

H B

200

Original sponsors: Navarre and Goll

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 280 (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 Anchor River and Fritz Creek
7 Critical Habitat Area."

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

9 * Section 1. AS 16.20.230 is amended by adding a new paragraph to read:

10 (12) Anchor River and Fritz Creek: All land and water
11 contained in the following description:

12 (A) Township 4 South, Range 13 West, Seward Meridian

13 Section 25

14 Section 35

15 Section 36

16 (B) Township 5 South, Range 12 West, Seward Meridian

17 Sections 17 - 20

18 (C) Township 5 South, Range 13 West, Seward Meridian

19 Section 2

20 Section 3

21 Section 4: E 1/2

22 Section 8: S 1/2

23 Sections 9 - 11

24 Sections 13 - 20

25 Section 21: W 1/2

26 Section 24

27 (D) Township 5 South, Range 14 West, Seward Meridian

28 Section 13

29 Section 20: NE 1/4

1 Sections 21 - 24

2 Section 26: N 1/2

3 Section 27: N 1/2

4 Section 28: N 1/2

*New
LANGUAGE*

5 * Sec. 2. AS 16.20.230 is amended by adding a new subsection to read:

6 (b) Notwithstanding AS 16.20.220 and the establishment of the
7 Anchor River and Fritz Creek Critical Habitat Area under AS 16.20.-
8 230(a)(12),

9 (1) the use of Fritz Creek as a municipal and community
10 water source is protected within the Anchor River and Fritz Creek
11 Critical Habitat Area;

12 (2) the possibility of the construction of a dam and reser-
13 voir on Fritz Creek is reserved within the Anchor River and Fritz
14 Creek Critical Habitat Area;

15 ~~(3) the use and enjoyment of inholdings is guaranteed~~
16 within the Anchor River and Fritz Creek Critical Habitat Area;

Deletion

**
(See Original 216)*

17 (4) the land owned by the Kenai Peninsula Borough that is
18 located within the boundaries of the Anchor River and Fritz Creek
19 Critical Habitat Area and that is committed to the Anchor River and
20 Fritz Creek Critical Habitat Area by the borough is subject to joint
21 management by the Department of Fish and Game and the Kenai Peninsula
22 Borough.

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KENAI

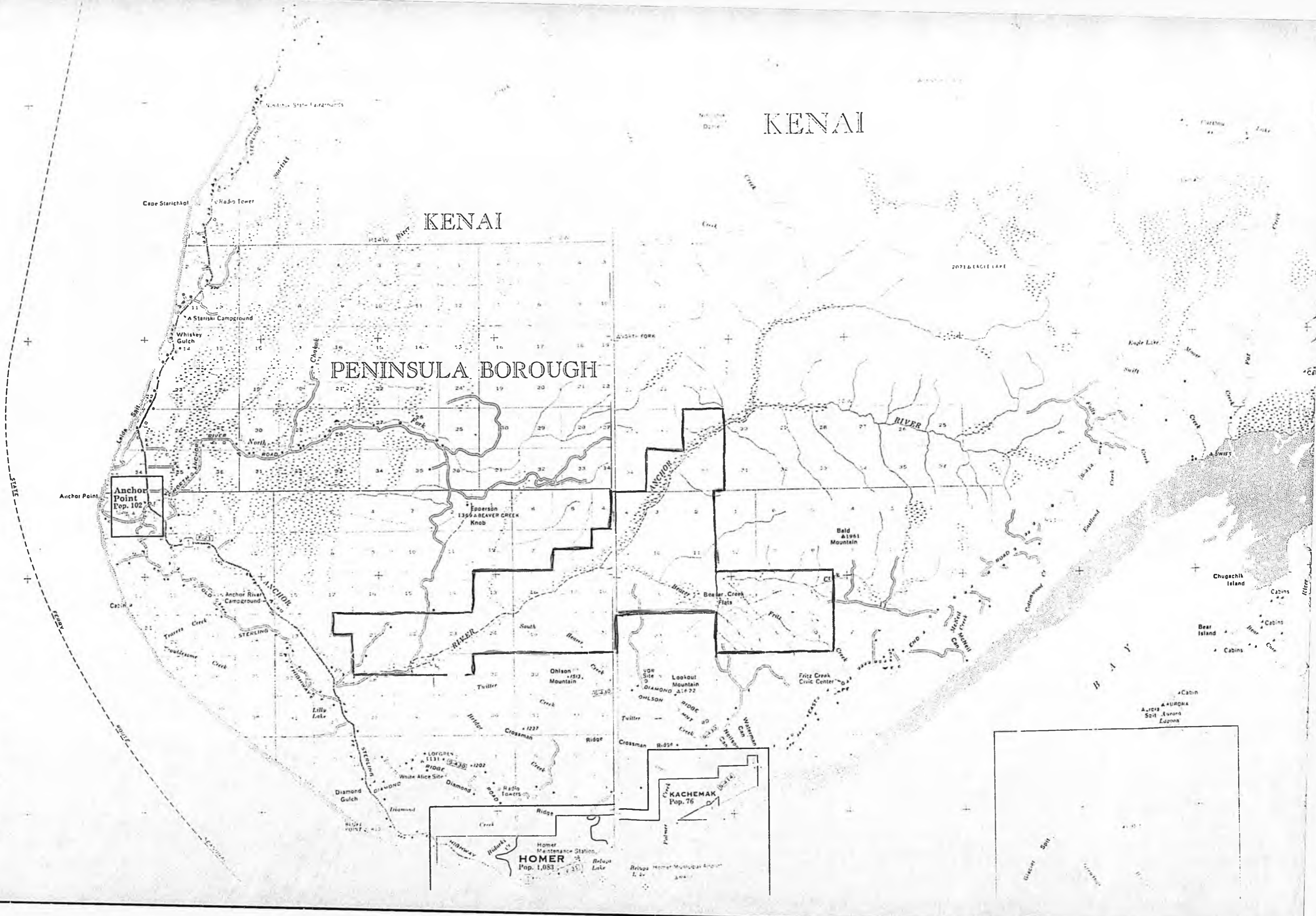
KENAI

PENINSULA BOROUGH

Anchor Point
Pop. 102

HOMER
Pop. 1,083

KACHEMAK
Pop. 76



CHAPTER = 16.20
SECTION = 16.20.240
TITLE = 16
HEADINGS TITLE 16.
FISH AND GAME.
CHAPTER 20.
CONSERVATION AND PROTECTION OF ALASKAN WILDLIFE.
ARTICLE 5.
FISH AND GAME CRITICAL HABITAT AREAS.

