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186

Original sponsors: Szymanski and Clocksin

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 186 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Anchorage Coastal Wildlife  
7 Refuge."

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

9 \* Section 1. AS 16.20 is amended by adding a new section to read:

10 Sec. 16.20.031. ANCHORAGE COASTAL WILDLIFE REFUGE. (a) The  
11 following described state-owned land and water is established as the  
12 Anchorage Coastal Wildlife Refuge and shall be managed as a state game  
13 refuge for the protection of waterfowl, shorebirds, salmon, and other  
14 fish and wildlife species, and their habitat and for the use and  
15 enjoyment of the people of the state:

16 (1) Township 13 North, Range 4 West, Seward Meridian

17 Section 20: SE 1/4 seaward of the 20 foot elevation  
18 contour

19 SE 1/4 NE 1/4 seaward of the 20 foot elevation con-  
20 tour

21 Section 29: E 1/2 seaward of the 20 foot elevation  
22 contour

23 SW 1/4 seaward of the 20 foot elevation contour

24 Section 30: SE 1/4 SE 1/4

25 Section 31: All seaward of the 20 foot elevation  
26 contour except NW 1/4 NW 1/4

27 Section 32: All seaward of the 20 foot elevation  
28 contour

29 (2) Townsh\_p 13 North, Range 5 West, Seward Meridian

1 Section 36: S 1/2

2 S 1/2 N 1/2

3 (3) Township 12 North, Range 4 West, Seward Meridian  
4 Sections 6 - 9: Seaward of the 20 foot elevation  
5 contour

6 Section 15: NW 1/4 seaward of the 20 foot elevation  
7 contour

8 SW 1/4 NE 1/4 seaward of the 20 foot elevation  
9 contour

10 Government Lot 5 and the remainder of the W 1/2 SE  
11 1/4, all

12 SW 1/4

13 Section 16: Seaward of the 20 foot elevation contour  
14 Sections 17 - 22

15 Section 23: Government Lot 1 and the remainder of the  
16 SW 1/4, all seaward of the 20 foot elevation contour  
17 Government Lot 2 and the remainder of the S 1/2 NW  
18 1/4, all seaward of the 20 foot elevation contour  
19 Government Lots 3 and 4, and the remainder of the SE  
20 1/4, all seaward of the 20 foot elevation contour

21 Section 24: Tract A, Shorecrest Subdivision (Plat No.  
22 81-68, Anchorage Recording District)

23 Section 25: Government Lots 1 and 2, and the remainder  
24 of the W 1/2, all

25 Tract A, Johns Park Estates, and the remainder of the  
26 NE 1/4, excluding Skyway Park Estates, Addition No. 1  
27 all seaward of the 20 foot elevation contour Govern-  
28 ment Lots 3 and 4, and the remainder of the SE 1/4,  
29 all

1 Sections 26 - 36

2 (4) Township 12 North, Range 3 West, Seward Meridian

3 Sections 1 - 2

4 Sections 11 - 14

5 Sections 23 - 26

6 Sections 35 - 36

7 (5) Township 12 North, Range 3 West, Seward Meridian

8 Section 29: That portion of the SW 1/4 southwesterly  
9 of the Alaska Railroad right-of-way and southerly of  
10 Oceanview Subdivision, Addition No. 6

11 Section 30: That portion of Tract A, Johns Park  
12 Estates, seaward of the 20 foot elevation contour  
13 Government Lot 2 and that portion of the SE 1/4 NW  
14 1/4 southwesterly of Oceanview West Subdivision,  
15 Addition No. 1

16 Government Lots 3 and 4 and the remainder of the SW  
17 1/4, all

18 That portion of the SW 1/4 NE 1/4 and the SE 1/4  
19 southwesterly of Oceanview Subdivision. Addition No.  
20 4 and Addition No. 6

21 Section 31

22 Section 32: All lands southwesterly of the Alaska  
23 Railroad right-of-way

24 Section 33: All lands westerly of the Alaska Railroad  
25 right-of-way

26 (6) Township 11 North, Range 3 West, Seward Meridian

27 Section 3: Government Lot 5

28 Section 4: That portion southwesterly of the Old  
29 Seward Highway right-of-way and The Landings

1 Subdivision which is northeasterly of the New Seward  
2 Highway right-of-way

3 That portion southwesterly of the Alaska Railroad  
4 right-of-way

5 Sections 5 - 8

6 Section 9: That portion southwesterly of the Alaska  
7 Railroad right-of-way

8 That portion northeasterly of the New Seward Highway  
9 right-of-way

10 Section 10: That portion westerly of the Old Seward  
11 Highway right-of-way which is northeasterly of  
12 the New Seward Highway right-of-way

