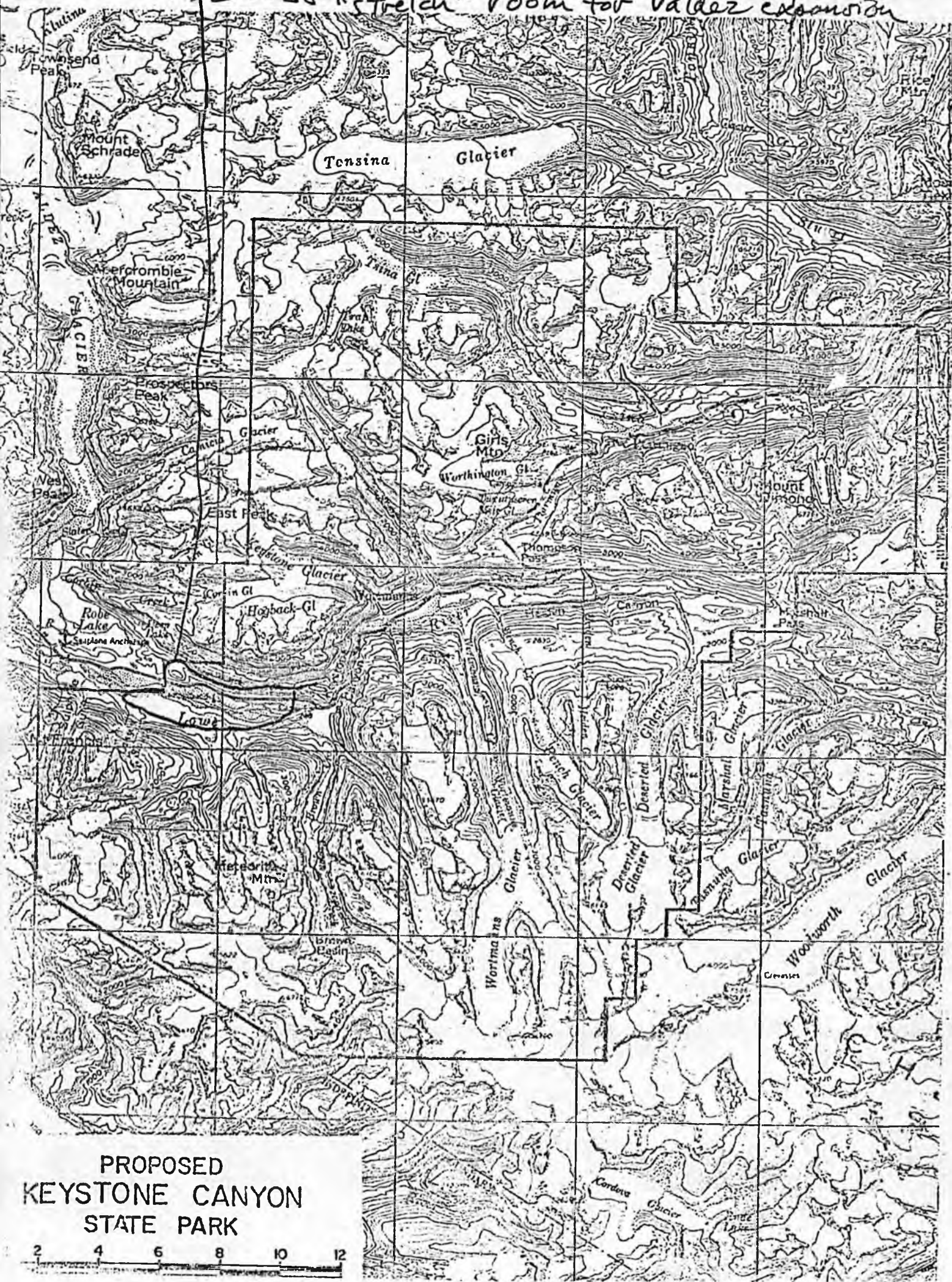
Respectfully yours,



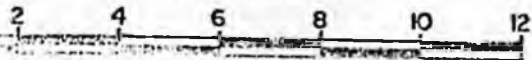
Herbert W. Lehfeldt  
City Manager

HWL:ss

I suggest we pull back in here to provide "stretch" room for Valdez expansion



PROPOSED  
KEYSTONE CANYON  
STATE PARK



2HB 13

James J. Shephard  
Star Route  
Valdez, Alaska 99686  
Feb. 6, 1977

Representative Alvin Osterack  
Pouch V  
Juneau, Alaska

Dear Rep. Osterack,

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My home and land is located at milepost 18 $\frac{1}{2}$  on the Richardson Highway which is just about in the middle of the proposed park. I would like to be assured that my home and land is safe from public seizure (regardless of compensation) if the park bill ever becomes a reality.

