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337

COMMITTEE REPORT

HOUSE

(9)

FURTHER: FINANCE

1/30/84

Date: 02/20/84

The Committee on RESOURCES has had HB 551

"An Act relating to the Delta Junction bison range; and providing for an effective date."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 551 same title
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

<u>Diak Shultz</u>	SHULTZ
<u>Howard J. Larson</u>	LARSON
<u>Robert Vaska</u>	VASKA
<u>Walter Buswell</u>	BUSWELL
<u>John J. Liska</u>	LISKA
<u>John H. Lowderly</u>	LOWDERLY
<u>Richard Uehling</u>	UEHLING
<u>Richard Ringstad</u>	RINGSTAD

Richard Ringstad
CHAIRMAN

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 337
Title: Delta Junction Bison Range

Sponsor: Moss
Requestor: _____
Date of Request: 1/9/84

FISCAL DETAIL

Agency Affected: Natural Resources
Program Category Affected: Presuppression / North central Small Timber Sale
BRU, Program or Subprogram(s) Affected: Forest Management / Forest Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 CRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

SB 338 appropriates \$60,000 from the general fund to the Department of Natural Resources for administration of timber sales and fire suppression on the Delta Bison Range

ANALYSIS: Attach a separate page for analysis

Prepared By: Carol Wilson Phone: 465-2400
Division: Commissioner's Office Date: 2-16-84
Approved by Commissioner: Wm D. Amiel, Director Date: 2-16-84
Agency: Department of Natural Resources

Distribution (by Agency preparing fiscal note):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

12/1/83



Alaska State Legislature

House of Representatives

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business To: Committee members

From: Resource Committee Staff

Date: May 11, 1984

Re: Analysis of SB 337, The Delta Junction Bison Range

I. Legislative History.

The Delta Junction Bison Range Area was created by law, HB 31, during the 1979 legislative session. The purpose of the Range was to perpetuate the free-ranging of bison in the Delta Junction area. Its goal was to allow for adequate winter grazing for the bison on the range. Also, because of the damage caused to the herds by the agriculture projects, the range was to aid in altering the seasonal movements of bison herds.

Originally, the Delta Junction Bison Range area was to only be in existence for three years, starting August 1, 1979, and terminating on August 1, 1982. (see Sec. 3 of Chapter 39, SLA 1979) However, this date was extended to August 1, 1989. (see Sec. 1, Ch. 73, SLA 1980)

II. The Situation Today.

Apparently, there still exists problems with the Delta Bison herd. The agricultural project provides a threat to the bison, due the fact that bison are a grazing animal, and they like barley. Thus, they graze on or near the site of the farms. The problem really exists because the Bison Range has never really been completed. The intent of the 1979 legislation has never been enacted.

This year, a group of Delta area residents began meeting to attempt to find a solution to the problem. The group is composed of farmers, sportsmen, a representative from the Division of Game, representatives from the logging industry, and other concerned Delta area residents.

SB 337 is one product of this Delta area group.

III. Sectional Analysis of HCS CSSB 337(Res)

- Section 1. Amends existing AS 16.05.346 by adding subsection (b) which raises the permitting fee for bison from \$5 to \$10.
- Section 2. Returns AS 16.05.346 to its original form. This section just deals with how the Department shall issue permits.

- Section 3. This amends AS 16.20 by creating timber sales on the Delta Junction Bison Range. Requires that DNR, division of Forestry, provide for the sale of timber on the range.
- Section 4. Repeals the new section added to AS 16.20 which provides for the sale of timber on the bison range. (Does not get repealed until Aug, 1984, see sec. 6)
- Section 5. Effective date for Sec.s 1. and 3. is July 1, 1984.
- Section 6. Effective date for Sec.s 2. and 4. is August 1, 1989.

SENATE SFECIAL COMMITTEE ON AGRICULTURE
Senator H. Pappy Moss, Chairman

SENATE BILL 337 AND ITS COMPANION BILL IN THE HOUSE, HOUSE BILL 552, OFFER THE SOLUTIONS WHICH WILL PUT AN END TO BISON TRASSPASSING IN THE AGRICULTURAL PROJECTS. THE EFFECTIVENESS OF DEVELOPING AN ALTERNATE GRAZING AREA FOR THE BISON HAS BEEN SHOWN. THE PLANTING ON THE DELTA JUNCTION BISON RANGE LAST YEAR WAS SUFFICIENT TO HOLD THE BISON IN THAT AREA FOR WEEKS BEYOND THEIR USUAL STAY.

SENATE BILL 337 & HOUSE BILL 552 PROVIDE FOR COMPLETING THE DEVELOPMENT OF THE BISON RANGE. THE DEPARTMENT OF FISH AND GAME FEELS THAT THIS WILL KEEP THE BISON HOME ON THE RANGE, SOLVING THE PROBLEM THAT HAS BEEN PLAGUING FARMERS WHOSE CROPS RIPEN IN THE FIELDS JUST AS THE BISON'S WINTER MIGRATION BRINGS THEM, HUNGRY, HOME FROM THE HILLS.

