

COMMITTEE REPORT
SENATE

FURTHER: FINANCE

2/7/84

Date 3-21-84

Mr. President

The Committee on RESOURCES considered SB 417

establishing the Kenai River Special Management Area; cfd.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 417 (Re)
- new title
- same title and recommends Do Pass
- and attached a "LETTER OF INTENT" [] NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Paul Enck
W. Ziegen
W. Ziegen
Don Kilman
Bob Mulcahy
Arling Stangor
McMahon

How'd he get in here?

Detlef Fabrendenz
Chairman

Do Pass
Chairman recommendation



20417

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 7, 1984

The Honorable Jalmar Kerttula
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kerttula:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the management of the Kenai River. The bill addresses the problems on the river as pointed out by (1) the Kenai River Task Force; (2) the interagency task force composed of the Office of Management and Budget, and the Departments of Natural Resources, Fish and Game, Public Safety, and Environmental Conservation; and (3) 1983 Legislative Resolve No. 26.

Section 1 of the bill restates the findings of 1983 Legislative Resolve No. 26, and adds the two task forces' finding that the highest priority resources of the Kenai River are its fishery and wildlife.

Section 2 contains the body of the bill. It first states the purposes of the bill. It then adds new provisions to AS 41.21 which are intended to do three things. First, new AS 41.21.502 creates the Kenai River Special Management Area, composed of state-owned land and water from the Kenai River's confluence with Cook Inlet upstream to and including the Kenai and Skilak Lakes. Included within the described area is state land already managed by the division of parks and outdoor recreation, of the Department of Natural Resources, and additional, adjacent state land either already owned or selected and soon to be in state ownership.

Second, new AS 41.21.504(a) assigns the Area's interim and long-term management and regulatory control to the Department of Natural Resources, with the intent that through cooperative management agreements with other local, state, and federal agencies that department will bring sensible, coordinated management to the Kenai River and its resources. It is anticipated that this function will be administered by the division of parks and outdoor recreation. New AS 41.21.504(b) ensures that the Department of Fish and Game, the Boards of Fisheries and Game, the Department of Environmental Conservation, and other state agencies, as well as municipalities, will retain their respective management, regulatory, and enforcement responsibilities. Cooperative agreements under new AS 41.21.512 will provide appropriate coordination.

Third, under new AS 41.21.506(a) and (b), the commissioner of the Department of Natural Resources is directed to develop and adopt within two years a long-range comprehensive management plan for the Kenai River Special Management Area, the shoreland of the Kenai River up to one-quarter mile on each side, and any additional public and private land that is crucial to the overall purposes of the bill. The commissioner is directed to use the department's regulatory authority to protect the river corridor and to implement the plan. New regulations must identify and control incompatible uses, and deal with the increasing difficulties associated with a proliferation of professional fishing guides on the Kenai River. Regulations adopted to implement the plan may, on private land, regulate activities that are inconsistent with the purposes of the bill or the plan. During the period of the development and implementation of the plan, it is hoped that the affected local governments will adequately exercise their planning, platting, and zoning powers granted in AS 29 so that the commissioner's regulatory power over private land-use activities need not be used. To that end, in developing and implementing the plan the commissioner is directed, in new AS 41.21.510, to appoint an advisory board and to continuously consult with relevant federal, state, and local government agencies, and with private interest groups and individuals. The commissioner is further authorized, under new AS 41.21.512, to enter into cooperative agreements not only with other government agencies but also with private landowners in order to simplify sound management of the Kenai River.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 3/21/84

REQUEST

Bill/Resolution No.: CS for SB417
Title: (Sen. Resources) Kenai River Park Management
Sponsor: Governor
Requestor:
Date of Request:

FISCAL DETAIL

Agency Affected: Natural Resources, Parks
Program Category Affected: Parks and Recreation
BRU, Program or Subprogram(s) Affected: Park Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		208.9	208.9	208.9	208.9	208.9
200 TRAVEL		1.5	1.5	1.5	1.5	1.5
300 CONTRACTUAL		31.8	31.8	31.8	31.8	31.8
400 SUPPLIES		23.0	23.0	23.0	23.0	23.0
500 EQUIPMENT		121.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		386.7	265.2	265.2	265.2	265.2
CAPITAL						
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND		386.7	265.2	265.2	265.2	265.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		7	7	7	7	7

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Neil Johannsen Phone: 276-2653
Division: Parks and Outdoor Recreation Date: 3/21/84

MH Approved by Commissioner: Robert D. Arnold, Deputy Date: 3/21/84
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

12/1/83

Fiscal Note Section IV Analysis
Kenai River Management

		Salary	Benefits	FY 85 Total
100:	Natural Resource Officer II	12 mm 33.0	10.0	43.0
	Park Ranger II	12 mm 33.9	10.1	44.0
	Park Ranger I	8 mm 19.2	5.8	25.0
	Park Ranger I	8 mm 19.2	5.8	25.0
	Natural Resource Technician II	5 mm 10.5	3.2	13.7
	Radio Dispatcher I	6 mm 11.8	3.6	15.4
	Radio Dispatcher I	6 mm 11.8	3.6	15.4
	Natural Resource Technician II	5 mm 10.5	3.2	13.7
	Natural Resource Technician II	5 mm 10.5	3.2	3.7
				<u>38.9</u>
200:	Travel and Per Diem for Natural Resource Officer to attend public meetings and Advisory Board meetings in Anchorage and Homer and meetings to coordinate with Federal and other State agencies.....			1.5
300:	River boat repair and maintenance.....			9.0
	Vehicle rental - mileage and fixed costs.....			<u>22.8</u>
				31.8
400:	Uniform allowance.....			2.0
	Fuel, oil and parts for river boats.....			20.7
	Office supplies.....			<u>3</u>
				23.0
TOTAL OPERATING:.....				<u>265.2</u>
500:	Listed equipment costs will be necessary for initial program start-up only, these will not be necessary on a yearly basis.			
	Three Jetboats: 17 ft. equipped with lights, siren, life preservers and trailers @ \$20. each.....			60.0
	Four MX 360 Radios and Convertacoms @ \$2.5 each.....			10.0
	Seven Parks Radio 100 Watt Mobile Radio @ \$2.5 each.....			17.5
	Two 4X4 Pickups @ \$9.0 each.....			18.0
	One 1/2 ton Pickup @ \$7.0			7.0
	One Station Wagon @ \$6.0.....			6.0
	One Defensive Equipment.....			1.0
	One Word Processor.....			<u>2.0</u>
				121.5
TOTAL FY 85 REQUEST.....				<u>386.7</u>
CIP REQUEST:	Comprehensive Plan for river management, to be done over two fiscal years (1985 and 1986).....			160.0

1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV LED	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE		
3	TYPE OF EXPENDITURE			AMOUNT					
4	PERSONAL SERVICES- SALARY			10,500					
5	BENEFITS			3,150					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			13,650					
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			13,900					
JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.									
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND			13,900				
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
4A KEY NUMBER: _____ COLUMN NO. _____									

AGENCY Natural Resources PROGRAM AREA Division of Parks

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13 REQUEST FOR NEW POSITION.

FY 85



1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG UNIT GGU	LOCATION Soldotna	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES- SALARY			10,500					
5	BENEFITS			3,150					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			13,650					
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			13,900					
	CODE	FUNDING SOURCE							
15		FED RCPTS							
16		GF MATCH.							
17		GEN FUND			13,900				
18		I-A RCPTS							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION			FOR B&M USE ONLY					
22	ADDITION								
4A KEY NUMBER				COLUMN NO.					

JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.

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13 REQUEST FOR NEW POSITION.



1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.	
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT						
	1	2	3							
4	PERSONAL SERVICES:			JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.						
4	SALARY									10,500
5	BENEFITS									3,150
6	FICA ¹									
7	HEALTH INS.									
8	TOTAL PERSONAL SERVICES									13,650
9	TRAVEL									
10	CONTRACTUAL									
11	COMMODITIES			250						
12	EQUIPMENT									
13	OTHER									
14	TOTAL COST			13,900						
	CODE	FUNDING SOURCE								
15		FED RCPTS.								
16		GF MATCH.								
17		GEN FUND								13,900
18		I-A RCPTS.								
19		IGM RCPTS								
20		OTHER								
21	CONTINUATION			FOR B&M USE ONLY						
22	ADDITION									
AA KEY NUMBER				COLUMN NO.						

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1	POSITION TITLE Radio Dispatcher I			RANGE/STEP 11A	BARG. UNIT. GGU	LOCATION Soldotna	APPROV. GOV.	DISAPP.					
2	TYPE OF POSITION Seasonal	STAFF MONTHS 6	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.						
3	TYPE OF EXPENDITURE			JUSTIFICATION:									
	1	2	3										
4	PERSONAL SERVICES: SALARY		11,838										
5	BENEFITS		3,551										
6	FICA												
7	HEALTH INS.												
8	TOTAL PERSONAL SERVICES		15,389										
9	TRAVEL												
10	CONTRACTUAL												
11	COMMODITIES		250										
12	EQUIPMENT												
13	OTHER												
14	TOTAL COST		15,639										
15	CODE	FUNDING SOURCE											
16		FED RCPTS.											
17		GF MATCH.											
18		GEN FUND		15,639									
19		I-A RCPTS.											
20		PGM RCPTS											
21		OTHER											
22	CONTINUATION			FOR B&M USE ONLY									
22	ADDITION												
4A KEY NUMBER				COLUMN NO.									

