



Introduced: 4/20/83  
Referred: Resources and Finance

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 HOUSE CONCURRENT RESOLUTION NO. 31  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 Relating to protection and preservation  
6 of the Kenai River.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS the legislature finds that the Kenai River is an important  
9 natural resource and that it must be protected and preserved for the maxi-  
10 mum benefit of all Alaskans; and

11 WHEREAS the vitality of the Kenai River is threatened; power boat  
12 wakes and streambank development have contributed to the erosion of river  
13 banks and degradation of fish beds; increased user traffic on the river  
14 endangers fish and wildlife habitats; competition among sportfishers,  
15 professional guides, and persons who use the river for recreation and  
16 transportation creates overcrowded, hazardous, and unpleasant conditions;  
17 and

18 WHEREAS a multitude of state and federal agencies with jurisdiction  
19 over various aspects of the Kenai River have created a labyrinth of regu-  
20 lations without effectively preventing the deterioration of the river; and

21 WHEREAS a need exists for an interagency effort to make a comprehen-  
22 sive study of the problems of the Kenai River, to recommend a coordinated  
23 approach to solving those problems, and to take emergency action necessary  
24 to deal with the most immediate problems of the river;

25 BE IT RESOLVED that the Alaska State Legislature respectfully requests  
26 the governor to organize through the governor's office representatives from  
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28 Resources, and Public Safety who shall

29 (1) solicit and consider information from federal agencies,

1 local governments, industries, landowners, persons engaged in fishing, and  
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3 (2) make a comprehensive study of state and federal laws affect-  
4 ing the Kenai River, users of the river, land adjacent to the river, and  
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6 (3) identify areas of overlapping or conflicting jurisdiction  
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8 River;

9 (4) identify Kenai River problems over which no agency has  
10 jurisdiction;

11 (5) publish a list of priorities for the uses of the Kenai  
12 River;

13 (6) recommend, in a coordinated and comprehensive manner,  
14 regulations to be adopted or actions to be taken by state and federal  
15 agencies to address the problems of the Kenai River; and

16 (7) report the findings and recommendations to the Second Ses-  
17 sion of the Thirteenth Alaska State Legislature; and be it

18 FURTHER RESOLVED that the Departments of Environmental Conservation,  
19 Fish and Game, Natural Resources, and Public Safety are respectfully re-  
20 quested to adopt regulations, including emergency regulations, to correct  
21 the immediate problems on the Kenai River.

I. REQUEST

Bill/Resolution No.: HCR 31  
 Title: Kenai River Protection  
 Sponsor: Resources  
 Requestor: House Finance

II. FISCAL DETAIL

Agency Affected: Gov. Coord. OMB  
 Program Category Affected: Gen. Gov.  
 BRU, Program of Subprogram(s) Affected:  
Office of the Governor - OMB

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		-0-				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		-0-				
PART-TIME						
TEMPORARY						

~~XXXX SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:~~

Using the existing coordination system of GCU/OMB, the office can research the recommendations of the Kenai River Task Force, help formulate an administrative position on the recommendations plus appropriate alternatives, and present recommendations for action to the next session of the Legislature. This can be accomplished using funds requested in the Government's revised budget for OMB.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: *J. H. Hogan* Phone: 465-3562  
 Division: Governmental Coordination Date: 5-5-83  
 Approved by Commissioner: *[Signature]* Date: 5-5-83  
 Department: Director, Office of Management and Budget

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

STATE OF ALASKA  
FISCAL NOTE

Revision Date \_\_\_\_\_, 1983

I. REQUEST

Bill/Resolution No.: HCR 31  
 Title: River Commission  
 Sponsor: House Resources  
 Requestor: House Resources

II. FISCAL DETAIL

Agency Affected: Public Safety  
 Program Category Affected: Justice/NRMEC  
 BRU, Program of Subprogram(s) Affected: AST and FWP

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<b>OPERATING</b>						
100 PERSONAL SERVICES		33.1	35.1	37.2	39.4	41.8
200 TRAVEL						
300 CONTRACTUAL		.6	.6	.7	.7	.8
400 COMMODITIES		1.0	1.1	1.1	1.2	1.3
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
<b>TOTAL OPERATING</b>		34.7	36.8	39.0	41.3	43.9
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		34.7	36.8	39.0	41.3	43.9
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						
STAFF MONTHS		5.6	5.6	5.6	5.6	5.6