13 That portion southwesterly of the Alaska Railroad  
14 right-of-way

15 (7) Township 11 North, Range 4 West, Seward Meridian

16 Sections 1 - 4

17 Sections 10 - 12

18 (b) Except as provided in (d) of this section, the Department of  
19 Fish and Game and the Department of Natural Resources shall exercise  
20 their respective authorities over the Anchorage Coastal Wildlife  
21 Refuge consistent with a management plan prepared by the Department of  
22 Fish and Game under AS 16.20.040 - 16.20.060.

23 (c) A management plan prepared under AS 16.20.040 - 16.20.060  
24 shall assure continued surface access to Fire Island and recommend a  
25 corridor for constructed access and utilities between Fire Island and  
26 the Anchorage mainland.

27 (d) Land owned by the Municipality of Anchorage that lies within  
28 the boundary of the Anchorage Coastal Wildlife Refuge described in (a)  
29 of this section may be included in the Anchorage Coastal Wildlife

1 Refuge. An agreement between the Department of Fish and Game and the  
2 Municipality of Anchorage for the management of the land within the  
3 Anchorage Coastal Wildlife Refuge that is owned by the Municipality of  
4 Anchorage shall be approved by the Municipality of Anchorage and by  
5 the Department of Fish and Game.

6 (e) The state or the Municipality of Anchorage may not acquire  
7 privately owned land within the Anchorage Coastal Wildlife Refuge  
8 described in (a) of this section by eminent domain for inclusion  
9 within the Anchorage Coastal Wildlife Refuge. The Department of Fish  
10 and Game or the Municipality of Anchorage may acquire privately owned  
11 land within the Anchorage Coastal Wildlife Refuge by purchase, ex-  
12 change, or otherwise except by eminent domain.

13 (f) The land and water areas of the Anchorage Coastal Wildlife  
14 Refuge are closed to mineral entry under AS 38.05.185 - 38.05.275.

15 \* Sec. 2. The initial management plan prepared under AS 16.20.031(b) as  
16 enacted in sec. 1 of this Act shall be completed within one year of the  
17 effective date of this Act.

18 \* Sec. 3. AS 16.20.030(b) is repealed.  
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Bradley  
3/4/85 ✓

Original sponsors: Szymanski and Clocksin

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Government Lots 3 and 4 and the remainder of the SW 1/4, all

That portion of the SW 1/4 NE 1/4 and the SE 1/4 southwesterly of Oceanview Subdivision, Addition No. 4 and Addition No. 6

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4 Anchorage shall be approved by the Municipality of Anchorage and by  
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6 (e) If state law permits a use or activity on land within state  
7 game refuges that is not permitted on the land owned by the Municipal-  
8 ity of Anchorage, the use or activity is not permitted on the land  
9 owned by the Municipality of Anchorage within the Anchorage Coastal  
10 Wildlife Refuge.

11 (f) The state or the Municipality of Anchorage may not acquire  
12 privately owned land within the Anchorage Coastal Wildlife Refuge  
13 described in (a) of this section by eminent domain for inclusion  
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17 change, or otherwise except by eminent domain.

18 (g) The land and water areas of the Anchorage Coastal Wildlife  
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20 \* Sec. 2. The initial management plan prepared under AS 16.20.031(b) as  
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STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST** CS (Res)  
 Bill/Resolution No.: HB 186  
 Title: Anchorage Coastal Refuge  
 \_\_\_\_\_  
 Sponsor: Spumanski  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**  
 Agency Affected: Natural Resources  
 Program Category Affected: NRMC  
 \_\_\_\_\_  
 BRU, Program or Subprogram(s) Affected:  
Land and Water Management

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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*ok  
3/6/85*

**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** Attach a separate page if necessary

No fiscal impact.

Prepared By: Ned Farquhar  
 Division: Commissioner's Office

Phone: 465-2400  
 Date: 21 February 1985

Approved by Commissioner: Ned Farquhar ✓ NF 3/6  
 Agency: Natural Resources

Date: 21 February 1985

Distribution (by Agency preparing fiscal note):

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

7/1/84

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
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<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** Attach a separate page if necessary

No fiscal impact.