CITATION SEC. 16.20.240.

CATCH LINE REGULATIONS.

TEXT THE BOARD OF FISHERIES AND THE BOARD OF GAME, WHERE APPROPRIATE, SHALL ADOPT REGULATIONS THEY CONSIDER ADVISABLE FOR CONSERVATION AND PROTECTION PURPOSES GOVERNING THE TAKING OF FISH AND GAME IN STATE FISH AND GAME CRITICAL HABITAT AREAS.

CHAPTER = 16.20
SECTION = 16.20.250
TITLE = 16
HEADINGS TITLE 16.
FISH AND GAME.
CHAPTER 20.
CONSERVATION AND PROTECTION OF ALASKAN WILDLIFE.
ARTICLE 5.
FISH AND GAME CRITICAL HABITAT AREAS.

CITATION SEC. 16.20.250.

CATCH LINE MULTIPLE LAND USE.

TEXT BEFORE THE USE, LEASE OR OTHER DISPOSAL OF LAND UNDER PRIVATE OWNERSHIP OR STATE JURISDICTION AND CONTROL, WITHIN STATE FISH AND GAME CRITICAL HABITAT AREAS CREATED UNDER THIS CHAPTER, THE PERSON OR RESPONSIBLE STATE DEPARTMENT OR AGENCY SHALL NOTIFY THE COMMISSIONER OF FISH AND GAME. THE COMMISSIONER SHALL ACKNOWLEDGE RECEIPT OF NOTICE BY RETURN MAIL.

HISTORY (SEC. 2 CH 140 SLA 1972)

R0601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

CHAPTER = 16.20
SECTION = 16.20.260
TITLE = 16
HEADINGS TITLE 16.
FISH AND GAME.
CHAPTER 20.
CONSERVATION AND PROTECTION OF ALASKAN WILDLIFE.
ARTICLE 5.
FISH AND GAME CRITICAL HABITAT AREAS.

CITATION SEC. 16.20.260.

CATCH LINE SUBMISSION OF PLANS AND SPECIFICATIONS.

TEXT (A) WHEN A BOARD DETERMINES THAT THE FOLLOWING INFORMATION IS REQUIRED, IT SHALL INSTRUCT THE COMMISSIONER, IN THE LETTER OF ACKNOWLEDGMENT, TO REQUIRE THE PERSON OR GOVERNMENTAL AGENCY TO SUBMIT:

- (1) FULL PLANS FOR THE ANTICIPATED USE;
- (2) FULL PLANS AND SPECIFICATIONS OF PROPOSED CONSTRUCTION WORK;
- (3) COMPLETE PLANS AND SPECIFICATIONS FOR THE PROPER PROTECTION OF FISH AND GAME; AND
- (4) THE APPROXIMATE DATE WHEN THE CONSTRUCTION OR WORK IS TO COMMENCE.

(B) THE BOARD SHALL REQUIRE THE PERSON OR GOVERNMENTAL AGENCY TO OBTAIN THE WRITTEN APPROVAL OF THE COMMISSIONER AS TO THE SUFFICIENCY OF THE PLANS OR SPECIFICATIONS BEFORE CONSTRUCTION IS COMMENCED.

HISTORY (SEC. 2 CH 140 1972; AM SEC. 28 CH 206 SLA 1975)

SELECT - QUERY

00001 ALL SECTION EQ 16.20.220

AS16.20.220 DOCUMENT= 1 OF 1

CHAPTER = 16.20

SECTION = 16.20.220

TITLE = 16

HEADINGS TITLE 16.

FISH AND GAME.

CHAPTER 20.

CONSERVATION AND PROTECTION OF ALASKAN WILDLIFE.

ARTICLE 5.

FISH AND GAME CRITICAL HABITAT AREAS.

CITATION SEC. 16.20.220.

CATCH LINE

PURPOSE.

TEXT THE PURPOSE OF AS 16.20.220 - 16.20.270 IS TO PROTECT AND PRESERVE HABITAT AREAS ESPECIALLY CRUCIAL TO THE PERPETUATION OF FISH AND WILDLIFE, AND TO RESTRICT ALL OTHER USES NOT COMPATIBLE WITH THAT PRIMARY PURPOSE.

HISTORY (SEC. 2 CH 140 SLA 1972)

R0601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.



CITIZENS FOR RESPONSIBLE LAND USE

Co-Chairmen:
Roberta Highland
235-8214 (home)
235-5223 (work)

Michael Sheppard
735-7486 (home)
235-5397 (work)

P.O. Box 15227 • Fritz Creek, Alaska 99603

March 26, 1985

Day

Richard Shultz
Pouch V
Juneau, Alaska 99811

Dear Richard:

I am writing this letter in regards to Bill #280 which is in your committee at this time. I've been very involved in promoting the Critical Wildlife Habitat. My husband and I live in the Fritz Creek area - this area is growing with leaps and bounds. We all know what population explosions can do to the wildlife habitat. The Adhoc committee has proven the definite need for that area to be designated as Critical Habitat. That drainage area gets counts of hundreds of moose in the winter.