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not identified.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: <sup>g.c.a.</sup> Francis C. Allan / <sup>JK</sup> Capt. James Nutgrass Phone: 269-5691/269-5589  
 Division: Alaska State Troopers / Fish & Wildlife Prot. Date: 4-22-83

Approved by Commissioner: R. J. Sundberg <sup>JK</sup> Date: 4/27/83  
 Department: Public Safety

Distribution:

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3/8/83

## ANALYSIS

The Division of Alaska State Troopers and Fish and Wildlife Protection have examined the "Final Statement Of Findings" of the Kenai River Task Force dated March 1983. This report recommends the following for the Department of Public Safety on page 31 of the report:

"Increase public safety patrols. Specifically, three new patrol officer positions should be created and funded; and they should be assigned to the (Kenai) River full time during June and July. Increased enforcement patrols could substantially reduce the conflicts."

While we would like to meet the recommendation of the Task Force, it is impractical to employ two full time officers all year and only work them on the Kenai River for two months. We believe that we can more economically provide a similar amount of coverage by receiving funding for additional overtime for our current staff plus some operating costs for the boats already available. These costs are summarized as follows:

	<u>FWP</u>	<u>AST</u>	<u>DPS TOTAL</u>
<u>Personal Services</u> - 500 hrs. overtime for FWP & 400 for AST @ - 76D	14,500	11,540	26,040
Benefits @ .2721	3,945	3,140	7,085
Subtotal	<u>18,445</u>	<u>14,680</u>	<u>33,125</u>
<u>Contractual</u> - Additional repair on boats/motors due to increased use	600		600
<u>Commodities</u> - Fuel, oil etc to operate current equipment	<u>1,000</u>	_____	<u>1,000</u>
TOTAL	<u>20,045</u>	<u>14,680</u>	<u>34,725</u>

It should be noted that this fiscal note is submitted with the assumption that the River Commission will be issuing a minimum number of orders or regulations that would require direct law enforcement personnel involvement to assure that these requirements are followed. Should this not prove to be a correct assumption a substantially more sizeable fiscal impact would be required.

NOTE: 6% inflation factor has been calculated on all costs after FY'84.

The following individuals are expected to testify on HCR 31:  
Rep. Ringstad, Co Chair, House Resouces Committee (or staff)

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Jay Hogan, OMB, will be available to answer questions

STATE OF ALASKA  
FISCAL NOTE

Rec'd 5/1/83

Revision Date \_\_\_\_\_, 1983

I. REQUEST

Bill/Resolution No.: HCR 31  
 Title: Protection of Kenai River  
 Sponsor: Resources  
 Requestor: \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected: DEC  
 Program Category Affected: Water Quality  
 BRU, Program of Subprogram(s) Affected: Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<b>OPERATING</b>						
100 PERSONAL SERVICES			57.0	60.0	63.0	66.0
200 TRAVEL		5.0	5.0	5.0	6.0	6.0
300 CONTRACTUAL		62.0	2.0	2.0	3.0	3.0
400 COMMODITIES		1.0	1.0	1.0	1.0	1.0
500 EQUIPMENT			1.0			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
<b>TOTAL OPERATING</b>		68.0	66.0	68.0	73.0	76.0
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND		68.0	66.0	68.0	73.0	76.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME			1.5	1.5	1.5	1.5
PART-TIME						
TEMPORARY		1.75				
	0	1.75	1.5	1.5	1.5	1.5

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Randy Bayliss Phone: 465-2653  
 Division: EOM Date: 6/1/83

Approved by Commissioner: Richard A. Nunez Date: 6/3/83  
 Department: DISC

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3/8/83

HCR 31 - RELATING TO PROTECTION  
AND PRESERVATION OF THE KENAI RIVER

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
POSITION PAPER

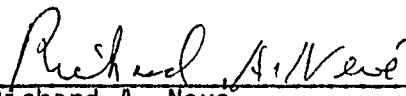
BEFORE THE SENATE RESOURCES COMMITTEE  
June 3, 1983