AGENCY Natural Resources PROGRAM AREA Division of Parks

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1	POSITION TITLE <u>Radio Dispatcher I</u>			RANGE/STEP <u>11A</u>	BANG. UNIT. <u>CCU</u>	LOCATION <u>Soldona</u>	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES- SALARY		11,838						
5	BENEFITS		3,551						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		15,389						
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES		250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		15,639						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		15,639					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
	4A KEY NUMBER				COLUMN NO.				

JUSTIFICATION:

This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. Two radio dispatchers are needed to provide 7 days/week, 16 hours/day communications for three field rangers, one technician and one manager who will spend most of their time in the field. The rangers in boats will require radio dispatch to perform the public safety inspection and maintenance aspects of their job, which will be a major portion of their work. Without radio dispatch and adequate communication the rangers will not be able to respond to complaints and public assistance calls. The manager needs immediate communication with field staff to investigate permit compliance. Water related accidents require immediate response (within minutes). Central radio dispatch is needed for these tasks. The local department of Public Safety cannot monitor and dispatch any more frequencies since they already have nine emergency and law enforcement radio and telephone networks.

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1	POSITION TITLE <u>Park Ranger I</u>			RANGE/STEP <u>14A</u>	BARG UNIT <u>GGII</u>	LOCATION <u>Soldotna</u>	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION <u>Seasonal</u>	STAFF MONTHS <u>8</u>	RP No.	PCN No. <u>New</u>	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			JUSTIFICATION:					
	1	2	3						
4	PERSONAL SERVICES								
	SALARY		<u>19,184</u>						
5	BENEFITS		<u>5,755</u>						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		<u>24,939</u>						
9	TRAVEL								
10	CONTRACTUAL		<u>9,000</u>						
11	COMMODITIES		<u>7,250</u>						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		<u>41,189</u>						
15	CODE	FUNDING SOURCE							
		FED RCPTS.							
		GF MATCH.							
		GEN. FUND		<u>41,189</u>					
		I-A RCPTS.							
		FGM RCPTS							
		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

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13 REQUEST FOR NEW POSITION.

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1	POSITION TITLE Natural Resource Officer II			RANGE/STEP 16 A	BARG. UNIT. GCU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2		3			
4	PERSONAL SERVICES: SALARY			33,084					
5	BENEFITS			9,925					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			43,009					
9	TRAVEL			1,500					
10	CONTRACTUAL			4,800					
11	COMMODITIES			250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			49,559					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		49,559					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A KEY NUMBER				COLUMN NO.					

JUSTIFICATION: This position is required as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent shall accomplish the management objectives to be established by statute, generally stated as follows: provide a safe and healthy river environment for the recreating public and adjacent land owners; maintain a free-flowing river in its natural state; promote recreational enjoyment of the river by developing educational and interpretive programs while stimulating the local tourist economy. This position shall assist in implementing Legislative Resolve 26. Job tasks will include the following: Provide single-agency management of the Kenai River; permit oversight and management; establish a Citizen's Advisory Board to provide local public input and guidance; establish concessions permits and policies for commercial operations on the river; assure compliance with laws and provide recreation information; propose regulations under state park management authority; research legal and land ownership problems; enforce boating safety regulations and educate boaters on safe operations; stimulate the state tourism industry by developing educational and interpretive points of interest. This position will be a staff assistant to the District Superintendent.

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13 REQUEST FOR NEW POSITION.

1	POSITION TITLE			RANGE/STEP	BARG UNIT	LOCATION	GOV	APPROV.	DISAPP.
1	Park Ranger II			16 A	Supervisory	Soldotna			
2	TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
2	PFT	12		New					
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES: SALARY			33,888					
5	BENEFITS			10,166					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			44,054					
9	TRAVEL								
10	CONTRACTUAL			9,000					
11	COMMODITIES			7,250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			60,304					
15	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		60,304					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
4A	KEY NUMBER			COLUMN NO.					

JUSTIFICATION: This position is required as part of a management package for the Kenal River column from Shilak Lake to Cook Inlet. The field ranger positions will report directly to this position who will have line authority over the river operations. The management objectives for the Kenal River are to provide a safe and healthy river environment for the recreating public and adjacent land owners. From daily observations and contact with local users and a citizen advisory board the district staff would propose regulations under state park management authority, resolve conflicts, enforce laws, erect proper signs, coordinate public information and education, assist in rescues and emergency medical problems, and remove dangerous obstacles. Another objective is to maintain a free-flowing river in its natural state, control pollution and man-made erosion problems, and maximize recreational use with a minimum of habitat degradation. To promote recreational enjoyment and stimulate the local tourist economy the rangers will develop points of historic, scientific and cultural value so that the public will appreciate them through education and interpretation of the resources. They shall monitor permits and policies for commercial operation, private structures in the river, and cooperative agreements with other State and Federal agencies and private landholders; they shall also respond to all public complaints on the river column. Most of their working time will be spent on the river itself.

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 COMPONENT Maintenance and Operations

13 REQUEST FOR NEW POSITION.

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1	POSITION TITLE Park Ranger I			RANGE/STEP 14A	BARG UNIT GGU	LOCATION Soldotna	APPROV. GOV	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 8	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG	
3	TYPE OF EXPENDITURE			AMOUNT	JUSTIFICATION:			
	1	2	3					
4	PERSONAL SERVICES							
	SALARY		19,184					
5	BENEFITS		5,755					
6	FICA							
7	HEALTH INS.							
8	TOTAL PERSONAL SERVICES		24,939					
9	TRAVEL							
10	CONT. ACTUAL		9,000					
11	COMMODITIES		7,250					
12	EQUIPMENT							
13	OTHER							
14	TOTAL COST		41,189					
	CODE	FUNDING SOURCE						
15		FED RCPTS.						
16		GF MATCH.						
17		GEN FUND		41,189				
18		I-A RCPTS.						
19		FGM RCPTS						
20		OTHER						
21	CONTINUATION							
22	ADDITION							
				FOR B&M USE ONLY				
4A KEY NUMBER				COLUMN NO.				

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SECTIONAL ANALYSIS
CSSB 417 (RES)

SECTION 1

Findings - Fish and wildlife are the most important resources of the river.

SECTION 2

41.21.500: Purpose is (1) to designate as a unit of the state park systems the land and water described and (2) to protect and perpetuate the fishery and wildlife resources and habitat in the unit and adjacent area and (3) to manage recreational uses and development activities in the unit.

41.21.502: Designation of land and water - Designates the surface estates of state owned land and water including shore, tide, and submerged land as the Kenai River Special Management Area. This description cuts off the management area just below the bridge in the City of Kenai. This section has technical language that locates the specific parcels of land in the management area. Also, designates the management area as a special purpose area subject to valid existing rights and the management area is closed to mineral entry except for oil and gas leasing.

41.21.504: Designation of management responsibilities - The above described land and water is assigned to DNR for control, maintenance and development consistent with the findings and purposes of the act. Nothing in the bill affects powers and duties of Departments of Natural Resources, Fish and Game, Environmental Conservation, OMB, or Alaska Coastal Management programs.

41.21.506: Comprehensive Management Plan, Regulations - Commissioner shall develop a management plan within two years of effective date in consultation with the Kenai Peninsula Borough and may periodically review and adopt changes in consultation with the Kenai Peninsula Borough.

Commissioner shall adopt regulations under the Administrative Procedure Act which must designate and prohibit or restrict incompatible uses, and establish registration or licensing for professional fishing guides as well as controls that are considered necessary for such guides.

Until regulations are adopted, existing state regulations otherwise applicable to the Kenai River Special Management Area remain in effect.

A regulation under this section doesn't apply to land in the boundaries of a municipality unless it is state land or the regulation has been approved by the municipality.

41.21.508: Additional Land - The commissioner may acquire title or interest to land within or adjacent to the management area by any lawful means except eminent domain and may also add state owned land or water to the management area.

41.21.510: Public Involvement - The commissioner shall appoint an advisory board with which to jointly hold public meetings when developing and implementing the management plan. The commissioner shall consult and solicit recommendations from the advisory board, federal and state agencies, interest groups, and other interested people. The advisory board appointed under this section shall be representative of the interests involved on the river and a majority shall be Kenai Peninsula residents.

41.21.512: Cooperative Management Agreements - Allows the commissioner to enter into cooperative management agreements with federal or state agencies, municipalities, or private land owners to achieve the purposes of this Act.

41.21.514: Civil Enforcement - The Attorney General, at the request of the commissioner, may seek an injunction and damages for violation of a regulation under this Act.

SECTION 3

This Act takes effect immediately.

from Senator Gilman

Letter of Intent
for CS SB 417(Resources)

It is the intent of the Legislature that the management plan described in AS 41.21.506 be developed jointly by the Commissioner of Natural Resources and the Kenai Peninsula Borough.