Prepared By: Ned Farquhar  
 Division: Commissioner's Office

Phone: 465-2400  
 Date: 21 February 1985

Approved by Commissioner: Ned Farquhar  
 Agency: Natural Resources

Date: 21 February 1985

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

7/1/84

# League of Women Voters of Alaska

9151 Skywood Lane  
Juneau, Alaska 99801  
February 26, 1985

The Honorable Adelheid Herrmann, Co-Chairman  
The Honorable Richard Shultz, Co-Chairman  
House Resources Committee  
Alaska Legislature  
Pouch V  
Juneau, Alaska 99811

Re: HB 186: Anchorage Coastal Wildlife Refuge

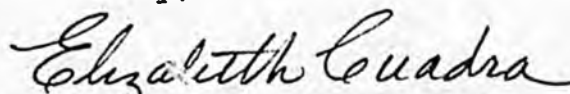
Dear Representatives Herrmann and Shultz:

The League of Women Voters of Alaska supports HB 186, creating the Anchorage Coastal Wildlife Refuge. We think the bill, as presently structured, sets aside and protects a unique area that is de facto critical habitat for a large population of water fowl and other wildlife, and which should be preserved in its natural state for the protection of the wildlife and the enjoyment of people who wish to view the wildlife.

Speaking from personal experience, when I first arrived in Alaska eight years ago, during my first week as an Anchorage resident, one of the most memorable experiences for myself and my small daughter was a visit to the area of the proposed refuge, where we spent several hours enjoying the viewing of a wide variety of water fowl (including their young). The availability of such an experience is especially important in a location close to a large population center such as Anchorage, where it can be enjoyed by many people, including children. The protection and wise management of that area is an important step toward preserving the kind of experiences that attracted most of us to become Alaskans.

Thank you for considering our views.

Sincerely,



Elizabeth Cuadra, Board Member  
(Natural Resources Portfolio)

DEC:sd

cc: Committee Members (Wallis, Sund, Thompson, M. W. Miller,  
Cato, Pearce, and Jerkins)  
Sponsors (Szymanski and Clocksin)



# Alaska State Legislature

House of Representatives

Representative Mike Szymanski

Finance Committee  
Oil and Gas Committee

11920 Johns Road  
Anchorage, Alaska 99515  
Phone (907) 349-3373

While in Session:  
Pouch V  
State Capitol

Juneau, Alaska 99811  
(907) 465-4978, 4979

February 18, 1985

To: Rep. Adelheid Herrmann, Co-Chairman  
Rep. Richard Shultz, Co-Chairman  
House Resources Committee

From: Rep. Mike Szymanski

Re: Background/Intent of HB 186 - Anchorage Coastal Wildlife Refuge

In 1971 the Alaska State Legislature created Potter Point State Game Refuge (AS 16.20.030 (b)) which extends southeasterly along the coastline of Anchorage from Pt. Campbell to Potter Creek. Providing easily accessible wildlife viewing opportunities, this urban refuge provides an opportunity for enjoyment by city residents and enhances the Anchorage economy through its value as a tourist attraction.

In June 1983, the Municipality of Anchorage (MOA) established the Potter Marsh Task Force to address management problems that were developing both within and around the refuge, and to subsequently make recommendations for action. This legislation is one of the task force's recommendations for improving management of the refuge, and it is fully endorsed by the MOA, Alaska Department of Fish and Game (ADF&G), Alaska Department of Natural Resources (DNR), and interested public members.

HB 186 would:

1) Rename Potter Point State Game Refuge the "Anchorage Coastal Wildlife Refuge".

Section 1, AS 16.20.031 (a) would establish the Anchorage Coastal Wildlife Refuge to be managed for the protection of waterfowl, shore birds, salmon, and other fish and wildlife species, and their habitat and for the use and enjoyment of the people of the state. Section 3 repeals AS 16.20.030 (b) which is the existing statute establishing the Potter Point State Game Refuge. This new name more accurately reflects the refuge's location and relation to the city of Anchorage.

2) Provide a precise legal description, in surveyable section lines, of the boundaries of the state-owned land and water included in the refuge.