Summary: The Department of Environmental Conservation supports the proposed protection and preservation measures of the Kenai River

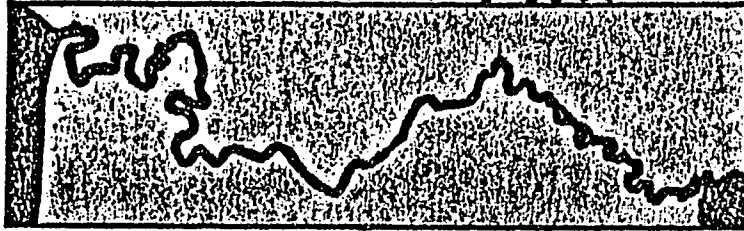
Pressures escalate on the already pressurized Kenai River system. In or near river developments trammel streambank integrity, with erosion or siltration rendering waters unfit for spawning or production of salmon. Wastes litter the water and river bank. Inadequately treated sewage trickles into the same waters crowded with wading fishermen with barely elbow room to cast.

The Resolution would impact DEC in the following three ways:

1. Planning: HCR 31 calls for intensive, almost frantic, short-term planning and coordination efforts, with reports and recommendation due early next spring. Two or at least one, full-time person would be required to do justice to the detail specified in HCR 31 because of the short-term nature, this activity would be best contracted.
2. Enforcement: HCR 31 calls for regulations, and specifically emergency regulations, to implement recommendations. Development and enforcement of regulations would both add at least one full-time position on a long-term basis.
3. Permits: After implementation of recommendations, additional scrutiny and coordination would be likely loaded on top of DEC's existing permit programs for water-related developments. At least another half-time position would be necessary.

  
Richard A. Neve  
Commissioner

# FROM: KENAI RIVER STATE PARK UNITS MASTER PLAN



## ANALYSIS AND EVALUATION

Based upon factors such as the natural and social environments, existing recreational patterns, emerging recreational trends and issues, and public opinion and perceptions, several conclusions can be drawn concerning the role of the State Park System on the Kenai River. Information provided in preceding chapters has been synthesized in order to present specific recommendations. For clarity, the analysis discussion is divided into these categories:

- Overall river management
- Spectrum of recreational opportunities
- Environmental protection
- Major actions, proposals affecting recreation

### Overall River Management

An overriding public concern is the lack of comprehensive management of the river itself. Various public agencies have specific responsibilities in the river corridor (See Figure 22, page 44), but none of these agencies has an overall coordinating function, thus land and water use proposals and developments are evaluated and managed only from narrow perspectives. Because many

developments and activities have secondary or cumulative effects, the river has suffered from a lack of comprehensive management technique.

The Kenai River needs a lead group or agency whose mission is the protection of the river's natural systems and the coordination of the various, and sometimes competing, human enterprises which the river attracts. This clearinghouse function can be accomplished in a number of ways. Because many of the activities causing concern are recreational in nature, it has been suggested that the Division of Parks assume responsibility for managing the river water column in addition to managing the specific park units. Under this proposal, the division would manage the river as it does other park units. Regulations would be formulated concerning acceptable and unacceptable activities. Boat types, engine horsepowers, motorized and non-motorized boating areas, speed limits and commercial enterprises would be regulated by the division.

As the Division of Parks is not presently capable of assuming such a monumental

responsibility, it is recommended that an ad-hoc group - representing the agencies with jurisdiction on the river - be convened to examine the various problems. This is consistent with a directive by Governor Hammond to the Departments of Natural Resources and Fish and Game to begin cooperative planning for management of state-owned resources. These state agencies should be joined by their counterparts at the federal and local governmental levels. After being given a report from the assembled agencies concerning jurisdictions, policies, responsibilities and possible approaches for comprehensive river management, the governor might convene a citizens' task force. This group could be made up of non-affiliated citizens and report directly to the governor with its final recommendations.

## Spectrum of Recreational Opportunities

Recreation on the Kenai River is overwhelmingly oriented towards sport fishing and boating, yet there are other activities and opportunities, which become apparent on close examination and evaluation. These opportunities will affect the division's recommendations for various park units.