Any advise or comments you could give me would be appreciated.

Sincerely,

*James J. Shephard*

James J. Shephard

CITY OF VALDEZ  
All American City 1965  
P. O. BOX 307  
VALDEZ, ALASKA 99686

January 18, 1977

Mr. Russell W. Cahill, Director  
Division of Parks  
Department of Natural Resources  
323 East 4th Avenue  
Anchorage, Alaska 99501

Subject: Keystone Canyon State Park

Dear Mr. Cahill:

At its regular meeting of January 17, 1977, the Valdez City Council voted unanimously to oppose the creation of the Keystone Canyon State Park as set forth by the proposed legislation to be introduced by Governor Hammond.

When the first proposal for the Keystone Canyon State Park was presented in 1970, the city council, by Resolution No. 7002, opposed the proposed boundaries and requested that provision be made to provide for a perpetual general utilities corridor through the park.

Again in 1975 the City took precisely the same position and now again in 1977 the City is forced to assume the same negative position because the state Division of Parks refuses to recognize the legal rights of the citizens of Valdez.

As a result of the City's protests in 1975, a committee substitute for House Bill No. 163 was introduced. This bill attempted to resolve the conflicts between the state proposal and the city of Valdez. While still opposed to the proposal, the City felt that this bill reflected the least of two evils.

The citizens of Valdez are not opposed to state parks per se; but we are opposed to being strangled by the imposition of rigid regulations relating to access to our city and the utilization of properties within the city. Land use patterns are a local home rule responsibility. This is and has always been recognized and honored. What other city in the whole United States has other than a local city park superimposed upon its boundaries?


If the State wishes to develop hiking trails, visitor centers, ski trails or ski runs, additional camping areas, picnic or campgrounds, the City welcomes such improvements and encourages immediate construction; however, if this is the carrot to gain acceptance of the rigid restrictions on the use of the land, then - no thank you!

Division of Parks  
January 18, 1977  
Page 2

Surely these improvements can be made and enjoyed without infringing upon the local community.

Copies of this letter are being sent directly to the Governor, the Commissioner of Natural Resources, Senator Kertulla, Representative Specking and all other senators and representatives in order that there will be no misunderstanding as to Valdez's posture on this subject.

Very truly yours,



Herbert W. Lehfeldt  
City Manager

HWL:ss



CITY OF VALDEZ

P.O. BOX 307  
PHONE: (907) 835-4313

ZIP CODE: 99686

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Alaska State Legislature  
Pouch V  
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Respectfully yours,



Herbert W. Lehfeldt  
City Manager

HWL:ss



House of Representatives

DISTRICT 15

ADAK  
AKHIOK  
AKUTAN  
ALITAK  
ATKA  
BELKOFSKI  
CHIGNIK  
CHIGNIK LAGOON  
CHIGNIK LAKE  
COLD BAY  
FALSE PASS  
IVANOF BAY  
KARLUK  
KING COVE  
LARSEN BAY  
NELSON LAGOON  
NIKOLSKI  
OLD HARBOR  
PERRYVILLE  
PORT LIONS  
SAND POINT  
SQUAW HARBOR  
ST. GEORGE  
ST. PAUL  
UGANIK BAY  
UNALASKA

February 7, 1977

Ms. Beverly Robinson  
Pouch E  
Valdez Vanguard  
Valdez, Alaska

Dear Beverly:

House Bill 73 relating to the Keystone Canyon State Park will be before the House Resources Committee on February 15, 1977 at 1:15 p.m. in room 118, Capitol Building.

Sincerely,

Diann L. Nelson  
Administrative Assistant

# Valdez Vanguard

"Where the news you  
want to know comes first"

January 31, 1977

Alvin Osterback  
Chairman  
House Resources Committee  
Pouch V  
Juneau, Ak. 99811

Dear Sir,

I have been notified by Neal Johannsen, Chief of the Parks Dept., that the resources committee has requested a hearing concerning the proposal for a Keystone Canyon State Park.

I would like to know if, in fact, such a meeting will take place, when and where. I would appreciate receiving any information regarding the committees work on this proposal.

Sincerely,

*Beverly Robinson*

Valdez Vanguard  
"Where the news you want to know comes first"

Tues.  
T

Sally,  
Give to  
Ruth

January 31, 1977

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Chairman  
House Resources Committee  
Pouch V  
Juneau, Ak. 99811

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