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
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Senate

Committee on Resources MAJOR PROVISIONS OF SB 417

SB 417

States the finding of the two task forces that the highest priority resources of the Kenai River are its fishery and wildlife.

Closes lands in the Special Use Area to multiple purpose use.

Closes lands to mineral entry.

Gives DNR primary management responsibility.

Management plan must be developed and adopted within two years.

Includes lands to a distance of 1/4 mile upland on each side of the river.

DNR must adopt regulations to designate incompatible uses and to establish a registration procedure for professional fishing guides.

Gives DNR "veto power" over local planning and zoning activities to assure consistency with the Special Use Area.

Additional land may be acquired through any lawful means.

In developing the management plan, DNR will consult with an advisory board and hold public hearings.

Committee Substitute

Same as original bill.

Lands remain open to multiple purpose use.

Closes except for oil and gas leasing.

Same as original bill.

Specifies that plan must be developed in consultation with Kenai Peninsula Borough.

Adjacent land may be included.

Same as original bill.

This provision is removed. Clarifies that regulations adopted apply only to state-owned land.

Additional land may not be acquired through eminent domain.

A majority of the members of the advisory group must be residents of the Kenai Peninsula Borough.

FINAL
STATEMENT OF FINDINGS
OF THE
KENAI RIVER TASK FORCE

Submitted:
MARCH, 1983

SUMMARY OF RECOMMENDATIONS

The Kenai River Task Force believes in the value of the Kenai River as a significant natural, recreational and economic resource. The Task Force is unequivocally convinced of the need for immediate and sustained efforts to assure the resource will survive the pressures it is experiencing and will experience in increasing amounts in the future.

The final recommendations which have preceeded this section of the report fall into four broad categories; establishment of some comprehensive and long-range programs intended to prevent the River from reaching a point where its future is in question, increased funding to make possible the full implementation of programs for which the structure presently exists, enactment of specific new steps directed at remedying some of the more damaging activities currently taking place and an immediate and ongoing public awareness program.

It was clear to the Task Force that many of the recommendations outlined earlier, if they were all implemented, would only serve as a "holding action" against the use pressures being placed on the Kenai River. The ultimate victory which would assure the future of the Kenai River in a healthy and productive condition will depend on organized and sustained stewardship. To achieve that stewardship will require the formation of long-range programs that are not now in place. To address this perspective the Task Force makes the following recommendations.

* Create a Kenai River Commission or Authority outside of any existing agency. The Commission could coordinate programs and attempt to resolve disputes between various governmental units; serve as a clearinghouse for permit applications; perform appropriate planning functions and make recommendations with respect to how proposed activities along the River conform to the declared primary function of the River. The creation of a River Commission could eliminate much of the existing and potential conflict through the creation of a Master Plan for Kenai River development and associated land use practices.

The plan would detail the amount and kinds of development that each segment of the watershed could support and establish a procedure to restore, rehabilitate and regulate particular land areas affecting Kenai River habitat. This plan would have the maintenance of wildlife and wildlife habitat as an important component and would protect habitat by removing structures known to be accelerating erosion and by repairing and stabilizing banks which have unusually high rates of erosion. As guidance for the Commission in the preparation of this plan, the task force recommends as a minimum the documents cited in the preliminary recommendations on this issue. [ISSUE A: Page 7]

* ~~Make a legislative declaration that the highest and best use of the Kenai River is the production and use of its fishery and wildlife resources; all other uses to be tested against that declaration.~~ Such a declaration could eliminate conflict between competing water demands at an early stage, before such conflict diminishes either the River or its highest and best use. [ISSUE B: Page 10]

* Establish a Guide Board for the Kenai River to set and enforce qualifications; limit the continued growth in the number of guides; establish an optimal number of guides and establish a mechanism to adjust the number of guides to that optimal number. [ISSUE D: Page 14]

* Establish the non-transferability of guide licenses and a procedure whereby they are returned to the State when not used for a specified period of time and/or not used to guide a specified minimal number of clients annually. [ISSUE D: Page 14]

* Establish a special Task Force to study and make recommendations concerning the allocation of the Cook Inlet salmon resource with particular reference to its affect on the Kenai River fishery resource. [ISSUE E: Page 16]

Throughout this process it has been clear that prior consideration of the problems of the Kenai River had led to the establishment of programs within existing agencies to control or correct undesirable influences on the River. As is often the case, many of these programs have either not been in operation or have been operating at less than full capacity due to limited funding. The Task Force believes that the resources of the Kenai River need and deserve the full funding support that will allow existing manpower and programs to exert their maximum beneficial effects. Thus, the following specific recommendations are made.

FOR: the Alaska Department of Fish and Game - Habitat Division and the Alaska Department of Public Safety -

Division of Fish and Wildlife Protection

* Increase funding and manpower for all aspects of enforcement of current and future Kenai River regulations designed to protect habitat and/or fish stocks. [ISSUE C: Page 12]

FOR: the Alaska Department of Public Safety

* Increase public safety patrols. Specifically, three new patrol officer positions should be created and funded; and they should be assigned to the River full time during June and July. Increased enforcement patrols could substantially reduce the conflicts. [ISSUE I: Page 23]

FOR: the Alaska Department of Fish and Game - Commercial Fish Division, Sport Fish Division and F.R.E.D. Division

* Substantially increase research funding and manpower for the Department of Fish and Game for collection of Kenai River fisheries data. There should be no diminution of the "emergency" procedures. However, increased research capabilities, resulting in increased data, could make the implementation of those procedures less frequent and reduce the conflict between user planning and emergency closures. [ISSUE F: Page 17]

FOR: the Alaska Department of Natural Resources - Division of Parks

* Increase funding and manpower to the level necessary to properly maintain existing Division of Parks units along the Kenai River that provide public access, boat launching, sanitation and camping facilities along the river. [ISSUE H: Page 21]

After considerable analysis and discussion of the issues and the degree to which deterioration of the Kenai River habitat and use conditions are now taking place, the Task Force could come to no other conclusion than that certain new and specific actions were required to slow that deterioration until the longer range programs can be implemented. It is in this sense of necessity that the following recommendations are made.

* Take over responsibility for the Boating Safety Program currently under the jurisdiction of the U.S. Coast Guard as has been done in forty-eight other states. [ISSUE I: Page 23]

* Develop an adequate data base on all native salmonid species in the Kenai River system and the potential impact of the introduction of hatchery stocks on any of these species. [ISSUE G: Page 19]

* If found to be enforceable by the Commission, establish maximum wake regulations on those areas of the river where banks are particularly prone to erosion. [ISSUE J: Page 26]

* Develop a set of guidelines or regulations which would indicate appropriate designs for both structures to be placed in the river and modifications of the bank. [ISSUE J: Page 26]

* Conduct a legal review of all current state and federal regulations and statutes affecting the Kenai River, and codify those regulations pertaining to the Kenai River with particular reference to legal restrictions on boat operation. With almost twenty agencies having some degree of control over the River, the present need for a central reference document of river regulations is overwhelming. The codification of diverse river regulations could do much to reduce perceived conflict between "intent" and the "wording" of existing regulations. The results should be published in a form suitable for public distribution and comprehension. [ISSUE C: Page 12]

* Increase access points on the Kenai River in an effort to distribute existing pressure. On the main stem, increased launch facilities on the upper (Skilak Lake to the Naptown Rapids) and middle (Naptown Rapids to Soldotna Bridge) sections of the river and boat-accessible sanitation stations on the upper, middle and lower (Soldotna Bridge to Warren Ames Bridge) sections of the river should be provided. [ISSUE E: Page 21]

* Expand access to alternative stocks at Deep Creek, Whiskey Gulch, Kasilof River and throughout the entire Susitna drainage, particularly near Willow Creek. The increase of access, both on and off the Kenai River, is essential to resolve existing conflicts between anglers and landowners. [ISSUE E: Page 21]

* Guides should be assigned a specific individual identification number which would be prominently displayed on their boat. [ISSUE D: Page 14]

Throughout the discussions and deliberations leading to this report, the Task Force and many members of the public who commented at the meetings repeatedly expressed their belief in the ability and willingness of the public at-large to modify their behavior in the interest of preserving the resources of the Kenai River. Underlying these statements was the assumption that the public clearly understood the consequences of their present actions and what types of changes would be helpful. To this end a public awareness program that includes, at least, the following elements is recommended.

* River reaches which are particularly sensitive to bank erosion should be marked with cautionary signs. Additionally information on the contribution of powerboat operation to induced erosion and the serious consequences of induced erosion could be presented to users through publication in the sport fishing regulations, signs at access points, posters, newspapers, television, etc. [ISSUE J: Page 26]

* Increase public education about the existing "rules of the road." Throughout the public testimony, it was clear that the rules are rarely known; even more rarely followed; almost never enforced. Examples of the rules are:

An anchored vessel has the right of way over all other vessels.

A vessel traveling downstream has the right of way over vessels traveling upstream.