There has been talk about leasing part of that property to the Koreans to raise 5-10 thousand cattle which the community is very much against for various reasons. (I will not take the time to go into that issue now). The DNR is also in the process of trying to give 3700 acres of the proposed Critical Habitat to the Borough, of which they would probably develop and subdivide. There is also controversy right now regarding the damming of Fritz Creek for a future water supply for Homer, thus creating a need for watershed protection, which would be very compatible with a Critical Habitat.

I am becoming more and more fearful of our future with the trend development is taking. We've got to take action now, before it's too late. We've got to save land for the wildlife in these all to fast developing areas. I just hope we can prove we've learned something from the past mistakes made Outside.

Please give this Bill serious consideration and support.

Thanks for your time.

Sincerely,

Roberta Highland

Roberta Highland/Co-Chairperson
Citizens for Responsible Land Use

Richard Skultz
Pouch V
Juneau, Alaska
99811

6611 Sherwood Circle
Anchorage, Alaska
99504

March 26, 1983

Dear Rep. Skultz:

Please approve H B280, the creation
of an Anchor River and Fritz Creek
Critical Habitat Area.

Please pass it out of the Resource
Committee and please listen to us.

Sincerely yours,
Mary Light

Richard Schultz
Pouch V
Juneau, AK 99811

Jennifer Buckland
7371-H Huntsmen Cir
Anchorage, AK 99507

Dear Rep. Schultz:

Please approve HB280, the creation of an Anchor River and Fritz Creek Critical Habitat Area. Please pass it out of the Resource Committee.

Jennifer Buckland

26 March 85

Richard Shultz

Pouch V

Juneau, ak 99811

Dear Representative Shultz,

Please approve HB 280 - Creation of the
Anchor River & Fritz Creek Critical Habitat Area.

Please pass it out of the Resource Committee.

Warner Bradley

2021 Campbell Place

Anchorage ak 99507

Michael Buckland
7371-H Huntsmen Circle
Anchorage, Ak, 99811

Richard Shultz
Pouch V
Sumner, Ak 99811

Dear Rep. Shultz

I urge you to approve ~~HR~~ 280, creating the
Anchor River - Fritz Creek Critical Habitat Area.

Yours very truly,
Michael Buckland

5705 Sterling Way
Anch. Ak. 99504

Richard Shultz
Pouch V
Juneau, Alaska
99811

Dear Representative Shultz,

Please approve H.B. 280 for the
creation of the Anchor River / Frisby Creek
Critical Habitat Area.

Please pass it out of the Resource
Committee.

Sincerely,

Daniel Wagner

3/26/85

Richard Schultze
Couch V
Juneau, AK 99811

DEAR REP SCHULTZE

PLEASE SUPPORT H.B. 280. AS YOU KNOW THIS
BILL WOULD CREATE A CRITICAL HABITAT AREA IN THE FRITZ
CREEK-ANCHOR RIVER AREA.

PLEASE PASS IT OUT OF THE RESOURCE COMMITTEE.

THANK YOU FOR YOUR CONSIDERATION AND SUPPORT.

SINCERELY,

David Hest
1400 GARDEN
ANCH, AK 99508

DEPWIN GEISER
8414 LAKE OTIS PKWY
ANCHORAGE, AK 99507

26 MARCH 1985

RICHARD SALTZ
POUCH U
JUNEAU, AK 99811

DEAR Rep. Schultz:

I am greatly concerned about the wanton destruction of wildlife habitat in this state to the extent that I am sending my first letter to any legislature. You must support the passage of H.B. 220, Anchor River / FRITZ CREEK Critical moose habitat. When will the people of this state realize that our natural/wildlife and fisheries resources are our most valuable - long term renewable resources?

How many state dollars have been spent on agriculture?
How many dollars have been brought into the state by this investment? Why is Alaska milk, eggs, etc more expensive than Seattle produce? What a waste!

Let's stop raping the natural resources of this state.
Thank you for the support.

Sincerely,
Hein Geiser

Dear Rep. Shultz

I am writing you in support of House Bill No. 282 which would allow temporary service to be counted toward public employees retirement. Seasonal workers now credit their work time toward retirement. Prior to 1980 seasonal employees were a rare classification in the Department of Fish and Game and people were hired as temporaries. Temporary employees could not credit their working time towards retirement even though the work temporaries did is the same work that seasonal employees are doing today and crediting towards retirement.

It only seems fair that temporary working time should be counted toward retirement if the employee is required to pay into the retirement system the amount which would have been required had he been in the retirement system. I sincerely hope you will support this bill.

Sincerely,

Len Schwarz

Len Schwarz
Box 1036
Nome, AK 99762

KENAI PENINSULA CRITICAL HABITAT
TASK FORCE

BOX 1236
HOMER, AK 99603



Mar 27, 1985

Rep. Schultz:

Enclosed are copies of endorsements
for HB 280 from various groups,
municipalities, and individuals. I hope
the bill will have a speedy passage
through the House Resources Committee.

Sincerely -

Allen S. Davis

Task Force Member

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 85-33

A RESOLUTION ENDORSING HOUSE BILL 280 "AN ACT
CREATING THE ANCHOR RIVER AND FRITZ CREEK
CRITICAL HABITAT AREA".

WHEREAS, the City of Homer has an interest in preserving
the Fritz Creek Watershed for future use as a water supply for
residents of the Southern Kenai Peninsula; and

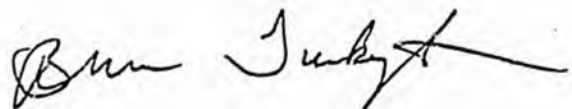
WHEREAS, the City has an interest in preserving areas for
wildlife habitat; and

WHEREAS, the City has an interest in protecting and
preserving certain lands for public access and public
recreation purposes;

NOW THEREFORE, the City endorses House Bill 280 "An Act
creating the Anchor River and Fritz Creek Critical Habitat
Area";

DATED, at Homer, Alaska this 25th day of March, 1985.