The 1971 legislation does not define any real or measurable limit as to how far the refuge boundary extends seaward, and the inland boundary is open to wide interpretation. Many times, this has resulted in confusion for state

agencies, private development interests, and the general public. Section 1, subsections (1) through (7) detail the legal refuge boundaries.

3) Add additional tidelands and near shore upland to the existing refuge.

The MOA has asked that refuge boundaries be expanded northward from Pt. Campbell to Pt. Woronzof to add municipally owned Preservation Wetlands to the refuge for management by ADF&G. The new boundaries (described in Section 1, subsections (1) through (7)) were cooperatively drawn by the MOA, ADF&G, and DNR to protect the habitat values of the wetlands while fully accommodating previously issued offshore mining permits. While the land and water areas of the Anchorage Coastal Wildlife Refuge are closed to mineral entry under AS 38.05.185 - 38.05.275, oil and gas leasing will not be affected (Section 1 (f)).

4) Provide for management of municipal lands within the refuge by ADF&G.

At the request of the MOA, municipal lands will be managed by ADF&G as part of the refuge, with the requirement that this management be subject to approval by the MOA (Section 1, (c)). Section 1 (d) provides that any use or activity which is allowed on a state game refuge, but which is prohibited on municipal land, will also be prohibited on those MOA lands located within the Anchorage Coastal Wildlife Refuge. (Example: The discharge of firearms is prohibited on MOA land. The discharge of firearms within a state wildlife refuge may be permitted under state law, but would not be permitted on that portion of land within the refuge that is owned by the MOA.)

Section 1 (b) provides that, as in the past, both ADF&G and DNR would exercise their respective authorities over the refuge, except as provided in Section 1 (c). Management of the Anchorage Coastal Wildlife Refuge will be consistent with a management plan prepared by the ADF&G under AS 16.20.040 - 16.20.060. The plan will be completed within one year of the effective date of this Act (Section 2).

5) Restrict the state and municipality from acquiring property by eminent domain for inclusion within the refuge.

This would protect private property owners by requiring that property to be included within the Anchorage Coastal Wildlife Refuge be acquired by purchase, exchange, or otherwise (Section 1, (e)), and prohibiting acquisition by eminent domain.

Dove



ANCHORAGE  
**Audubon Society, Inc.**  
ALASKA CHAPTER OF NATIONAL AUDUBON SOCIETY

Thede Tobish-President  
Anchorage Audubon Society

25 February 1985

Post Office Box 101161  
Anchorage, Alaska  
99510

Representatives Adelaide Herrmann and Richard Shultz  
Co-Chairmen--House Resources Committee  
Pouch v  
Juneau, Alaska 99811

Dear Representatives Herrmann and Shultz and members of the Resources Comm.;

As president of the 1410 member Anchorage Audubon Society, I would like to enter Anchorage Audubon's comments on House Bill-186 into the official record with your committee. As you likely know, Anchorage Audubon has been quite active in the history of Potter Refuge, especially in Potter Marsh. We were instrumental in initiating the now successful Potter Marsh Task Force which has worked towards implementation of a management scheme for the marsh. The Task Force joined various agencies and public groups to affect and facilitate data gathering for an operational plan for the marsh now in preparation by A. D. F. and G.