A vessel traveling upstream must make way for all other vessels. [ISSUE I: Page 23]

* Note in publications the fisheries that have most frequently been subject to emergency order closures in the past. [ISSUE F: Page 17]

The Task Force submits these final recommendations with the strong conviction that they need to be adopted, if the Kenai River as it has been known and enjoyed is to be available in the future. The work of the Task Force has revealed concern and support for the River among individuals and agencies, professional biologists and laymen, river residents and visitors and fishermen of all descriptions. Although it is obvious that much of what is proposed will be difficult, it is equally obvious that the value of the resource at stake demands the effort.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: 3/21/84

REQUEST

Bill/Resolution No.: CS for SB417
Title: (Sen. Resources) Kenai River Park Management
Sponsor: Governor
Requestor:
Date of Request:

FISCAL DETAIL

Agency Affected: Natural Resources, Parks
Program Category Affected: Parks and Recreation
BRU, Program or Subprogram(s) Affected: Park Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		208.9	208.9	208.9	208.9	208.9
200 TRAVEL		1.5	1.5	1.5	1.5	1.5
300 CONTRACTUAL		31.8	31.8	31.8	31.8	31.8
400 SUPPLIES		23.0	23.0	23.0	23.0	23.0
500 EQUIPMENT		121.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		386.7	265.2	265.2	265.2	265.2
CAPITAL						
REVENUE		-0-				

FUNDING: (Thousands of Dollars)

GENERAL FUND		386.7	265.2	265.2	265.2	265.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		7	7	7	7	7

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Neil Johannsen Phone: 276-2653
Division: Parks and Outdoor Recreation Date: 3/21/84

MH Approved by Commissioner: William J. Arnold, Deputy Date: 3/21/84
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

12/1/83

Fiscal Note Section IV Analysis
 Kenai River Management

		Salary	Benefits	FY 85 Total	
100:	Natural Resource Officer II	12 mm	33.0	10.0	43.0
	Park Ranger II	12 mm	33.9	10.1	44.0
	Park Ranger I	8 mm	19.2	5.8	25.0
	Park Ranger I	8 mm	19.2	5.8	25.0
	Natural Resource Technician II	5 mm	10.5	3.2	13.7
	Radio Dispatcher I	6 mm	11.8	3.6	15.4
	Radio Dispatcher I	6 mm	11.8	3.6	15.4
	Natural Resource Technician II	5 mm	10.5	3.2	13.7
	Natural Resource Technician II	5 mm	10.5	3.2	13.7
					<u>208.9</u>
200:	Travel and Per Diem for Natural Resource Officer to attend public meetings and Advisory Board meetings in Anchorage and Homer and meetings to coordinate with Federal and other State agencies.....				1.5
300:	River boat repair and maintenance.....				9.0
	Vehicle rental - mileage and fixed costs.....				22.8
					<u>31.8</u>
400:	Uniform allowance.....				2.0
	Fuel, oil and parts for river boats.....				20.7
	Office supplies.....				3
					<u>23.0</u>
TOTAL OPERATING:					<u>265.2</u>
500:	Listed equipment costs will be necessary for initial program start-up only, these will not be necessary on a yearly basis.				
	Three Jetboats: 17 ft. equipped with lights, siren, life preservers and trailers @ \$20. each.....				60.0
	Four MX 360 Radios and Convertacoms @ \$2.5 each.....				10.0
	Seven Parks Radio 100 Watt Mobile Radio @ \$2.5 each.....				17.5
	Two 4X4 Pickups @ \$9.0 each.....				18.0
	One 1/2 ton Pickup @ \$7.0				7.0
	One Station Wagon @ \$6.0.....				6.0
	One Defensive Equipment.....				1.0
	One Word Processor.....				2.0
					<u>121.5</u>
TOTAL FY 85 REQUEST:					<u>386.7</u>
CIP REQUEST:	Comprehensive Plan for river management, to be done over two fiscal years (1985 and 1986).....				160.0

1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.			
	1	2	3						
4	PERSONAL SERVICES: SALARY		10,500						
5	BENEFITS		3,150						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		13,650						
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES		250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		13,900						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		13,900					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								
4A KEY NUMBER		COLUMN NO.							

AGENCY Natural Resources PROGRAM AREA Division of Parks

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FY 85

13 REQUEST FOR NEW POSITION.



1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GCU	LOCATION Soldotna	APPROV. GOV	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No	PCN No New	PRIORITY	FORM 12 PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT				
	1	2	3					
4	PERSONAL SERVICES- SALARY			10,500				
5	BENEFITS			3,150				
6	FICA							
7	HEALTH INS.							
8	TOTAL PERSONAL SERVICES			13,650				
9	TRAVEL							
10	CONTRACTUAL							
11	COMMODITIES			250				
12	EQUIPMENT							
13	OTHER							
14	TOTAL COST			13,900				
	CODE	FUNDING SOURCE						
15		FED RCPTS						
16		GF MATCH.						
17		GEN FUND		13,900				
18		I-A RCPTS						
19		FGM RCPTS						
20		OTHER						
21	CONTINUATION							
22	ADDITION		FOR B&M USE ONLY					
4A KEY NUMBER _____ COLUMN NO. _____								

JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.

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1	POSITION TITLE Natural Resource Technician II			RANGE/STEP 12 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 5	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.	
2	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION: This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent will provide a necessary safety function in boat operation by assisting one Park Ranger boat operator. The three boat operators must have technician assistance to set the example for safe boat operation. Without assistance in boarding other boats, inspecting shorelines, retrieving accident victims and law enforcement situations, the rangers will not be able to perform an adequate or safe job during the peak season (May-Sept.). Up to 1,200 boats operate on the lower 52 miles of the Kenai River at the same time. It is virtually impossible for an operator to land a jet boat or approach another boat in the swift current without an assistant.			
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY		10,500						
5	BENEFITS		3,150						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		13,650						
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES		250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		13,900						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		13,900					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								
4A KEY NUMBER		COLUMN NO.							

AGENCY Natural Resources PROGRAM AREA Division of Parks

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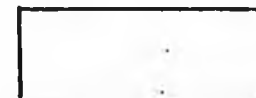
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13 REQUEST FOR NEW POSITION.

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1	POSITION TITLE Radio Dispatcher I			RANGE/STEP 11A	BARG. UNIT. GGU	LOCATION Soldotna	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 6	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES: SALARY		11,838						
5	BENEFITS		3,551						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		15,389						
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES		250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		15,639						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		15,639					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION		FOR B&M USE ONLY						
22	ADDITION								
4A KEY NUMBER		COLUMN NO.							

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1	POSITION TITLE			RANGE/STEP	BANG. UNIT.	LOCATION	APPROV.	DISAPP.	
1	Radio Dispatcher I			11A	CCU	Soldotna	GOV		
2	TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES:			<p>This position is needed as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. Two radio dispatchers are needed to provide 7 days/week, 16 hours/day communications for three field rangers, one technician and one manager who will spend most of their time in the field. The rangers in boats will require radio dispatch to perform the public safety inspection and maintenance aspects of their job, which will be a major portion of their work. Without radio dispatch and adequate communication the rangers will not be able to respond to complaints and public assistance calls. The manager needs immediate communication with field staff to investigate permit compliance. Water related accidents require immediate response (within minutes). Central radio dispatch is needed for these tasks. The local department of Public Safety cannot monitor and dispatch any more frequencies since they already have nine emergency and law enforcement radio and telephone networks.</p>					
4	SALARY								11,838
5	BENEFITS								3,551
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES								15,389
9	TRAVEL								
10	CONTRACTUAL								
11	COMMODITIES								250
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST								15,639
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		15,639					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
4A KEY NUMBER				COLUMN NO.					

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1	POSITION TITLE			RANGE/STEP	BARG UNIT	LOCATION	GOV.	APPROV.	DISAPP.
1	Park Ranger I			14A	GGU	Soldotna	GOV		
2	TYPE OF POSITION	STAFF MONTHS	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
2	Seasonal	8		New					
3	TYPE OF EXPENDITURE			JUSTIFICATION:					
	1	2	3						
4	PERSONAL SERVICES:								
	SALARY								
5	BENEFITS								
6	FICA ¹								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			24,939					
9	TRAVEL								
10	CONTRACTUAL			9,000					
11	COMMODITIES			7,250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			41,189					
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN FUND		41,189					
18		I-A RCPTS							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
4A KEY NUMBER				COLUMN NO.					

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1	POSITION TITLE Natural Resource Officer II			RANGE/STEP 16 A	BARG. UNIT. GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT					
	1	2	3						
4	PERSONAL SERVICES								
	SALARY		33,084						
5	BENEFITS		9,925						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		43,009						
9	TRAVEL		1,500						
10	CONTRACTUAL		4,800						
11	COMMODITIES		250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		49,559						
	CODE	FUNDING SOURCE							
15		FED RCPTS							
16		GF MATCH							
17		GEN FUND		49,559					
18		I-A RCPTS							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION		FOR B&M USE ONLY						
4A	KEY NUMBER			COLUMN NO.					