CITY OF HOMER



Wayne Kessler, Mayor

ATTEST:

Kathleen Herold
Kathleen Herold, City Clerk

To Whom It May Concern:

Whereas the South Central Regional Council represents 17 Local Fish and Game Advisory Committees and;

Whereas those Advisory Committees are concerned with the moose population in South Central Alaska as well as Game Management Unit 15 C and;

Whereas the South Central Regional Council realizes the critical function of winter moose habitat and;

Whereas the South Central Regional Council understands that development in the Homer area has and will continue to spread and eliminate critical winter moose habitat and;

Whereas this critical habitat must be set aside before development begins in the area where this habitat exists;

Therefore be it Resolved by the South Central Regional Council, at a meeting on March 21, 1985 by unanimous vote, to support the ANCHOR RIVER/FRITZ CREEK CRITICAL HABITAT AREA.

Submitted by:



Daniel R. Calhoun
Vice-Chairman
South Central Regional Council

Homer Soil Conservation Sub-District
P.O. Box 415 · Homer, Alaska 99603 · Telephone: 235-8177

March 26, 1985

Dave Vanderbrink
Kenai Peninsula Critical Habitat
Task Force
P.O. Box 1236
Homer, Alaska 99603

RE: Critical Habitat - Anchor River & Fritz Creek Drainage


Dear Dave,

I am writing on behalf of the Board of Supervisors of the Homer Soil & Water Conservation District. As you well know, we have followed your committee's activities with regard to the formulation of the critical moose habitat legislation.

We wish to express our support and encouragement for the ultimate passage of this legislation. On 13 March 1985, we were given ample assurances by you and your committee that the critical habitat designation would allow continued management as a multiple resource, thus allowing open grazing of livestock and associated activities that would not conflict with or deplete the habitat. This assurance eliminated our primary concern.

We therefore wish to, once again, express our support for the critical habitat designation by legislation and hope that your activities will bring a successful conclusion to your efforts.

Sincerely,


Pat Marquis
Chairman

bg



United States Department of the Interior

KENAI NATIONAL WILDLIFE REFUGE
P.O. BOX 2139
SOLDOTNA, ALASKA 99669-2139
(907) 262-7021

IN REPLY REFER TO:

January 31, 1985

Kenai Peninsula Critical Habitat Task Force
ATTN. Mr. Allen Davis
P. O. Box 598
Homer, Alaska 99603

Dear Mr. Davis:

We have reviewed the proposal on "The Anchor River/Fritz Creek Critical Habitat Area" as submitted by the task force and offer these comments.

Designation of critical habitat areas in Game Management Unit (G.M.U.) 15C, other than lands contained within the Kenai National Wildlife Refuge, will be essential if viable populations of moose, brown bear, and wolves are to continue. Refuge lands in GMU15C do not contain all of the essential habitat components to support populations of these species year around.

Delineation of critical habitat areas off of the refuge is a logical and essential action, if the public desires to have moose and other wildlife species in GMU15C, coincidental with a variety of other uses on these lands.

This concept has our support. We feel it is the only practical alternative that will allow viable wildlife populations to coexist with increased human use and development within GMU15C.

Sincerely,

Robert L. Delaney
Refuge Manager

MBH/pf
0115p/7

Resolution No. 85-8

FRITZ CREEK WATERSEED

The cities of Homer and Kachemak City have a need for additional quantities of water for municipal use in the immediate future. The cities have identified Fritz Creek as the best source to meet their needs, evaluating water quantity, quality, and proximity of the stream. Because the use of Fritz Creek would be for a public water supply, a watershed protection plan would need to be established.

A possible solution would be to designate the watershed area as a wildlife reserve. This could serve two useful purposes: it would preserve some rapidly diminishing winter habitat for game animals on the lower Kenai Peninsula, and it would protect the watershed of the municipal water supply.

THE ALASKA WATER RESOURCES BOARD recommends that the Director of the Division of Land and Water Management put into motion the mechanism to designate the Fritz Creek Drainage as a wildlife refuge to preserve winter habitat for large game animals and to protect the watershed for the future municipal water supply for the cities of Homer and Kachemak City.

Adopted this 1st day of November, 1984

ALASKA WATER RESOURCES BOARD



David Vanderbrink, Chairman

6611 SHERWOOD
ANCH, AK.
99504

RICHARD SHULTZ
POUCH U
JUNEAU, AK.
99504

DEAR REP. SHULTZ,
PLEASE APPROVE HB 208, THE CREATION
OF AN ANCHOR RIVER AND FRITZ CREEK
CRITICAL HABITAT AREA. PLEASE PASS IT OUT OF
THE RESOURCE COMMITTEE,

SINCERELY YOURS,
STEPH MAWIL

*
* DELIVER TO: JFOM *
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* *
* ORIGINAL *
* SENT: 03/29/85 TIME: 10:37 *
* FROM: TCHOM *
* SUBJECT: FOM *
* PRINT DATE: 03/29/85 TIME: 10:37 *
* *

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TO: REP. HERRMANN, SHULTZ, WALLIS, CATO, JENKINS, MIKE W.
MILLER, PEARCE, SUND AND THOMPSON

FROM: NANCY LORD, BOX 558, HOMER, AK. 99603 235-8252

SUBJECT: SSHB 280

PLEASE SUPPORT THE CRITICAL HABITAT AREA. SSHB 280 REPRESENTS
YEARS OF CONCERN AND WORK BY AREA RESIDENTS AND ENJOYS SOLID
SUPPORT ON THE PENINSULA. CRITICAL HABITAT IS THE PROPER
DESIGNATION. MOOSE RANGE OR OTHER WOULD NOT ADEQUATELY PROTECT
FISHERIES.