In the lower river stretch, from river mile 0 at Cook Inlet to mile 12, the river gradient lessens and water velocity slows considerably. The river undergoes a dramatic change from the well-defined and often steep-banked channel found upstream to a slow, meandering channel which waves to and fro within a wide, flat wetland. These wetlands host significant populations of

**Figure 22. SELECTED AGENCIES HAVING RESPONSIBILITIES ALONG THE KENAI RIVER**

	RESPONSIBILITY / AREA OF EXPERTISE														
	Recreation	Land Management	Coastal Management	Solid Waste Management	Land Use Planning	Public Safety	Commercial Fishing	Sport Fishing	Wildlife Habitat Protection	Wetlands Development	Water Quality Protection	Law Enforcement	Public Works Projects	Natural Resources Research	Natural Resources Development
FEDERAL AGENCIES	U.S. FOREST SERVICE	•													
	SOIL CONSERVATION SERVICE														
	NATIONAL MARINE FISHERIES SERVICE														
	ARMY CORPS OF ENGINEERS														
	ENVIRONMENTAL PROTECTION AGENCY														
	BUREAU OF LAND MANAGEMENT														
	U.S. FISH AND WILDLIFE SERVICE														
	U.S. GEOLOGICAL SURVEY														
STATE AGENCIES	U.S. COAST GUARD														
	DEPT. OF COMMUNITY AND REGIONAL AFFAIRS														
	DEPT. OF ENVIRONMENTAL CONSERVATION														
	DEPT. OF FISH AND GAME														
	DEPT. OF NATURAL RESOURCES, LAND AND WATER														
	DEPT. OF NATURAL RESOURCES, PARKS														
	DEPT. OF PUBLIC SAFETY														
LOCAL AGENCIES	DEPT. OF TRANSPORTATION AND PUBLIC FACILITIES														
	KENAI PENINSULA BOROUGH														
	CITY OF SOLDOTNA														
	CITY OF KENAI														

Source: Alaska Division of Parks

# Alaska State Legislature

Representative Milo Fritz  
District 5  
P.O. Box 158  
Anchor Point, Alaska 99556  
(907) 235-8366



While In Juneau  
Pouch V  
Juneau, Alaska 99811  
(907) 465-4833

## MEMORANDUM

## House of Representatives

MILO FRITZ

TO: Representative Al Adams  
Chairman, House Finance Committee

FROM: Representative Milo H. Fritz *MAF*

DATE: May 12, 1983

RE: HCR 31, "Relating to protection and preservation of the Kenai River."

One of the world-renowned salmon-fishing streams is the Kenai River. Because of the never-ending struggle between commercial fishermen in Cook Inlet and sports fishermen on the river, jurisdictional disputes between the Department of Public Safety, the Coast Guard, and the enforcement arm of the Department of Fish and Game are common. In the appended report, there is overlapping authority of 20 different agencies, none of which has authority to establish rules for the proper use of this stream. Therefore, the future of the river as a sport, commercial, and tourist resource is in grave jeopardy.

While departments and divisions wrangle, the commercial fishing lowers escapement of salmon up the Kenai River to their spawning bed, excessive sports fishing decimates fish still further, and the presence of guides and others in excessive numbers using power boats not only erode the banks and disturb the fishing ground, but also make this hitherto quiet retreat into a commercial bedlam.

CSHB 278, "An Act establishing a Kenai River Commission," is a proposed course of action to save the Kenai River as a resource. However, during committee hearings in the House Resources Committee, it became apparent that the Sheffield administration was against setting up a Kenai River Commission. Mr. Ray Hogan, speaking for the administration, proposed setting up an agency task force to solve the problem with legislative support in the form of a resolution. HCR 31 asks that the state agencies immediately review the problem, take what emergency measures are necessary, and then study the problems of the Kenai River. They will be requested to report back to the second session of the Thirteenth Alaska State Legislature.

Representative Al Adams

Page 2

May 12, 1983

I am in complete support of the resolution, and urge immediate consideration of this urgent issue.

dss

Introduced: 4/20/83  
Referred: Resources and Finance

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BY THE RESOURCES COMMITTEE

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