JUSTIFICATION: This position is required as part of a management package for the Kenai River column from Skilak Lake to Cook Inlet. The incumbent shall accomplish the management objectives to be established by statute, generally stated as follows: provide a safe and healthy river environment for the recreating public and adjacent land owners; maintain a free-flowing river in its natural state; promote recreational enjoyment of the river by developing educational and interpretive programs while stimulating the local tourist economy. This position shall assist in implementing Legislative Resolve 26. Job tasks will include the following: Provide single-agency management of the Kenai River; permit oversight and management; establish a Citizen's Advisory Board to provide local public input and guidance; establish concessions permits and policies for commercial operations on the river; assure compliance with laws and provide recreation information; propose regulations under state park management authority; research legal and land ownership problems; enforce boating safety regulations and educate boaters on safe operations; stimulate the state tourism industry by developing educational and interpretive points of interest. This position will be a staff assistant to the District Superintendent.

AGENCY Natural Resources PROGRAM AREA Division of Parks

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13 REQUEST FOR NEW POSITION.

1	POSITION TITLE Park Ranger II			RANGE/STEP 16 A	ORG. UNIT. Supervisory	LOCATION Soldotna	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No. New	PRIORITY	FORM 12 PAGE/LINE	LEG.		
3	TYPE OF EXPENDITURE			AMOUNT*					
	1			2		3			
4	PERSONAL SERVICES- SALARY			33,888					
5	BENEFITS			10,166					
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES			44,054					
9	TRAVEL								
10	CONTRACTUAL			9,000					
11	COMMODITIES			7,250					
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST			60,304					
15	CODE	FUNDING SOURCE							
16		FED RCPTS.							
17		GF MATCH.							
18		GEN. FUND		60,304					
19		I-A RCPTS							
20		FGM RCPTS							
21		OTHER							
22	CONTINUATION ADDITION			FOR B&M USE ONLY					
4A KEY NUMBER				COLUMN NO.					

JUSTIFICATION: This position is required as part of a management package for the Kenai River column from Shilak Lake to Cook Inlet. The field ranger positions will report directly to this position who will have line authority over the river operations. The management objectives for the Kenai River are to provide a safe and healthy river environment for the recreating public and adjacent land owners. From daily observations and contact with local users and a citizen advisory board the district staff would propose regulations under state park management authority, resolve conflicts, enforce laws, erect proper signing, coordinate public information and education, assist in rescues and emergency medical problems, and remove dangerous obstacles. Another objective is to maintain a free-flowing river in its natural state, control pollution and man-made erosion problems, and maximize recreational use with a minimum of habitat degradation. To promote recreational enjoyment and stimulate the local tourist economy the rangers will develop points of historic, scientific and cultural value so that the public will appreciate them through education and interpretation of the resources. They shall monitor permits and policies for commercial operation, private structures in the river, and cooperative agreements with other State and Federal agencies and private landholders; they shall also respond to all public complaints on the river column. Most of their working time will be spent on the river itself.

AGENCY Natural Resources PROGRAM AREA Division of Parks
Operations
 BRU Maintenance and Operations
 COMPONENT _____

13 REQUEST FOR NEW POSITION.

FY 85

Page _____ of _____ REVISED DATE _____

1	POSITION TITLE Park Ranger I			RANGE/STEP 14A	BARG UNIT GGU	LOCATION Soldotna	GOV	APPROV.	DISAPP.
2	TYPE OF POSITION Seasonal	STAFF MONTHS 8	RP No.	PCN No. New	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES- SALARY		19,184						
5	BENEFITS		5,755						
6	FICA								
7	HEALTH INS.								
8	TOTAL PERSONAL SERVICES		24,939						
9	TRAVEL								
10	CONTRACTUAL		9,000						
11	COMMODITIES		7,250						
12	EQUIPMENT								
13	OTHER								
14	TOTAL COST		41,189						
	CODE	FUNDING SOURCE							
15		FED RCPTS.							
16		GF MATCH.							
17		GEN. FUND		41,189					
18		I-A RCPTS.							
19		FGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			FOR B&M USE ONLY					
4A KEY NUMBER		COLUMN NO.							

AGENCY Natural Resources PROGRAM AREA Division of Parks

BRU Operations

FY 85

13 REQUEST FOR NEW
POSITION.

COMPONENT Maintenance & Operations

Page of

REVISED
DATE

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: 417
Title: "An act relating to Kenai River Special Management Area."
Sponsor: _____
Requestor: _____
Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
Program Category Affected: Admin. of Justice/Natural Resources
BRU, Program or Subprogram(s) Affected: Alaska State Troopers / Fish & Wildlife Protection

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 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Francis C. Allan/Captain W. Fleek Phone: 269-5691
Division: AK State Troopers/Fish & Wildlife Prot. Date: 02/06/84

Approved by Commissioner: Robert J. Sundberg Date: 2/6/84
Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#2

Revision Date: 2/3/84

REQUEST

Bill/Resolution No.: SB417
Title: Kenai River Park Management

FISCAL DETAIL

Agency Affected: Natural Resources, Parks
Program Category Affected: Parks & Recreation

Sponsor: Governor
Requestor: _____
Date of Request: _____

BRU, Program or Subprogram(s) Affected:
Park Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
100 PERSONAL SERVICES		208.9	208.9	208.9	208.9	208.9
200 TRAVEL		1.5	1.5	1.5	1.5	1.5
300 CONTRACTUAL		31.8	31.8	31.8	31.8	31.8
400 SUPPLIES		23.0	23.0	23.0	23.0	23.0
500 EQUIPMENT		121.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		386.7	265.2	265.2	265.2	265.2
CAPITAL		0 **				
REVENUE		0				

FUNDING: (Thousands of Dollars)

GENERAL FUND		386.7	265.2	265.2	265.2	265.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		1	1	1	1	1

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

**Note: \$160.0 for the Kenai River Comprehensive Plan is in the Governor's
FY 85 Capital Budget

ANALYSIS: Attach a separate page for analysis

Prepared By: Neil C. Johannsen Phone: 264-2103
Division: Parks Date: 11/17/83

Approved by Commissioner: William D. Arnold, Deputy Date: 2/3/84
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#3

Revision Date: 2/3/84

REQUEST

Bill/Resolution No.: SB417
Title: An Act establishing the Kenai River Special Management Area
Sponsor: _____
Requestor: Governor/Law
Date of Request: 2/3/84

FISCAL DETAIL

Agency Affected: Environmental Conservation
Program Category Affected: _____
BRU, Program or Subprogram(s) Affected: Environmental Quality Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

(The nature of this legislation allows budgeting only through FY 85 after which time the specific agency involvement identified in the completed Kenai River Plan will be clearly outlined.)

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0				
FEDERAL FUNDS	0	0				
OTHER	0	0				
TOTAL	0	0				

POSITIONS:

FULL-TIME	0	0				
PART-TIME	0	0				
TEMPORARY	0	0				

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

RSA with DNR

\$5,000 will be allocated to DEC for travel for each of FY84 and FY85.

ANALYSIS: Attach a separate page for analysis

Prepared By: Bob Martin
Division: Environmental Quality Management

Phone: 274-2533
Date: 1/31/84

Approved by Commissioner: Richard A. Neve
Agency: Environmental Conservation

Date: 2/3/84

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#4

Revision Date: _____

REQUEST

Bill/Resolution No.: 417
 Title: Kenai River Special Management Area
 Sponsor: Governor Sheffield
 Requestor: Governor Sheffield
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Fish and Game
 Program Category Affected: NRMEC
 BRU, Program or Subprogram(s) Affected: _____

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 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
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:

ANALYSIS: Attach a separate page for analysis

Prepared By: Beverly Reaume Phone: 465-4120
 Division: Administration Date: January 30, 1984
 Approved by Commissioner: Don Callenworth Date: 1-31-84
 Agency: Fish and Game

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#

Revision Date: _____

REQUEST

Bill/Resolution No.: 417
 Title: "An act relating to Kenai River Special Management Area."
 Sponsor: _____
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Admin. of Justice/Natural Resources
 BRU, Program or Subprogram(s) Affected: Alaska State Troopers / Fish & Wildlife Protection

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 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Francis C. Allan/Captain W. Fleek Phone: 269-5691
 Division: AK State Troopers/Fish & Wildlife Prot. Date: 02/06/84

Approved by Commissioner: Robert J. Sundberg Date: 2/6/84
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#2

Revision Date: 2/3/84

REQUEST

Bill/Resolution No.: SB417
Title: Kenai River Park Management

FISCAL DETAIL

Agency Affected: Natural Resources, Parks
Program Category: Affected: Parks & Recreation

Sponsor: Governor
Requestor: _____
Date of Request: _____

BRU, Program or Subprogram(s) Affected:
Park Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		208.9	208.9	208.9	208.9	208.9
200 TRAVEL		1.5	1.5	1.5	1.5	1.5
300 CONTRACTUAL		31.8	31.8	31.8	31.8	31.8
400 SUPPLIES		23.0	23.0	23.0	23.0	23.0
500 EQUIPMENT		121.5				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		386.7	265.2	265.2	265.2	265.2
CAPITAL		0 **				
REVENUE		0				

FUNDING: (Thousands of Dollars)

GENERAL FUND		386.7	265.2	265.2	265.2	265.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY		1	1	1	1	1

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

**Note: \$160.0 for the Kenai River Comprehensive Plan is in the Governor's
FY 85 Capital Budget

ANALYSIS: Attach a separate page for analysis

Prepared By: Neil C. Johannsen Phone: 264-2103
Division: Parks Date: 11/17/83

Approved by Commissioner: William D. Armstrong, Deputy Date: 2/3/84
Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#3

Revision Date: 2/3/84

REQUEST

Bill/Resolution No.: SB417
Title: An Act establishing the Kenai River Special Management Area
Sponsor: _____
Requestor: Governor/Law
Date of Request: 2/3/84

FISCAL DETAIL

Agency Affected: Environmental Conservation
Program Category Affected: _____
BRU, Program or Subprogram(s) Affected: Environmental Quality Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

(The nature of this legislation allows budgeting only through FY 85 after which time the specific agency involvement identified in the completed Kenai River Plan will be clearly outlined.)