SENATE BILL 337 RAISES THE BISON HUNT PERMIT FEE FROM FIVE DOLLARS TO TEN DOLLARS. WITH OVER 10,000 PEOPLE APPLYING FOR THESE PERMITS EACH YEAR, WE BELIEVE THE BISON RANGE WILL BE GENEPRATING ENOUGH REVENUE TO MORE THAN COVER THE EXPENSE OF ITS MAINTAINCE. ADDITIONALLY, THE INCREASE IN THE STATE'S FISH AND GAME BUDGET WILL GENERATE MATCHING FEDERAL MONIES FOR THAT DEPARTMENT'S OPERATIONS. THIS BILL ALSO ESTABLISHES A BISON RANGE ADVISORY COMMITTEE AND PROVIDES FOR D.N.R. TO MANAGE TIMBER SALES ON THE RANGE AREA.

HOUSE BILL 552 PROVIDES FUNDING FOR THE DEVELOPMENT OF THE RANGE AND FOR THE ADMINISTRATION OF TIMBER SALES AND FIRE SUPPRESSION.

FOR YEARS WE HAVE BEEN HEARING BUFFALO BILLS TESTIMONY IN THE HOUSE AND THE SENATE. SENATE BILL 337 TOGETHER WITH HOUSE BILL 552 WILL GO FURTHER TOWARD RESOLVING THE HUNGRY BISON/IRRATE FARMER CONFLICT THAN ANY WE HAVE SEEN BEFORE. BOTH LOVE THE LOOK OF A RIPE AND HEALTHY FIELD OF BARLEY. WHILE THE BISON DON'T SEEM TO BE ABLE TO SHARE WITH THE FARMER, THEY CAN SHARE THEIR EXPANDED RANGE WITH MOOSE, CARIBOU, BEAR, GROUSE, AND OTHER WILDLIFE IN THE AREA. THEY ALSO PEACEFULLY SHARE THEIR RANGE WITH THE PUBLIC, WHICH USES THE RANGE FOR CAMPING, FISHING, HUNTING, TRAPPING, HIKING, DOG SLED RACING, AND SO ON.

THE PASSAGE OF THESE BILLS SHOULD GO A LONG WAY TOWARD ENSURING THAT THE PROBLEMS OF THE DELTA JUNCTION BISON RANGE WILL FINALLY BE TAKEN CARE OF.

SENATE SPECIAL COMMITTEE ON AGRICULTURE
Senator H. Pappy Moss, Chairman

Sectional Analysis of HCS CSSB 337(Res)

- Section 1. Amends the existing AS 16.05.346 by adding subsection (b) which raises the perming fee for bison from \$5 to \$10.
- Section 2. Returns AS 16.05.346 to its original form.
- Section 3. Adds a new section to AS 16.20 which provides for the sale of timber on the bison range.
- Section 4. Repeals the new section added to AS 16.20 which provides for the sale of timber on the bison range.
- Section 5. Effective date for Sec.; 1. and 3. is July 1, 1984.
- Section 6. Effective date for Sec.s 2. and 4. is August 1, 1989.

SENATE SPECIAL COMMITTEE ON AGRICULTURE
Senator H. Pappy Moss, Chairman

NOTES ON THE DELTA JUNCTION BISON RANGE

BACKGROUND

The Delta Junction Bison Range was established by the Alaska Legislature in 1979 to "provide an adequate winter range for the bison," and to "diminish the damage caused by the herds to agriculturally developed land." The 70,000 acre Range grew out of the Delta Land Use Plan, in which citizens and agencies involved in resource management recommended that the land north of the mountains and south of the Alaska Highway should be used for recreation and wildlife, especially bison, and the land north of the highway should be developed for agriculture.

THE PROBLEM

Shortly after their arrival in the Delta area in 1928, a pattern of annual bison movements began to emerge. During summer, the animals spent their time on the gravel bars along the Delta River, and in fall they gradually moved to the Delta area to take advantage of the open forests. Later in the winter, they slowly moved back toward Delta River. This basic movement pattern continues today.

When small farms were developed in the Delta area in the early 1950's, the grain fields in the farming area became, and will continue to be until some alternative has been provided, a major part of the bison's winter range. The development of the Bison Range will provide diversion feed areas, and as they are increased in size, they will become able to support the bison throughout the winter periods.

THE SOLUTION

The effectiveness of providing an alternate range to the agriculture fields has been shown. As land on the Range has been cleared and planted, bison use of the range has increased and agricultural damage has been reduced. Implementation of Senate Bills 337 and House Bill 552 would provide fall bison range to reduce or eliminate crop depredations; increase bison winter range; and also provide a variety of habitats for game and nongame species. Recreational opportunities including hunting, trapping, viewing, and photography would be enhanced. Timber resources would be harvested, offsetting the costs of development over time and boosting the local economy.