EOM*****

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* DELIVER TO: JPOM *
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* ORIGINAL *
* SENT: 03/29/85 TIME: 15:55 *
* FROM: TCHOM *
* SUBJECT: POM *
* PRINT DATE: 03/29/85 TIME: 15:55 *
* *

TO: REP. SHULTZ

FROM: KAREN BURY, 15115 F.C.B. HOMER, AK. 99603 235-8739

SUBJECT: HB 280

PLEASE SUPPORT HB 280. ANCHOR RIVER\FRITZ CREEK CRITICAL HABITAT AREA IS TRADITIONAL WINTER FEEDING AREA FOR MOOSE AND HABITAT FOR FISH AND WILDLIFE. THIS BILL INCLUDES TRADITIONAL USE BY PEOPLE--HUNTING, FISHING, SKIING, HIKING AND SNOWMOBILING. I WANT MY CHILDREN TO ENJOY THE TRADITION OF A RICH WILDLIFE HERITAGE.

EOM*****

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* DELIVER TO: JPOM *
* *
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* ORIGINAL *
* SENT: 03/29/85 TIME: 16:07 *
* FROM: TCHOM *
* SUBJECT: POM *
* PRINT DATE: 03/29/85 TIME: 16:14 *
* *

TO: REP. HERRMANN, SHULTZ, WALLIS, CATO, JENKINS, MIKE W. MILLER
PEARCE, SUND AND THOMPSON

FROM: IRWIN RAVIN, BOX 3219, HOMER, AK. 99603 235-5456

I AM IN FAVOR OF HB 280.

EOM*****

Richard Shultz
Pouch V
Juneau AK
99811

6655 Macbeth Dr.
Anchorage AK
99516

March 25, 1985

Dear Representative Shultz:

I urge you to support H.B. 280.
The establishment of a critical moose
habitat in the Anchor Point - Fitz Creek
area is essential both to the preservation
and maintenance of the moose population
and to control of development in a
critical tourist area.

Please support House Bill 280, and
pass it out of the resource committee.

Sincerely,

Julie W. deSherbinin

David + Suzy Bonlun
750 Fairbanks
Anchorage, AK 99501

Richard Shultz

Pouch V

Turnau, AK 99811

Dear Mr. Shultz,

Please approve HB 280, the
creation of an Ancher River-
Fruty Creek critical habitat
area. Please pass it out
of the Resource Committee

Sincerely,
David E. Bonlun
Suzy Bonlun

REPRESENTATIVE
MIKE NAVARRE

DISTRICT 5A

CHAIR, LABOR & COMMERCE
VICE-CHAIR, STATE AFFAIRS

Alaska State Legislature



HOME ADDRESS
P. O. BOX E
KENAI, ALASKA 99611
(907) 283-7813

WHILE IN SESSION
POUCH V
JUNEAU, ALASKA 99811
(907) 465-3893

House of Representatives

Representative Dick Shultz, Co-Chair
House Resources Committee

March 27, 1985

Dear Representative Shultz:

The winter moose habitat on the lower Kenai Peninsula is rapidly disappearing. House Bill 280 is an attempt to preserve some wintering area for moose, to insure their survival in numbers of any consequence.

Attached is a copy of the original proposal by the Kenai Peninsula Critical Habitat Task Force, a panel of concerned citizens of Homer. Some of these people are experts in the field of wildlife and resource management. This proposal outlines the reasons for the creation of the area, and points out what other forms of wildlife would also benefit. Traditional uses of the area, such as hunting, fishing and recreation would be unaffected.

Also, under HB 280, concerns of local municipalities in regard to the use of the Fritz Creek watershed as a water source are addressed.

I might add that I have received a petition that was circulated by Citizens for Responsible Land Use (another Homer group endorsing this proposal). The petition has over 900 signatures of Homer residents that support the creation of the Critical Habitat Area. While the legislation must stand or fall on its own merit, the fact this has such widespread community support should be given some attention.

I sincerely hope you'll read the attached informational packet, and give this measure your support when it is heard at the regular meeting of the House Resources Committee April 1, 1985.

Sincerely,

A handwritten signature in cursive script that reads "Mike".

Representative Mike Navarre

MN/pm

KA STATE ALASKA STATE

REFUGES

KA STATE ALASKA STATE

CRITICAL HABITATS

KA STATE ALASKA STATE

SANCTUARIES

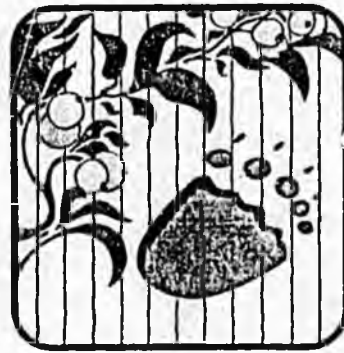
KA STATE ALASKA STATE



The Alaska Legislature has protected portions of Alaska's outstanding natural habitat and associated fish and wildlife resources by establishing State Game Refuges, State Game Sanctuaries, and State Critical Habitat Areas. The statutes which authorize these special areas give the Alaska Department of Fish and Game authority to preserve and protect the unique aspects for which they were established.

STATE GAME REFUGES are established to make sure wildlife continue to populate specific areas and to insure the public continues to have use of these wildlife resources. These areas have fairly sizable concentrations, or many different types, of waterfowl, big game, shorebirds, or other species. One or more elements of habitat — such as food, vegetation, water, etc. — needed by this wildlife is present.

The Alaska Department of Fish and Game manages state game refuges by focusing on a featured wildlife species or group of species. This may mean rehabilitating or improving the habitat on which the wildlife depends. Uses of refuge lands are controlled to prevent habitat changes which would be harmful to the wildlife. Activities are also controlled to prevent disturbance of the wildlife itself. Human uses — including recreational pursuits and harvest of wildlife resources — are permitted so long as they are in keeping with the primary reason for establishing the refuge.