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0				
FEDERAL FUNDS	0	0				
OTHER	0	0				
TOTAL	0	0				

POSITIONS:

FULL-TIME	0	0				
PART-TIME	0	0				
TEMPORARY	0	0				

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

RSA with DNR

\$5,000 will be allocated to DEC for travel for each of FY84 and FY85.

ANALYSIS: Attach a separate page for analysis

Prepared By: Bob Martin Phone: 274-2533
Division: Environmental Quality Management Date: 1/31/84

Approved by Commissioner: Richard A. Neve Date: 2/3/84
Agency: Environmental Conservation

Distribution (by Agency preparing fiscal note):

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

12/1/83

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

#4

Revision Date: _____

REQUEST

Bill/Resolution No.: 417
 Title: Kenai River Special Management Area
 Sponsor: Governor Sheffield
 Requestor: Governor Sheffield
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Fish and Game
 Program Category Affected: NRMFC
 BRU, Program or Subprogram(s) Affected: _____

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 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
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:

ANALYSIS: Attach a separate page for analysis

Prepared By: Beverly Reaume Phone: 465-4120
 Division: Administration Date: January 30, 1984
 Approved by Commissioner: Donnell Calumworth Date: 1-31-84
 Agency: Fish and Game

Distribution (by Agency preparing fiscal note):

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

12/1/83

SECTIONAL ANALYSIS
CSSR 417 (RES)

SECTION 1

Findings - Fish and wildlife are the most important resources of the river.

SECTION 2

41.21.500: Purpose is (1) to designate as a unit of the state park systems the land and water described and (2) to protect and perpetuate the fishery and wildlife resources and habitat in the unit and adjacent area and (3) to manage recreational uses and development activities in the unit.

41.21.502: Designation of land and water - Designates the surface estates of state owned land and water including shore, tide, and submerged land as the Kenai River Special Management Area. This description cuts off the management area just below the bridge in the City of Kenai. This section has technical language that locates the specific parcels of land in the management area. Also, designates the management area as a special purpose area subject to valid existing rights and the management area is closed to mineral entry except for oil and gas leasing.

41.21.504: Designation of management responsibilities - The above described land and water is assigned to DNR for control, maintenance and development consistent with the findings and purposes of the act. Nothing in the bill affects powers and duties of Departments of Natural Resources, Fish and Game, Environmental Conservation, OMB, or Alaska Coastal Management programs.

41.21.506: Comprehensive Management Plan, Regulations - Commissioner shall develop a management plan within two years of effective date in consultation with the Kenai Peninsula Borough and may periodically review and adopt changes in consultation with the Kenai Peninsula Borough.

Commissioner shall adopt regulations under the Administrative Procedure Act which must designate and prohibit or restrict incompatible uses, and establish registration or licensing for professional fishing guides as well as controls that are considered necessary for such guides.

Until regulations are adopted, existing state regulations otherwise applicable to the Kenai River Special Management Area remain in effect.

A regulation under this section doesn't apply to land in the boundaries of a municipality unless it is state land or the regulation has been approved by the municipality.

1

41.21.508: Additional Land - The commissioner may acquire title or interest to land within or adjacent to the management area by any lawful means except eminent domain and may also add state owned land or water to the management area.

41.21.510: Public Involvement - The commissioner shall appoint an advisory board with which to jointly hold public meetings when developing and implementing the management plan. The commissioner shall consult and solicit recommendations from the advisory board, federal and state agencies, interest groups, and other interested people. The advisory board appointed under this section shall be representative of the interests involved on the river and a majority shall be Kenai Peninsula residents.

41.21.512: Cooperative Management Agreements - Allows the commissioner to enter into cooperative management agreements with federal or state agencies, municipalities, or private land owners to achieve the purposes of this Act.

41.21.514: Civil Enforcement - The Attorney General, at the request of the commissioner, may seek an injunction and damages for violation of a regulation under this Act.

SECTION 3

This Act takes effect immediately.

from Senator Gilman

Letter of Intent
for CS SB 417(Resources)

It is the intent of the Legislature that the management plan described in AS 41.21.506 be developed jointly by the Commissioner of Natural Resources and the Kenai Peninsula Borough.

Alaska State Legislature

BETTYE FAHRENKAMP, Chairman
ROBERT H. ZIEGLER, SR., Vice Chairman
DICK ELIASON
PAUL FISCHER
VIC FISCHER
BOB MULCAHY
ARLISS STURGULEWSKI



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Senate

Committee on Resources MAJOR PROVISIONS OF SB 417

SB 417

States the finding of the two task forces that the highest priority resources of the Kenai River are its fishery and wildlife.

Closes lands in the Special Use Area to multiple purpose use.

Closes lands to mineral entry.

Gives DNR primary management responsibility.

Management plan must be developed and adopted within two years.

Includes lands to a distance of 1/4 mile upland on each side of the river.

DNR must adopt regulations to designate incompatible uses and to establish a registration procedure for professional fishing guides.

Gives DNR "veto power" over local planning and zoning activities to assure consistency with the Special Use Area.

Additional land may be acquired through any lawful means.

In developing the management plan, DNR will consult with an advisory board and hold public hearings.

Committee Substitute

Same as original bill.

Lands remain open to multiple purpose use.

Closes except for oil and gas leasing.

Same as original bill.

Specifies that plan must be developed in consultation with Kenai Peninsula Borough.

Adjacent land may be included.

Same as original bill.

This provision is removed. Clarifies that regulations adopted apply only to state-owned land.

Additional land may not be acquired through eminent domain.

A majority of the members of the advisory group must be residents of the Kenai Peninsula Borough.

COMPARISON OF CS and Original

FINAL
STATEMENT OF FINDINGS
OF THE
KENAI RIVER TASK FORCE

Submitted:
MARCH, 1983

SUMMARY OF RECOMMENDATIONS

The Kenai River Task Force believes in the value of the Kenai River as a significant natural, recreational and economic resource. The Task Force is unequivocally convinced of the need for immediate and sustained efforts to assure the resource will survive the pressures it is experiencing and will experience in increasing amounts in the future.

The final recommendations which have preceded this section of the report fall into four broad categories; establishment of some comprehensive and long-range programs intended to prevent the River from reaching a point where its future is in question, increased funding to make possible the full implementation of programs for which the structure presently exists, enactment of specific new steps directed at remedying some of the more damaging activities currently taking place and an immediate and ongoing public awareness program.

It was clear to the Task Force that many of the recommendations outlined earlier, if they were all implemented, would only serve as a "holding action" against the use pressures being placed on the Kenai River. The ultimate victory which would assure the future of the Kenai River in a healthy and productive condition will depend on organized and sustained stewardship. To achieve that stewardship will require the formation of long-range programs that are not now in place. To address this perspective the Task Force makes the following recommendations.

- * Create a Kenai River Commission or Authority outside of any existing agency. The Commission could coordinate programs and attempt to resolve disputes between various governmental units; serve as a clearinghouse for permit applications; perform appropriate planning functions and make recommendations with respect to how proposed activities along the River conform to the declared primary function of the River. The creation of a River Commission could eliminate much of the existing and potential conflict through the creation of a Master Plan for Kenai River development and associated land use practices.

The plan would detail the amount and kinds of development that each segment of the watershed could support and establish a procedure to restore, rehabilitate and regulate particular land areas affecting Kenai River habitat. This plan would have the maintenance of wildlife and wildlife habitat as an important component and would protect habitat by removing structures known to be accelerating erosion and by repairing and stabilizing banks which have unusually high rates of erosion. As guidance for the Commission in the preparation of this plan, the task force recommends as a minimum the documents cited in the preliminary recommendations on this issue. [ISSUE A: Page 7]

* ~~Make a legislative declaration that the highest and best use of the Kenai River is the production and use of its fishery and wildlife resources; all other uses to be tested against that declaration.~~ Such a declaration could eliminate conflict between competing water demands at an early stage, before such conflict diminishes either the River or its highest and best use. [ISSUE B: Page 10]

* Establish a Guide Board for the Kenai River to set and enforce qualifications; limit the continued growth in the number of guides; establish an optimal number of guides and establish a mechanism to adjust the number of guides to that optimal number. [ISSUE D: Page 14]

* Establish the non-transferability of guide licenses and a procedure whereby they are returned to the State when not used for a specified period of time and/or not used to guide a specified minimal number of clients annually. [ISSUE D: Page 14]

* Establish a special Task Force to study and make recommendations concerning the allocation of the Cook Inlet salmon resource with particular reference to its affect on the Kenai River fishery resource. [ISSUE E: Page 16]

Throughout this process it has been clear that prior consideration of the problems of the Kenai River had led to the establishment of programs within existing agencies to control or correct undesirable influences on the River. As is often the case, many of these programs have either not been in operation or have been operating at less than full capacity due to limited funding. The Task Force believes that the resources of the Kenai River need and deserve the full funding support that will allow existing manpower and programs to exert their maximum beneficial effects. Thus, the following specific recommendations are made.