QUESTIONS AND THOUGHTS ON THE BISON HERD
AND BISON RANGE DEVELOPMENT

Senator H. Pappy Moss
February, 1984

1. How many bison are in the herd today?

According to Dave Johnson, Fish and Game Biologist at Delta Junction, there are between 300 and 325 bison now in the herd. His approximate figure is 321. By the spring, immediately prior to calving, this number will have been reduced by roadkills and hunting to approximately 300.

2. How many farms are actually impacted by the bison damage?

Before development of the Delta I & II projects, the bison roamed the Clearwater/Big Delta agricultural areas. Since the Delta I & II projects have been producing crops, most of the damage done has occurred there. In 1983, the winter bison range supported the bison herd through September, significantly reducing the amount of damage to crops. However, by September, having depleted the forage on the winter range, the bison moved across the highway to the Brehmer tract and up the Gerstle River to the Mitchell and Rutt tracts where they still caused considerable damage to the crops.

The damage to the crops is caused by the bison eating, trampling, and wallowing in the fields, and also by contamination of certified fields through the introduction of non-certified grains and weeds via the bison's droppings.

3. Is there any barrier currently in place and what exactly is a bison drift barrier?

There is currently no bison drift barrier in place. The proposed bison drift barrier is a training device more than a physical barrier. It is a type of fence that is commonly used in bison and other wildlife management. The barrier is constructed of four high tensile strength smooth steel wires, two of which are electrified.

The barrier will not contain the herd, but will deflect their movement away from the agricultural areas.

4. How important is the barrier to the effectiveness of this bill?

The main emphasis of the bill is the development of the winter range for the bison. The development of the range will largely control the bison herd by providing a diversionary planting which will be an attractive alternative to the agricultural fields. The barrier reinforces the use of the bison range by the herd by deflecting their movement back into that area.

The conflict between the bison and the farmers develops between August and October. This harvesting time for the farmer coincides with the depletion of the bison's currently available winter forage.

5. Why is an Advisory Committee necessary?

There are few issues that an entire community can come to total agreement on. The City of Delta Junction, from a diversity of areas within the community, uniformly supports the bison herd. Input from Advisory Committee members representing the Delta agricultural project; nonconsumptive wildlife users; timber, mining and other consumptive natural resource industries; and tourism would offer local advice to the Department of Fish and Game, the Department of Commerce and Economic Development, and the Alaska Agricultural Action Council. Local participation in the development of a game management plan and the construction and maintenance of the bison drift barrier would help maintain the consolidated support for the bison projects within the community. The Advisory Committee, representing all concerned factions of the community would be of considerable help to the state departments in developing policies in a mood of compromise and single purpose, rather than in conflict.

Members of the Advisory Committee would not be entitled to per diem, travel, or other compensation from the state for their duties as committee members, so there would be no fiscal impact from this portion of the bill.

6. What tourist facilities exist at this time, and what type are being proposed?

There are currently no tourist facilities at the Bison Range. There is a general tourist information center in the City of Delta Junction about 13 miles to the northwest which is operated by the Chamber of Commerce. There is no special presentation there, or at the range, where the bison project and the bison range could be explained to the public at this time.

Simple viewing platforms are being proposed. There are two well sites on the range where pools would be developed and salt would be placed to attract the bison. In nearby groves of trees, elevated

platforms with slots or holes in plywood fronts facing the watering holes would be set up. These platforms would provide viewing and photography sites where tourists could observe the bison without disturbing them. These sites would be within reasonable walking distance from the highway. These facilities will be simple and relatively easy to build and maintain.

Future development of the tourist facilities at the range would be gradual and based upon the use and demand placed upon the existing facilities. A more elaborate facility might include an information station or an interpretation center at the range and special guided tours into the range. Any funds generated by offering these tours, or through sale of publications at the information center, could be fed back into the program to further develop walking trails or interpretive exhibits at the range.

7. What type of burning is required to clear the range?

Originally, naturally caused wildfires periodically swept the range, keeping it clear of brush and deciduous growth. The absence of brush allowed the winds to sweep the range clear of snow, enabling the bison to graze throughout the winter. When the area became populated, the wildfires were strictly controlled, and much of the grazing area became covered with dense brush. This allowed the snow to accumulate in drifts, burving what grazing range had been left available to the bison in their original winter range.

The burning which will be required to clear the range will duplicate the action of the natural wildfires by removing the brush thereby increasing light and moisture available to the natural grass seed. The natural grasses will be able to grow back and become re-established as a perennial. The low brush which does follow after such prescribed burning creates a browse for moose, which also inhabit the range area.

Prescribed burning takes place under strictly controlled conditions with extreme precautions against mishap. Only when wind and moisture conditions are exactly right for that operation, would the burning be allowed. Extensive measures are taken to insure safety during this operation which involves the use of a helicopter and over 60 people to monitor the burn. The cost of providing a range by this method of burning and natural seeding is approximately \$20/acre as compared to \$100/acre for conventional clearing and seeding.