STATE GAME SANCTUARIES are also established to protect fish and wildlife and their natural habitats. The primary reason for setting aside lands as state game sanctuaries is to give asylum to important wildlife populations. The wildlife in these cases normally uses the land in somewhat exclusive ways. A sanctuary may provide the only place where a certain population carries out some part of its annual life cycle such as feeding, nesting, hauling out, or migration. (Sanctuaries are special areas set aside to protect featured wildlife populations.)

In managing sanctuaries, other uses of the land are closely controlled, or are prohibited, in order to prevent changes in the habitat or disturbance of the protected species. Use of the wildlife itself is also closely controlled.

STATE CRITICAL HABITAT AREAS are places where protective emphasis is on the environment in which wildlife occurs. Critical habitat areas may be complete biotic systems — identifiable environmental units that operate as self-sustaining systems — or well-defined areas specifically needed by wildlife for certain functions such as nesting or spawning.

Management by the Alaska Department of Fish and Game is aimed primarily at providing protection for the habitat. All uses of the land which are not compatible with that aim are restricted. In most instances, harvest of wildlife is not precluded in a critical habitat area.

State critical habitat areas are set aside to protect the land and resources necessary for certain species of wildlife.



A PROPOSAL

THE ANCHOR RIVER/FRITZ CREEK CRITICAL HABITAT AREA

Submitted by:

Kenai Peninsula Critical Habitat Task Force

Dave Vanderbrink, Chairman
P.O. Box 1236
 Homer, Alaska 99603

235-8784

Lynn Whitmore

235-7220

Rob Moss

235-8788

John H. McLay

235-8816

Allen S. Davis

235-8626

Derek Stonorov

235-8273

December 17, 1984

AREA NAME

Anchor River/Fritz Creek Critical Habitat Area

PURPOSE

The primary purpose of the proposed special area is to protect and maintain critical moose winter habitat along the upper Anchor River and Fritz Creek drainages. A secondary purpose is to protect the habitats of salmonid fishes and other wildlife which occur along these drainages. These lands would be managed by the Alaska Department of Fish and Game (ADF&G).

LEGAL DESCRIPTION

T4S, R13W, Seward Meridian

Sections: 25, 35 and 36.

T5S, R14W, Seward Meridian

Sections: 13, NE $\frac{1}{2}$ 20, 21, 22, 23, 24, N $\frac{1}{2}$ 26, N $\frac{1}{2}$ 27 and N $\frac{1}{2}$ 23.

T5S, R13W, Seward Meridian

Sections: 2, 3, E $\frac{1}{2}$ 4, S $\frac{1}{2}$ 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, W $\frac{1}{2}$ 21 and 24.

T5S, R12W, Seward Meridian

Sections: 17, 18, 19 and 20

AREA DESCRIPTION

The proposed special area is located approximately 6 miles due north of the City of Homer on the lower Kenai Peninsula, Alaska (see Appendix A). It is approximately 19,000 acres in size, and includes most of the upper Anchor River valley and the adjacent sloping uplands, the area known as "Beaver Flats", and the headwaters of Fritz Creek. The main

46280

valley consists of a relatively narrow valley floor with a meandering stream, moderately steep hillsides which flank either side of the valley floor, and numerous small tributaries. Vegetation along the Anchor River is comprised of a mosaic of willow thickets, grass/forb meadows, scattered Sitka spruce, and clumps of cottonwood; mature Sitka spruce forests and stands of alder on the adjacent hillsides; dense willow thickets along small tributaries; and spruce forests and open meadows on gently sloping ground above 1,000 feet elevation. The extensive muskeg along Beaver Creek supports low heath shrubs and willows. The terrain in the headwaters of Fritz Creek is gently sloping; and the vegetation consists of an open spruce forest with a dense understory of willows in the bottomlands, and mixed spruce forests and open meadows at higher elevations.

WILDLIFE RESOURCE VALUES

The Anchor River valley and Fritz Creek drainages function as moose winter habitat. Aerial survey information collected by the ADF&G indicates between 300 and 500 moose concentrate in this area during average winters. A density of 23 moose per square mile were documented on Beaver Flats in 1983. The riparian habitats along these drainage systems provide moose with a concentrated food supply in the form of willow browse, adjacent resting and hiding cover in the form of spruce forests, and an environment where snow accumulations are normally small enough to not impede winter feeding activities. The existence of areas which provide these elements is absolutely essential to winter survival of moose on the lower Kenai Peninsula.

The Anchor River is spawning and rearing habitat for king salmon, coho salmon, steelhead/rainbow trout, and dolly varden char. These habitats are also essential with respect to the life cycle and perpetuation of these species.

Riparian habitats such as those found in the proposed special area are important to a variety of other wildlife. Spawning salmon along the Anchor River are important food sources for brown bear, black bear and bald eagles. Stands of mature cottonwoods at the western end of the proposed area have been used by bald eagles for nesting. The valley serves as a travel corridor for most species of big game, furbearers and small forms of wildlife.

RECREATIONAL USES

The Anchor River valley and Fritz Creek drainages are popular recreation areas. In recent years uses have included hunting, trapping, fishing, wildlife viewing and photography, general hiking, snowmachining, snowshoeing, and nordic skiing. ADF&G records show that in the 1983 moose season 25% of the bull harvest (n=61) was taken in the Anchor River drainage. Beaver, river otter, mink, coyote, and wolf are the furbearers most commonly taken in this area. Sport fishing for salmon is prohibited in the proposed special area, but trout and char fishing are allowed from July through December. Snowmachining, snowshoeing, and nordic skiing occur throughout the area during most winters. All of the above recreational activities would be encouraged in the proposed special area as long as they did not pose a serious threat to wildlife of habitat resources.