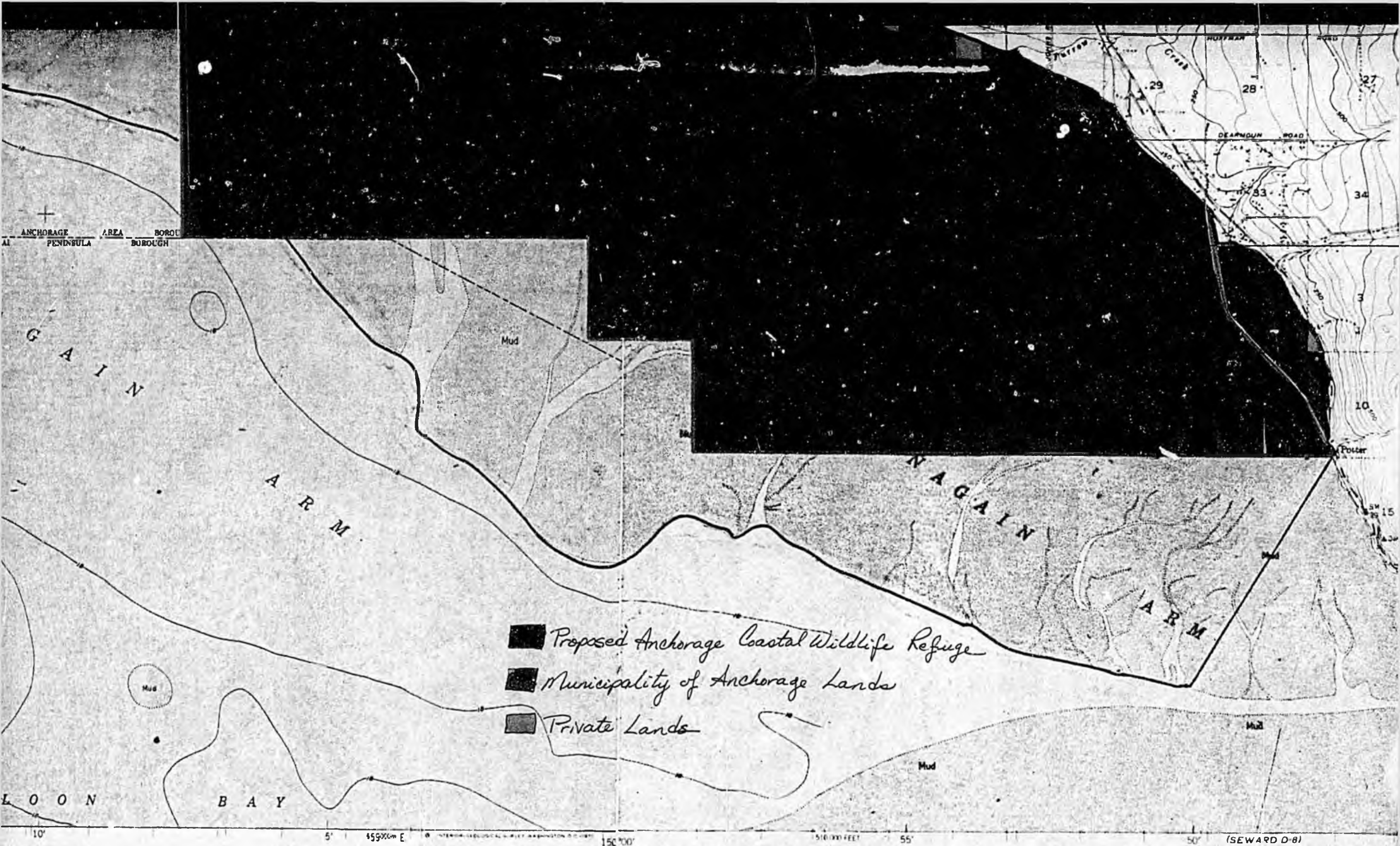
For background to this bill it is useful to outline the importance of the refuge to the peoples of Anchorage. The interesting and valuable Potter Marsh User Survey compiled by the Habitat Division of ADF and G, documented the heavy and consistent use of the Potter Marsh, south end of the refuge by Anchorage residents and visitors. This is predominantly an urban refuge. The Anchorage Coastal Wildlife Refuge is unique in the state's system because of its user definition and location within the center of Alaska's largest population and its related pressures. The future of this refuge area as a resource for its principal users, the Anchorage public, depends on the maintenance of the integrity of its unique tracts of undisturbed habitat. Thus the timely introduction of this bill for protection and proper management mandate.

Anchorage Audubon strongly supports the wording of HB-186 as currently presented. We feel it imperative to specify that the managing agency be required to finish and commence implementation of the refuge operational/management plan within one year of passage of this legislation.

Anchorage Audubon would like to thank you for accepting our comments into the record on HB-186. We encourage adoption of this bill. This unique refuge should serve as a model for future urban refuges in Alaska.

Thank you for your support and considerations.

Sincerely, *Thede Tobish*  
Thede Tobish



ANCHORAGE AREA BOROUGH  
 AL PENINSULA BOROUG

- Proposed Anchorage Coastal Wildlife Refuge
- Municipality of Anchorage Lands
- Private Lands

150°00' 510,000 FEET 55' 50' (SEWARD D-8)  
 Mapped, edited, and published by the Geological Survey  
 Control by USCGS and USCE  
 Topography by photogrammetric methods from aerial photographs  
 taken 1950. Field check 1952.

ROAD CLASSIFICATION

Light duty ————— Unimproved dirt