8. Why are the hunt permit fees being raised, and who administers the Bison Hunt Permits?

The Alaska Department of Fish and Game issues the Bison Hunt Permits. There were 75 permits issued last year among 10,000 applicants. The plan to raise the fee for application from five dollars to ten dollars will increase the revenue from that sale to about \$100,000 to the state. The addition \$50,000 obtained is approximately the same amount as would be required to maintain the larger bison range. The increase in permit application fees is supported by the Alaska Outdoors Council.

9. Is there currently any timber harvesting on the bison range?

Within the bison range there have already been some small scale timber sales. Some areas within the bison range have been marked for timber sales, and the sales would be administered by the Division of Forestry. Approximately \$32,000 is expected to be derived from sales of firewood and pole cutting after burns. Increased revenues would be obtained by commercial sales. This combined personal use/commercial timber harvest sale would be managed by staff from the Delta area already employed by the Division of Forestry.

10. Is the range a bison reserve to be used exclusively by the bison?

No, in addition to serving as the bison's winter range, the area would also serve moose, caribou and other wildlife indigenous to the area. The Range would provide a new habitat for sharp-tailed grouse and additional hunting opportunities for bison, moose, bear, grouse, hare, and furbearers. The area is also used for recreational purposes as well as for timber and firewood sales, with the public being encouraged to use the area for camping, fishing, hunting, trapping, hiking, viewing, photography, dog sled racing and so forth.

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§ 16.20.270

FISH AND GAME

§ 16.20.300

(b) the board shall require the person or governmental agency to obtain the written approval of the commissioner as to the sufficiency of the plans or specifications before construction is commenced. (§ 2 ch 140 1972; am § 28 ch 206 SLA 1975)

Sec. 16.20.270. Additional critical habitat areas. The commissioner shall submit a list of additional critical habitat areas to the legislature annually. (§ 2 ch 140 SLA 1972)

Article 6. State Range Areas.

Section

- 300. Delta Junction Bison Range Area
- 310. Game management plan
- 320. Activities on range area

Cross reference. — For legislative purpose, see sec. 1, ch. 39, SLA 1979 in the Temporary and Special Acts. Editor's notes. — Section 3, ch. 39, SLA 1979, as amended by sec. 1, ch. 73, SLA 1980, provides that the provisions of AS 16.20.300 — 16.20.320 "terminate" on August 1, 1989.

Sec. 16.20.300. Delta Junction Bison Range Area. The following described areas, excluding valid existing rights, are established as the Delta Junction Bison Range Area:

(1) Township 11 South, Range 12 East, Fairbanks Meridian

Section 28: S 1/2 SW 1/4, SW 1/4 SE 1/4 and that portion of the NW 1/4 SW 1/4 east of the west bank of Granite Creek excluding A.S.L.S. 78-93, Tract A, Unit 1

Sections 29, 32: those lands east of the west bank of Granite Creek

Section 33: all, excluding A.S.L.S. 78-93, Tract A, Unit 1

Section 34: S 1/2 NW 1/4, excluding A.S.L.S. 78-93, Tract A, Unit 1, S 1/2

Section 35: S 1/2, S 1/2 NW 1/4, that portion of the NE 1/4 lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

Section 36: that portion lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

(2) Township 12 South, Range 11 East, Fairbanks Meridian

Sections 13, 24-26, 35, 36: all

Sections 1, 11, 12, 14, 22, 23, 27, 34: those lands east of the west bank of Granite Creek

(3) Township 12 South, Range 12 East, Fairbanks Meridian

Sections 1-4, 7-25, 30, 36: all

Sections 5, 6: those lands east of the west bank of Granite Creek

(4) Township 12 South, Range 13 East, Fairbanks Meridian
Sections 5, 6, 9: that portion lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

Section 7: all

Section 8: all, excluding a corridor extending 1320 feet from the centerline of the Alaska Highway

Section 10: that portion of the SW 1/4 lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

Section 14: S 1/2 S 1/2 SW 1/4

Section 15: S 1/2, NW 1/4, excluding a corridor extending 1320 feet from the centerline of the Alaska Highway

Sections 16-22: all

Section 23: S 1/2, NW 1/4, S 1/2 NE 1/4, S 1/2 N 1/2 NE 1/4

Section 24: SW 1/4, S 1/2 NW 1/4, excluding a corridor extending 1320 feet from the centerline of the Alaska Highway, S 1/2 S 1/2 SE 1/4

Sections 25-36: all

(5) Township 12 South, Range 14 East, Fairbanks Meridian

Sections 19, 28-30, 33-35: that portion lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

Sections 31, 32: all

(6) Township 13 South, Range 13 East, Fairbanks Meridian

Sections 1-5, 9-15, 23-25, 36: all

(7) Township 13 South, Range 14 East, Fairbanks Meridian

Section 1: that portion lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

Sections 2-36: all

(8) Township 13 South, Range 15 East, Fairbanks Meridian

Sections 5, 6, 8-10, 15: that portion lying south of the Alaska Highway excluding a corridor extending 1320 feet from the centerline of the highway