FOR: the Alaska Department of Fish and Game - Habitat Division and the Alaska Department of Public Safety -

Division of Fish and Wildlife Protection

* Increase funding and manpower for all aspects of enforcement of current and future Kenai River regulations designed to protect habitat and/or fish stocks. [ISSUE C: Page 12]

FOR: the Alaska Department of Public Safety

* Increase public safety patrols. Specifically, three new patrol officer positions should be created and funded; and they should be assigned to the River full time during June and July. Increased enforcement patrols could substantially reduce the conflicts. [ISSUE I: Page 23]

FOR: the Alaska Department of Fish and Game - Commercial Fish Division, Sport Fish Division and F.R.E.D. Division

* Substantially increase research funding and manpower for the Department of Fish and Game for collection of Kenai River fisheries data. There should be no diminution of the "emergency" procedures. However, increased research capabilities, resulting in increased data, could make the implementation of those procedures less frequent and reduce the conflict between user planning and emergency closures. [ISSUE F: Page 17]

FOR: the Alaska Department of Natural Resources - Division of Parks

* Increase funding and manpower to the level necessary to properly maintain existing Division of Parks units along the Kenai River that provide public access, boat launching, sanitation and camping facilities along the river. [ISSUE H: Page 21]

After considerable analysis and discussion of the issue and the degree to which deterioration of the Kenai River habitat and use conditions are now taking place, the Task Force could come to no other conclusion than that certain new and specific actions were required to slow that deterioration until the longer range programs can be implemented. It is in this sense of necessity that the following recommendations are made.

* Take over responsibility for the Boating Safety Program currently under the jurisdiction of the U.S. Coast Guard as has been done in forty-eight other states. [ISSUE I: Page 23]

* Develop an adequate data base on all native salmonid species in the Kenai River system and the potential impact of the introduction of hatchery stocks on any of these species. [ISSUE G: Page 19]

* If found to be enforceable by the Commission, establish maximum wake regulations on those areas of the river where banks are particularly prone to erosion. [ISSUE J: Page 26]

* Develop a set of guidelines or regulations which would indicate appropriate designs for both structures to be placed in the river and modifications of the bank. [ISSUE J: Page 26]

* Conduct a legal review of all current state and federal regulations and statutes affecting the Kenai River, and codify those regulations pertaining to the Kenai River with particular reference to legal restrictions on boat operation. With almost twenty agencies having some degree of control over the River, the present need for a central reference document of river regulations is overwhelming. The codification of diverse river regulations could do much to reduce perceived conflict between "intent" and the "wording" of existing regulations. The results should be published in a form suitable for public distribution and comprehension. [ISSUE C: Page 12]

* Increase access points on the Kenai River in an effort to distribute existing pressure. On the main stem, increased launch facilities on the upper (Skilak Lake to the Naptown Rapids) and middle (Naptown Rapids to Soldotna Bridge) sections of the river and boat-accessible sanitation stations on the upper, middle and lower (Soldotna Bridge to Warren Ames Bridge) sections of the river should be provided. [ISSUE E: Page 21]

* Expand access to alternative stocks at Deep Creek, Whiskey Gulch, Kasilof River and throughout the entire Susitna drainage, particularly near Willow Creek. The increase of access, both on and off the Kenai River, is essential to resolve existing conflicts between anglers and landowners. [ISSUE E: Page 21]

* Guides should be assigned a specific individual identification number which would be prominently displayed on their boat. [ISSUE D: Page 14]

Throughout the discussions and deliberations leading to this report, the Task Force and many members of the public who commented at the meetings repeatedly expressed their belief in the ability and willingness of the public at-large to modify their behavior in the interest of preserving the resources of the Kenai River. Underlying these statements was the assumption that the public clearly understood the consequences of their present actions and what types of changes would be helpful. To this end a public awareness program that includes, at least, the following elements is recommended.

* River reaches which are particularly sensitive to bank erosion should be marked with cautionary signs. Additionally information on the contribution of powerboat operation to induced erosion and the serious consequences of induced erosion could be presented to users through publication in the sport fishing regulations, signs at access points, posters, newspapers, television, etc. [ISSUE J: Page 26]

* Increase public education about the existing "rules of the road." Throughout the public testimony, it was clear that the rules are rarely known; even more rarely followed; almost never enforced. Examples of the rules are:

An anchored vessel has the right of way over all other vessels.

A vessel traveling downstream has the right of way over vessels traveling upstream.

A vessel traveling upstream must make way for all other vessels. [ISSUE I: Page 23]

* Note in publications the fisheries that have most frequently been subject to emergency order closures in the past. [ISSUE F: Page 17]

The Task Force submits these final recommendations with the strong conviction that they need to be adopted, if the Kenai River as it has been known and enjoyed is to be available in the future. The work of the Task Force has revealed concern and support for the River among individuals and agencies, professional biologists and laymen, river residents and visitors and fishermen of all descriptions. Although it is obvious that much of what is proposed will be difficult, it is equally obvious that the value of the resource at stake demands the effort.

Introduced: 2/7/84
Referred: Resources and
Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 417

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Kenai River Special Manage-
7 ment Area; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. FINDINGS. The legislature finds that the Kenai River is
10 an important natural resource and that it must be protected and preserved
11 for the maximum benefit of all Alaskans. The vitality of the Kenai River
12 is threatened. Power boat wakes and stream bank development have contri-
13 buted to the erosion of the river's banks and the degradation of its fish
14 beds. Increased use on the river endangers fish and wildlife habitats.
15 Competition among people who sport fish, professional fishing guides, and
16 others who use the river for recreation and transportation creates over-
17 crowded, hazardous, and unpleasant conditions. A multitude of state and
18 federal agencies with jurisdiction over various aspects of the river and
19 adjacent public and private land creates a labyrinth of regulation without
20 effectively preventing the river's deterioration. The river's fishery and
21 wildlife are its most important resources. The highest priority uses of the
22 river and its adjacent land derive from its fishery and wildlife resources,
23 which must be protected and preserved to ensure their renewability and
24 continued usefulness. To solve the river's problems a need exists for a
25 comprehensive management plan for the river and its adjacent land and for
26 coordinated management.

27 * Sec. 2. AS 41.21 is amended by adding new sections to read:

28 ARTICLE 4A. KENAI RIVER SPECIAL MANAGEMENT AREA.
29 Sec. 41.21.500. PURPOSE OF AS 41.21.500 -- 41.21.510. The

1 purpose of AS 41.21.500 -- 41.21.510 is to designate, as a unit of the
2 state park system under AS 41.21, the land and water described in
3 AS 41.21.502(a), and

4 (1) to protect and perpetuate the fishery and wildlife
5 habitat in the unit and adjacent area;

6 (2) to protect the scenic values and recreational values
7 in the unit and adjacent area; and

8 (3) to manage recreational uses and development activities
9 in the unit and adjacent area.

10 Sec. 41.21.502. DESIGNATION OF WATER AND LAND. (a) The surface
11 estate in the following state-owned water and land, including shore,
12 tide, and submerged land, and the surface estate in the water and land
13 that the state acquires in the future lying within the parcels de-
14 scribed as follows, are designated the Kenai River Special Management
15 Area:

16 (1) the Kenai River from its confluence with Cook Inlet at
17 the common section line of Sections 5 and 6, Township 5 North, Range
18 11 West, Seward Meridian, upstream to and including the waters of the
19 Kenai and Skilak Lakes;

20 (2) the Moose River from its confluence with the Kenai
21 River upstream to the Sterling Highway Bridge;

22 (3) the Funny River from its confluence with the Kenai
23 River upstream to the Funny River Road Bridge;

24 (4) the state land within the following parcels:

25 (A) Kenai Keys

26 Township 5 North, Range 8 West, Seward Meridian

27 Alaska State Land Survey No. 73-146,

28 Lots 2,3,5-8, and 12-33 of Block 2.

29 Tract B.

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A small un-meandered island located within the SE SE of Section 36.

According to the Stephenkie Alaska Subdivision, Alaska State Land Survey No. 73-146, filed in the Kenai Recording District as Plat No. 79-83.

Township 5 North, Range 8 West, Seward Meridian Section 36: General Land Office Lots 2, 3, SW NE, NE NW, excluding the Kenai Keys Road Right-of-Way and Stephenkie Alaska Subdivision, Alaska State Land Survey No. 73-146, filed in the Kenai Recording District as Plat No. 79-83.

Section 26: General Land Office Lot 9.