JUSTIFICATION

Moose are the dominant big game animal on the Kenai Peninsula. They occupy a vital position in the food chain of the boreal forest, and represent an important renewable resource. Moose are browsers which assimilate energy and nutrients from the plant material they eat. In turn, large predators such as the wolf and the brown bear and a host of smaller scavengers are dependent upon moose as a source of food. Moose are directly important to man through the viewing and hunting opportunities they provide and the revenue these activities funnel

into local economies. ADF&G records show that the moose resource on the Kenai Peninsula has generated a total of 92,018 hunter days of recreation and a total harvest of 3,162 moose worth an estimated 5.5 million dollars between 1978 and 1983. In a less tangible sense, most Alaskans feel that the mere presence of wildlife, of which the moose is symbolic, contributes highly to their quality of life. They want future generations of Alaskans to be able to enjoy the tradition of a rich wildlife heritage.

It is estimated that there are currently between 2,500 and 3,000 moose on the lower Kenai Peninsula (Game Management Subunit 15C). These moose range throughout most of the 760,000 acres of lowlands in Subunit 15C in summer and early fall, but are restricted to stream and river bottoms and south-facing benchlands below 800 feet elevation during winter. ADF&G tagging studies and aerial surveillance of moose show that the Homer Benchland, lower Fox River valley, lower Anchor River valley, lower Deep Creek/Ninilchik River valleys, Fritz Creek and the Coho Beach area are historic winter habitats. These areas provide the concentrated food, cover, and relatively small snow accumulation necessary for successful overwintering of moose. It is significant to note that the sum of these winter habitats comprise less than 10% of the surface area of all the utilized summer and early fall habitat in Subunit 15C. Virtually no overwintering of moose occurs in the Kenai National Wildlife Refuge south of Tustumena Lake.

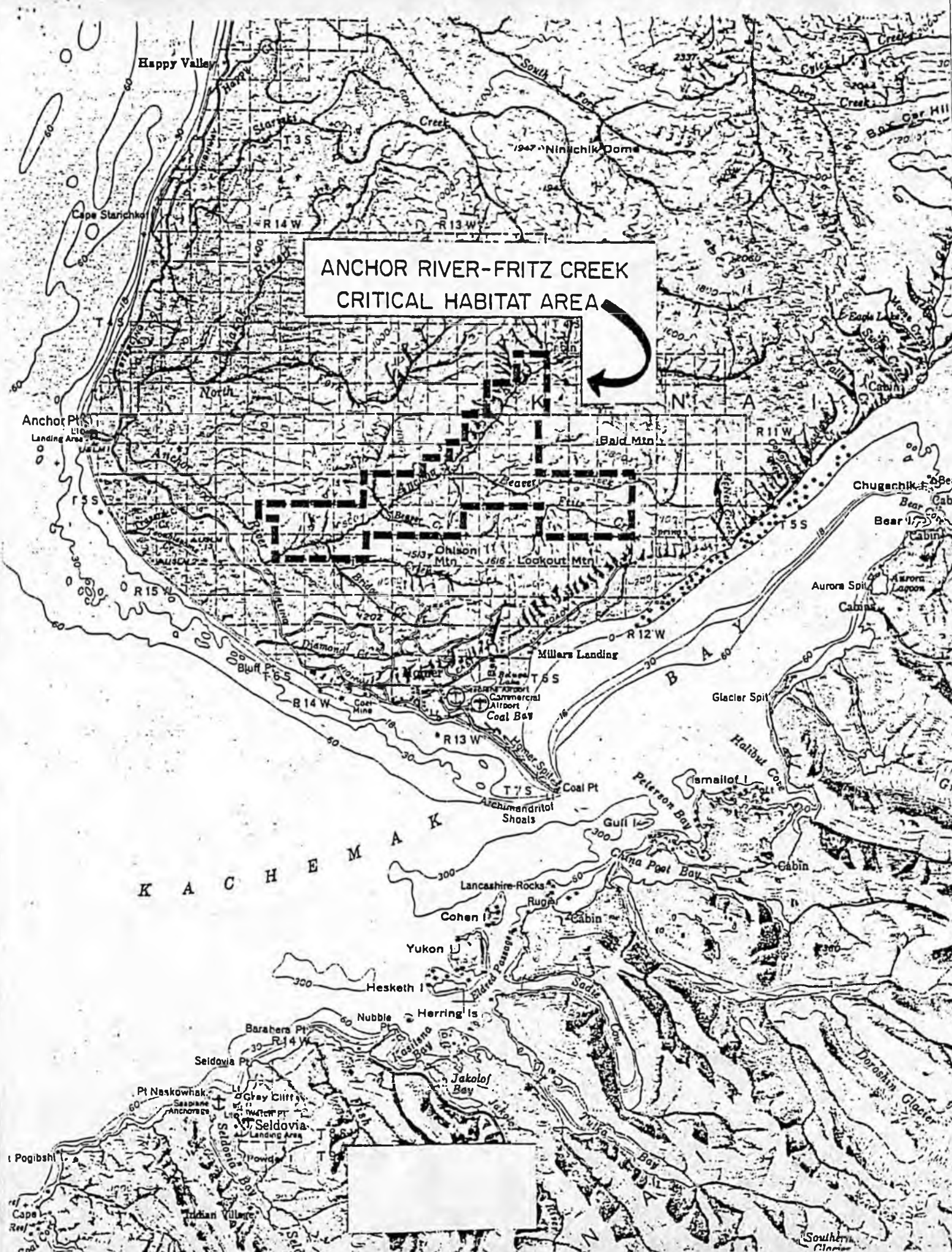
Moose winter habitats on the lower Kenai Peninsula are mostly privately owned and have been seriously diminished in the quality and extent by human development in the last three decades. For instance, an estimated 4,500 people now compete with moose for space on the Homer Benchland, and considerable habitat alteration and loss have occurred. Consequently, this historically important winter habitat can now support only a fraction of the moose it once did. Substantial amounts of residential and commercial development have also occurred on the Coho Beach, lower Ninilchik, lower Deep Creek, lower Anchor River and Homer Benchland winter habitats.