Sections 7, 16-20, 30: all

Sections 21, 22, 28, 29, 31, 32: that portion lying west of the east bank of the Little Gerstle River

(9) Township 14 South, Range 14 East, Fairbanks Meridian

Section 1: that portion lying west of the east bank of the Little Gerstle River

Sections 2-6: all

(10) Township 14 South, Range 13 East, Fairbanks Meridian

Section 1: all

(11) Township 14 South, Range 15 East, Fairbanks Meridian

Section 6: that portion lying west of the east bank of the Little Gerstle River. (§ 2 ch 39 SLA 1979)

16.20.300

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§ 16.20.310

FISH AND GAME

§ 16.25.060

Sec. 16.20.310. Game management plan. (a) The commissioner of fish and game shall develop and may amend a game management plan for bison in the area described in AS 16.20.300. After holding public hearings in accordance with AS 44.62.310 and 44.62.312, the commissioner shall implement the game management plan.

(b) The game management plan shall include, but is not limited to

(1) planting grains for bison and planting other wildlife forage;

(2) altering existing plant cover to create additional range and year-round habitat for bison and other animal species in the area;

(3) tilling to produce forage.

(c) The commissioner of fish and game shall develop and amend the game management plan to coordinate, as closely as possible, the game management plan with the activities of the Agricultural Development Authority, Department of Natural Resources, relating to the Big Delta agricultural development project. (§ 2 ch 39 SLA 1979)

Sec. 16.20.320. Activities on range are . Nothing in AS 16.20.300 — 16.20.320 shall be construed as prohibiting activities on land described in AS 16.20.300 which are otherwise permitted in accordance with the laws and regulations of this state, including, but not limited to, hunting, trapping, engaging in recreational activities, using the land for access to adjacent areas and a 300-foot Alaska Railroad right-of-way. (§ 2 ch 39 SLA 1979)

Chapter 25. Stocking of Public Lands.

Section

10. Program adopted

Sec. 16.25.010. Program adopted. There is adopted a program of stocking land in the state with valuable game and fur-bearing animals which do not at present occur on the land. The department is responsible for establishing priorities on the species of animals to be stocked and the area of the stocking. Priorities shall be based on the habitat requirements of the species, the population of native game animals present, and other factors that will effect the successful establishment of the species. (§ 39-7-1 ACLA 1949; am § 1 ch 97 SLA 1970)

Secs. 16.25.020 — 16.25.060. Projects enumerated; duties of department; stock and offspring property of state; unlawful taking; penalty. [Repealed, § 2 ch 97 SLA 1970.]

Chapter 30. Destruction of Big Game Animals and Wild Fowl.

Section

10. Wanton waste of big game animals and wild fowl

12. Possession of horns or antlers

Section

15. Surrender of salvaged portions, license forfeiture

17. Defenses



Salcha - Big Delta Soil Conservation Subdistrict
Box 547 - Delta Junction, AK 99737 - Phone (907) 895-4241

February 3, 1984

Bettye M. Fahrenkamp, Chairperson
Senate Resources Committee
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Fahrenkamp:

We would like to express our support for SB-337 and SB-338, dealing with the accelerated development of the Delta Bison Range. We have always supported the concept of the Bison Range, and were among the earliest supporters of it, during the Delta Land Management Planning Study, in the late 1970's.

We do however, have some reservations concerning the placement of the drift fence. We would prefer it totally south of the Alaska Highway, and one continuous piece with only gates and no cattle guards. We do feel that the present proposal is the next best choice.

Please read the attached policy statement entitled "Delta Bison Herd," dated Jan. 5, 1984. It more clearly explains our position concerning bison.

To sum up, the rapid development of the Bison Range is needed urgently, to forestall a serious conflict between farmers, bison, and pro-bison people.

Sincerely,

Richard S. Roberts
Chairman

Encl: Policy Statement: Delta Bison Herd

cc: Senator H. Pappy Moss
Delta Bison Management Ad Hoc Committee



Salcha - Big Delta Soil Conservation Subdistrict
Box 547 - Delta Junction, AK 99737 - Phone (907) 895-4241

January 5, 1984

DELTA BISON HERD

Resolution to Update Policy Position
(Motion by Forck, seconded by Carlson, passed unanimously at the regular monthly supervisor's meeting on 1/5/84)

The Supervisors of this District wish to reaffirm their support for the Delta Bison Herd and the Delta Bison Management Area as expressed in the Delta Land Management Planning Study. We also affirm our support of the Delta Bison Management Plan as subsequently developed by the Department of Fish and Game. This support extends to the clearing of land and planting of grain and/or forage on parts of the management area, on the Fort Greely Military Reservation, and the summer range development plans for the area west of the Delta River. We also support continuation of permit hunts as a good management tool for maintaining herd size and herd health, and to help to keep the animals from damaging or destroying private property and becoming a public nuisance.