(B) Bing's Landing

Township 5 North, Range 8 West, Seward Meridian Section 16: Portion of WW lying south of the Sterling Highway.

Section 20: Lot 1.

Section 21: Lot 3.

(C) Izaak Walton

Township 5 North, Range 8 West, Seward Meridian Parcel #1: Starting at the Southwest corner of Lot 6, Section 7, go South 0°08' East a distance of 888.1 feet to the center of road to corner no. 1, which is the true point of beginning; then North 73°5' West along the center of the road a distance of 727 feet to corner no. 2; then in a southwesterly

1 direction a distance of 515.6 feet , along
2 the line of mean high water of Moose River to
3 point no. 3; then a distance of 108 feet , to
4 point no. 4 along the line of mean high water
5 of Moose River to Kenai River; then a distance
6 of 75.3 feet , to point no. 5 along that
7 river; then upstream a distance of 808.6 feet
8 , at mean high water along Kenai River to
9 point no. 6; then North 0°8' West 150 feet to
10 point no. 7; then south 89°57' East a distance
11 of 208 feet to point no. 8; then North 0°08'
12 West 213.9 feet to point no. 1, which is the
13 true point of beginning, in the Kenai
14 Recording District.

15 Parcel #2: Starting at the Southwest corner of
16 Lot 6, Section 7, go South 0°08' East a
17 distance of 1102.0 feet to corner no. 1, which
18 is the true point of beginning; then North
19 89°57' West 208.0 feet to corner no. 2; then
20 South 0°08' East 150 feet to corner no. 3,
21 which is a point at mean high water of the
22 Kenai River, then Southeasterly a distance of
23 238 feet , along the line of high water of
24 that river to corner no. 4, which is a point
25 268 feet , South 0°08' East of corner no. 1,
26 then North 0°08' West 268 feet to corner no.
27 1, which is the true point of beginning,
28 containing one acre , in the Kenai Recording
29 District.

- 1 (D) Nilnunqa
2 Township 5 North, Range 8 West, Seward Meridian
3 Section 7: Lot 10.
- 4 (E) Funny River
5 Township 5 North, Range 9 West, Seward Meridian
6 Section 28: SE SE .
7 Section 33: Lots 1, 3, SE NW , portion of NE
8 lying west of the Funny River Road.
9 Tract 6, Heistand Subdivision, Addition No. 2,
10 according to Plat No. 77-174, filed in the
11 Kenai Recording District.
- 12 (F) Morgan's Landing
13 Township 5 North, Range 9 West, Seward Meridian
14 Section 21: SW SE .
15 Section 28: Lots 2, 3, 7-9, 14, 15, NE NW ,
16 NW SW
17 Section 33: Lot 2.
- 18 (G) Kenai River Islands
19 Township 5 North, Range 8 West, Seward Meridian
20 Section 27: Lots 10, 17.
21 Township 5 North, Range 10 West, Seward Meridian
22 Section 6: Lots 9, 10.
23 Section 7: Lots 2-4, 8, 11, 16.
24 Section 18: Lots 2, 3, 14.
25 Section 19: Lots 3, 17.
26 Section 30: Lots 2, 8.
27 Section 31: Lots 7, 10.
28 Section 32: Lot 7.
29 Section 33: Lots 5, 8.

1 Section 34: Lot 10.
2 Township 5 North, Range 11 West, Seward Meridian
3 Section 36: Lot 2 within NE .
4 (H) Slikok Creek
5 Township 5 North, Range 11 West, Seward Meridian
6 Section 36: Tract "A", Slikok Creek Alaska
7 Subdivision
8 (I) Big Eddy
9 Township 5 North, Range 11 West, Seward Meridian
10 Section 24: Lots 14, 15, NW NE SE .
11 (J) Ciechanski
12 Township 5 North, Range 11 West, Seward Meridian
13 Section 24: Lot 1
14 (K) Kenai River Flats
15 Township 5 North, Range 11 West, Seward Meridian
16 Section 15: Lot 8, NW SE , N SW , N S SW .
17 (L) Other Lower River Land
18 Township 5 North, Range 10 West, Seward Meridian
19 Section 6: Lot 8.
20 Section 7: Lots 5-7, 15.
21 Section 18: Lots 4-7, 10-13, NE SW , ENW .
22 Section 19: Lot 16.
23 Township 5 North, Range 11 West, Seward Meridian
24 Section 1: Lot 10.
25 Section 12: Lots 1-3, 7-10, 13, N SE , SE NE ,
26 NE SW .
27 Section 13: Lot 1, SW NW .
28 Section 14: Lots 2, 7.
29 Section 16: Lots 1-10, SE , NW NW , SE SW .

1 (b) The land and water described in (a) of this section are
2 designated as a special purpose area under art. VIII, sec. 7, of the
3 Alaska Constitution, and are closed to multiple purpose use in con-
4 formity with AS 38.05.300, subject to valid existing rights.

5 (c) The mineral estate in the land and water described in (a) of
6 this section is closed to mineral entry under AS 38.05.185 -- 38.-
7 05.280.

8 Sec. 41.21.504. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a)
9 The land and water described in AS 41.21.502 are assigned to the
10 Department of Natural Resources for control, maintenance, and develop-
11 ment consistent with the findings and purposes of this Act.

12 (b) Nothing in AS 41.21.500 -- 41.21.512 affects the applicabil-
13 ity of (1) AS 41.99.010 and AS 16 regarding fish and game responsibil-
14 ities; (2) AS 46.03 regarding Department of Environmental Conservation
15 responsibilities; or (3) the responsibilities of state agencies and
16 municipalities under AS 44.19.145(a)(11) and AS 46.40.100.

17 Se 41.21.506. COMPREHENSIVE MANAGEMENT PLAN; REGULATIONS. (a)
18 Within two years after the effective date of this Act the commissioner
19 shall, subject to the availability of appropriations enacted to imple-
20 ment this Act, develop and adopt a comprehensive management plan for
21 the Kenai River Special Management Area. The plan must cover the land
22 abutting the rivers described in AS 41.21.502(a)(1) -- (3), whether
23 state-owned or privately owned, to a distance of one-quarter mile
24 upland on each side as measured on a horizontal plane from the mean
25 high water line of each river, and other adjacent public and private
26 land the commissioner decides should be included within the plan to
27 effectuate the purposes of this Act. The commissioner may periodical-
28 ly review the plan and adopt changes to the plan as conditions war-
29 rant.

1 (b) The commissioner shall adopt regulations, under the Adminis-
2 trative Procedure Act (AS 44.62), that are necessary to effectuate the
3 purposes of this Act and to implement the plan adopted under (a) of
4 this section. The regulations must

5 (1) designate incompatible uses and prohibit or restrict
6 them, and

7 (2) establish a registration, licensing, or comparable
8 procedure for professional fishing guides and such additional fishing
9 guide controls as the commissioner decides are necessary.

10 (c) Until regulations adopted under AS 41.21.500 -- 41.21.512
11 take effect, the commissioner may apply other relevant state regula-
12 tions to the Kenai River Special Management Area.

13 (d) For any activity that could be regulated by or is authorized
14 by a municipal corporation or the Kenai Peninsula Borough through the
15 exercise of planning, platting, and zoning powers granted in AS 29.33,
16 the commissioner may review and disapprove those activities to insure
17 consistency with the purposes of this Act and the plan adopted under
18 (a) of this section.

19 (e) The provisions of AS 41.21.025(b) and (c) regarding zoning
20 regulations do not apply to the land and water described in AS 41.21.-
21 500 -- 41.21.512.

22 Sec. 41.21.508. ADDITIONAL LAND. (a) In the name of the state,
23 the commissioner may acquire by lease, purchase, exchange under
24 AS 38.50.010 -- 38.50.170, bequest, gift, or any other lawful means,
25 title to or interest in real property or improvements on the property,
26 adjacent to or within the boundaries of the Kenai River Special Man-
27 agement Area in order to effectuate the purposes of this Act.

28 (b) The commissioner may, under AS 38.05.295 -- 38.05.300,
29 adjust the boundaries of the Kenai River Special Management Area by

1 adding other state-owned land and water to effectuate the purposes of
2 this Act.

3 Sec. 41.21.510. PUBLIC INVOLVEMENT. In developing and implement-
4 ing the plan required by AS 41.21.506(a), the commissioner shall
5 appoint an advisory board with which to consult; shall hold public
6 meetings, during development of the plan, in the areas affected; and
7 shall consult on a regular basis with federal and state agencies,
8 local governments, interest groups, and other interested members of
9 the public.

10 Sec. 41.21.512. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
11 sioner may enter into cooperative management agreements with federal
12 agencies, municipalities, other state agencies, or private landowners
13 to effectuate the purposes of this Act.

14 * Sec. 3. AS 41.21 is amended by adding a new section to read:

15 Sec. 41.21.960. CIVIL ENFORCEMENT. In addition to other rem-
16 edies provided by law, the attorney general, at the request of the
17 commissioner, may seek an injunction and damages for a violation of a
18 regulation adopted under AS 41.21.500 -- 41.21.512 or other regula-
19 tions that are applicable to the special management area established
20 by AS 41.21.502.

21 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
22 10.0/0(c).