In conjunction with these positive reactions, the Supervisors also wish to make note that herd size has increased well beyond that proposed in the Delta Study. Until such time as range is provided within the Bison Management Area to replace that which has disappeared due to natural vegetative progression and pre-emption for other uses (military, residential and commercial, agricultural), we feel the herd size should be cut back to that originally envisioned and maintained at that level unless additional range is provided.

The current proposal to construct a line or drift fence to keep the bison from foraging on newly-developed farm lands which have never before been a part of their natural range, has great merit and we support this concept. However, we consider the proposed location for this fence -- primarily along the north side of the Alaska Highway -- a drastic misconception. The "north side" fence has a gap in it through which not only the highway and traffic, but also bison, can flow; there are necessary accessways to the farms on the north side which cannot be rendered bison-proof. The bison are to be contained along the highway right-of-way area, increasing the possibilities for accidents involving highway traffic; the private lands just to the south of the highway will receive greatly increased pressure from the northern containment; the proposed Alaska Railroad extension is planned south of these properties south of the highway -- leaving the bison open to the same "iron horse" depredation currently suffered by the moose between Fairbanks and Anchorage. Gradually, the

"north side" fence will be incorporated by the various farmers there into their own perimeter fence systems. Finally, no "bison fence" will exist. The bison will move through the many gaps, on to the farm-to-market roads, on to the farm lands, on to the highway, the lands south of the highway, the railroad tracks.

And nothing delineates the north boundary of the bison range. Nothing "says"... "this is the bison's area; they feed here; you can see them here; you can hunt them here; and no damage is done to others by them or to them by others".

We feel that without such delineation -- not exclusively, but most logically, by a fence -- the bison range is subject to pre-emption for other uses. A "south side" fence will not only better protect the separate interests of the human residents and the bison, but the very bison management area itself. To all concerned, we urge a "south side" fence as the best next addition to the Bison Management Plan.

City of Delta Junction

Box 229

Delta Junction, Alaska 99737

907 - 895 - 4656

The North End of the Alaska Highway

RESOLUTION 84-23

WHEREAS, the Delta Bison herd has always been an important feature in the Delta Junction community, and;

WHEREAS, agriculture is rapidly increasing in importance to the Delta Junction community and the state, and;

WHEREAS, the Delta Bison herd each year without fail causes serious crop depredations and resulting financial losses for farmers, and;

WHEREAS, this continued conflict degrades the long term outlook for both the bison herd and agriculture, and;

WHEREAS, Senate Bills 337 and 338 and House Bills 551 and 552 would solve this problem by developing fall and winter range for bison on the Delta Junction Bison Range, and a drift barrier to keep bison out of the farming area.

NOW, THEREFORE, BE IT RESOLVED that the Council for the City of Delta Junction requests that the Alaska Legislature and the Governor of Alaska pass into state law the provisions of the aforementioned legislation so that this problem may finally be resolved.

THIS RESOLUTION HAS BEEN PROPERLY ADOPTED this 7th day of February, 1984, by the authorized membership of the City Council of Delta Junction, in Delta Junction, Alaska.

FRANK W. GEIGER, MAYOR

LOUIS E. HEINBOCKEL, MAYOR PRO TEM

LEONARD LEMON, COUNCILMEMBER

MARY LEITH DOWLING, COUNCILMEMBER

MARVIN HINSLEY, COUNCILMEMBER

GLEN WRIGHT, COUNCILMEMBER

FREDERIC READY, COUNCILMEMBER

ATTEST:

Laura L. Woolford
City Clerk/Treasurer

Bison, farmers share home on the range

Trial shows conflict between herds, farms

By BRUCE BARTLEY
The Associated Press

DELTA JUNCTION — Bison, tons of trouble for some and brown-bearded remnants of the frontier's wide open spaces for others, have made themselves at home on the doorstep of the Alaska Range. Unfortunately, their dining area also includes the barley fields of the Delta Agricultural Project.

Their presence is a source of constant conflict between game managers trying to preserve one of the last free-roaming buffalo herds and farmers trying to make ends meet.

Attention will be focused on the conflict in the coming week when state prosecutors bring to trial a Delta farmer accused of killing three bison illegally last fall.

The bison have ranged the Delta area since about two dozen were transplanted from Montana more than 50 years ago.

The herd, now 360-400 strong, prospered. In the 1960s, Delta bison were used to start herds near McGrath, and along the Copper and Chitina rivers.

In the 1970s former Gov. Jay Hammond's administration selected Delta as the springboard for an ambitious state-sponsored agricultural development program. And a successful game management story became the source of a bitter local dispute.

Already coping with extreme weather and climate, and operating under intense public scrutiny, farmers didn't need

bison roaming newly cleared fields and eating hard-won crops.

And with grim regularity, the sight of burly buffalo trampling already stunted profits was enough to send a farmer over the edge — and a bison to his final home on the range.

On Sept. 21, Earl Mitchell summoned Alaska State Troopers to his farm on the west bank of the Gerstle River. He told them he'd shot three bison, and invoked a state regulation which permits killing game animals "in defense of life or property."

When investigators arrived, Mitchell was salvaging the animals as required by the "defense" regulation. The meat was donated to churches.

But the regulation lists several criteria to be met before a game animal can be dispatched legally. Investigators cited Mitchell, alleging he had failed to fulfill them all.

It wasn't the first time bison had run amok of Mitchell, or Mitchell had run amok of the law. A year earlier, Mitchell shot a buffalo on his farm. He pleaded guilty to the illegal killing, was fined \$1,000 with \$500 suspended, and given a suspended 10-day jail sentence.

Mitchell worked off his fine on a bulldozer on the state's 70,000-acre bison range across the Alaska Highway, the dividing line between the farms and a look-alike development offering bison an alternative to farmers' fields.

The shooting of bison by farmers didn't sit well in a community originally named Buffalo Center. Also fuming were thousands of hunters who make the state's 75 annual Delta bison permits among Alaska's most coveted.

Farmers argued they couldn't and wouldn't stand by and watch their life's work ground under the bison's massive hooves.



ALASKA NEWS

But Delta residents are looking hard for a way to have their buffalo and barley too.

Since Mitchell was cited, farmers, businessmen, sportsmen and others have been meeting to devise a solution. And last week state Sen. Pappy Moss asked for \$1.75 million to pay for it.

Dave Johnson, the Alaska Department of Fish and Game biologist most frequently cast as the villain in the controversy, says it's the closest thing to a consensus he's seen since he's been in Delta.

Responsible for protecting both the bison and the farmers' fields, Johnson has been catching it from all sides where he took the job in 1981.

"It's been a really tense situation," he says softly.

But Johnson sees hope.

"If we can just convince the people who make the decisions that there are real, live people out here who are being hurt by

this, we can solve the problem. We can have both free-roaming bison and agricultural development."

Johnson and the others agree the key is further development of the alternative bison range. By clearing more black spruce, planting more barley and grass and fencing the north side of the highway, they think the bison can be pretty well contained.

That was the plan when the barley project first was conceived but Johnson says it "fell through the cracks." There's never been enough money to develop the alternative range effectively, he says. That's what Moss' legislation is designed to do.

From April or May until August, most of the bison hang out west of the Delta River, Johnson says. But forage is limited, and about the time it runs out, the animals' migration instincts push them toward their winter range.

Unfortunately, that coincides with the ripening of the barley and hay crops in the 60,000-acre agricultural project. With a short growing season, everything has to go right for farmers to harvest their crops anyway. The presence of voracious buffalo doesn't help.

By developing the state range, which lies along the migratory route, Johnson and the others hope to keep the bison south of the highway during the critical harvest weeks.

Hamstrung by a lack of money, game managers cleared and planted only 75 acres in 1980. Johnson says the bison ignored the offer. In 1981, the acreage doubled, and a few bison look advantageous of it. In 1982, they spent perhaps a third of the critical period there. By last fall, the range had grown to 600 acres — about half of it cultivated — and most of the herd lingered until forage dwindled in late September.

Feds can award oil, gas leases in reserve: court

The Associated Press

ANCHORAGE — The 9th U.S. Circuit Court of Appeals said Friday the federal government can award oil and gas leases in the National Petroleum Reserve-Alaska, but must make sure no oil company activities disturb subsistence lifestyles until the case can be considered further.

Oil companies paid \$16.7 million last summer for 18 tracts in the 24-million-acre reserve. Two North Slope residents sued, claiming lease stipulations did not protect adequately the caribou calving grounds and waterfowl habitat in the area.

U.S. District Judge James Fitzgerald of Anchorage held up lease awards until Dec. 20 while he studied the case. He finally concluded the lease sale regulations were adequate and said he would lift his injunction. But he gave the villagers sufficient time to appeal.

"There's no doubt that the ruling was a two-edged sword," George Gurr, a spokesman for

the Bureau of Land Management, said Friday. "Until we can see the actual wording of the order we don't know how we feel. But at least we didn't lose."

Jim Bamberger, a staff attorney for Alaska Legal Services who represented Sara Kunaknana of Nulqut and Jean Numnik of Barrow, said they were pleased.

"My feeling is that the court felt that our arguments on subsistence were substantive and that's why they enjoined the oil companies from any activities that might affect subsistence until they could make full ruling," Bamberger said. He said the appellate court probably will hear additional arguments in the case this spring.

Bamberger said the ruling will prevent oil companies from drilling any exploratory wells until a final decision is reached. He said he also would consider seismic testing as a danger to subsistence hunting patterns.

"We will have to meet and see if there is some middle ground," Gurr said.

Briefly

Teacher accused of sexual assault

PALMER — Matanuska-Susitna school officials have suspended the principal of the Iditarod Elementary School, where a teacher has been accused of sexually assaulting his students.

Ray Carter, principal of the school since 1978, will be suspended with pay beginning Wednesday, school Superintendent Gordon Tope said Saturday.

"I have nothing to say on anything to do with that case," Carter said. "I'll see what happens."

Music teacher George Koenig has been indicted by a Palmer grand jury on 13 counts of sexual assault or attempted sexual assault involving seven girls.

Tope said he will ask the school board to fire the 33-year old teacher when the board meets Jan. 23. Koenig has been suspended with pay since Jan. 7.

"Based on our investigation to this point, the administration is recommending the dismissal of George Koenig," Tope said.

The decision to suspend Carter came after consultations with the school district's lawyer, he said. He would not explain why the principal has been suspended.

"I'm really not at liberty to release any further information," Tope said. "We're still investigating."

Alaska State Troopers Sgt. Rolfe Port said investigators have received reports from parents and others that officials may have been slow in responding to complaints concerning Koenig.

Elementary school roof collapses

ANCHORAGE — Structural engineers Saturday were studying the debris in the library of the Airport Heights Elementary School to try to determine why the roof collapsed.

Assistant Superintendent Bill Tanner said no one was injured when the roof gave way about 10:30 Friday night. He said the only people in the building were a few carpenters and custodians.

"It's almost the floor, it's to within a couple of

feet of the floor," Tanner said of the roof. A rubber barrier in the ceiling was the only thing separating shelves of books from the freezing rain and wet snow that have blanketed Anchorage in the past several days.

Surprisingly, Tanner said, none of the books, computer equipment or other equipment and books were damaged. He said one table was bent badly.

Tanner said there was an estimated 15 inches of snow on the slightly sloped roof, an amount he termed "not that unusual." He said the library is part of a wing that was added to the school 14 years ago. The original school was built in 1952, he said.

A demolition crew is expected to have the debris cleared away and the library sealed off from the rest of the building so classes for the 325 students can resume as normal Monday morning, Tanner said.

He said he anticipates it will be several days before the cause of the problem and the cost of damage are determined.

—The Associated Press

Court approves changes to 1935



NASA gets 'Golden Fleece' award

The Associated Press
WASHINGTON — Sen. William Proxmire D-Wis. has bestowed the Golden Fleece award on NASA.

defended the practice on grounds that most of the people transported were U.S. government officials from the executive or legislative branches

astronauts also were transported." It added the flights of the nation's first Black woman astronaut, Guion Blaylock and Sally K. Ride at

individuals, 55 were foreign officials, five were judges and I could not be classified. "The problem with the VII trips to the space shuttle

SENATE SPECIAL COMMITTEE ON AGRICULTURE
Senator H. Pappy Moss, Chairman

HOUSE BILL 552

"An Act making special appropriations for development of the Delta Junction bison range; and providing for an effective date."

House Bill 552 is an appropriation bill and a companion bill to Senate Bill 337 which passed the Senate on May 7th this year. Together these bills provide for the completion of development of the Delta Junction bison range.

In Section 1. of House Bill 552 \$1,544,000 is appropriated for that purpose. This figure reflects a reduction of \$216,000 in the cost that was originally projected. The Department of Fish and Game OK'd this reduction. The \$216,000 had funded some project administration costs and tourist facilities expansion.

House Bill 552 bill drops an additional \$270,000 that had been placed in Senate Bill 338 for the construction of the bison herd drift barrier. (Funding for the barrier has been requested in Senate Bill 94.)

Section 2. of House Bill 552 provides \$60,000 for administration of timber sales on the bison range, and for fire suppression activities.

Through the increase in permit fees provided for in Senate Bill 337, the state should realize a gain in revenue of about \$50,000 per year. That income, plus income from the timber sales on the range, is expected to be more than adequate to cover the maintenance of the range.

House Bill 552, working together with Senate Bill 337 and HCR 51, is expected to resolve the problems between the bison herd and the agricultural projects. The alternate range concept has been proven successful in preventing the bison from trespassing into the farmers fields and causing crop damage.

Development of the range benefits other more than the bison in the area. Moose, caribou, bear, grouse and other wildlife habitats will be improved as the range is developed. The public, which currently uses the range for camping, fishing, hunting, trapping, hiking, and so on, will also benefit.

ORIGINAL SENATE BILL

LOCATION IN HOUSE BILL

Senate Bill 338

House Bill 552

Sec.1. \$1,750,000 for completion
of the development of the
Bison Range.

Sec.1. \$1,544,000 for same
purpose. Drops \$206,000 for
project administration, OK'd
by F&G.

Sec.2. \$10,000 for tourist facilities

Dropped, F&G states it is
treated in Section 1.

Sec.3. \$270,000 for construction
of the drift barrier

Dropped, funded in SB 94

Sec.4. \$60,000 for timber sales
and fire suppression

Sec.2. \$60,000 for timber
sales and fire suppression

Sec.5. Effective date, July 1, 1984

Sec.3. Effective date, July 1,
1984