The lower Fox River winter habitat has been intensively grazed by horses and cattle since the 1940's, and supports a growing human population of approximately 200 people. It is reasonable to assume that these developments have lowered the winter carrying capacity of that area for moose. Water development and intensive cattle grazing are potential threats which have recently been proposed for the Fritz Creek winter habitat.

These trends are expected to worsen as the human population on the Kenai Peninsula continues to grow. Lands along the upper Anchor River valley and headwaters of Fritz Creek are in State ownership, and present the best opportunity to protect and maintain moose winter range on the lower Kenai Peninsula. Legislative designation as a State critical habitat area would keep these lands in public trust, and ensure the future of their wildlife resource and habitat values.

APPENDIX A

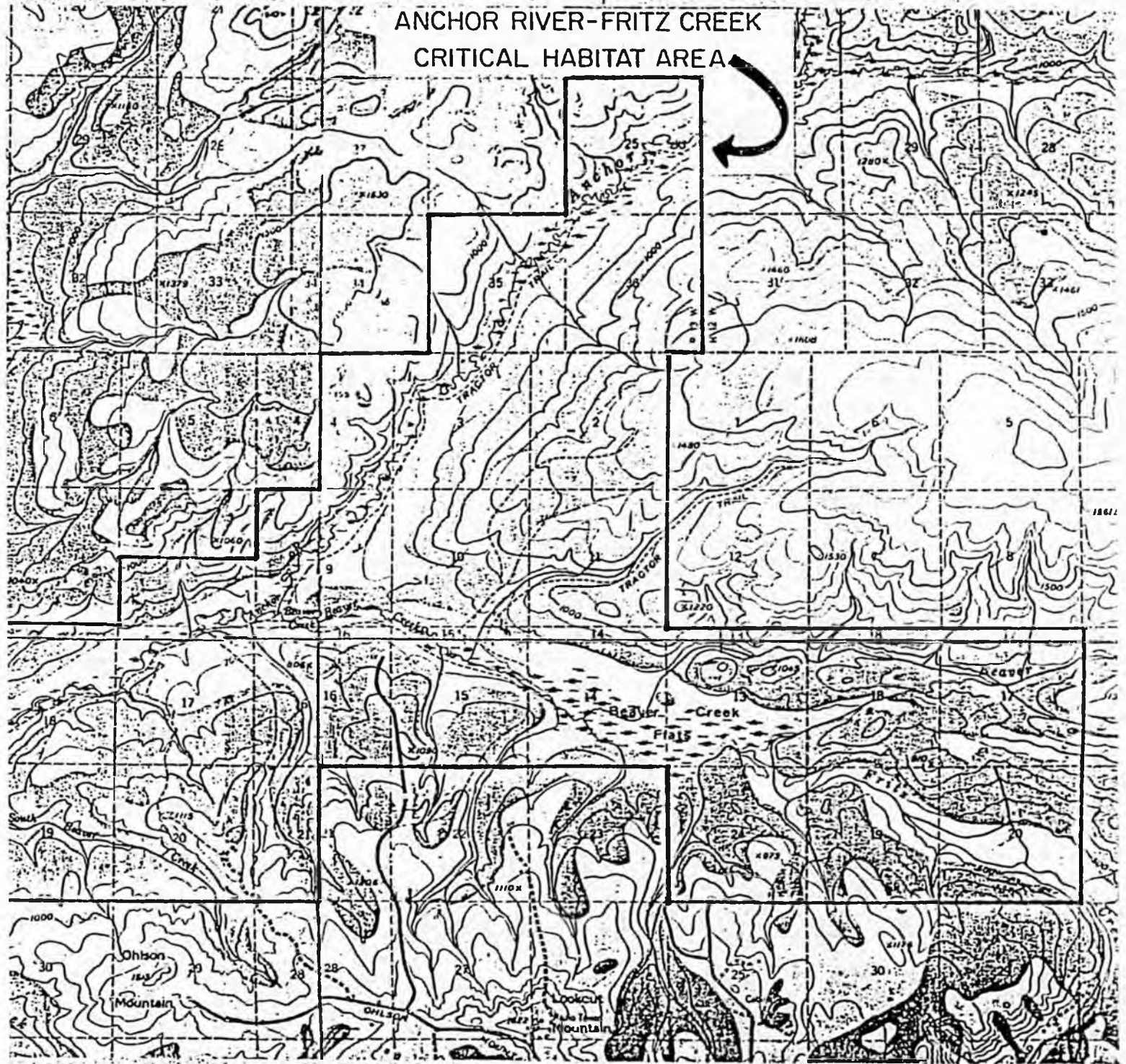
ANCHOR RIVER-FRITZ CREEK
CRITICAL HABITAT AREA



K A C H E M A K



ANCHOR RIVER-FRITZ CREEK
CRITICAL HABITAT AREA



Anch. Daily News Thurs. March 28, 1985

Plan for creation of habitat area wins support of Homer council

By **RONNIE CHAPPELL**
Daily News reporter

A plan to create a 19,000-acre wildlife habitat area on the southern Kenai Peninsula has won the support of the Homer city council.

On a unanimous vote, the council Monday enacted a resolution urging the legislature to approve a bill placing the state-owned acreage under the management of the Alaska Department of Fish and Game.

Creation of the critical habitat area would halt development of a major cattle export project in the Homer area. It contains a 3,000-acre grazing lease in the Fritz Creek drainage that Han-A Samick America Corp. says is crucial to its plans for the production and exportation of 10,000 head of beef cattle a year.

According to state biologists, the grazing lease is part of the last big tract of undeveloped winter moose range in the Homer area.

They warn that unless it and other important winter feeding areas are preserved, the number of moose on the southern Peninsula will decline dramatically.

"We need to preserve places for moose to live and for people to enjoy them," said Councilman John Calhoun. "With the continued development of rural subdivisions around the city, it is important to set aside a parcel of land that people can enjoy in its natural state."

The bill now pending before the legislature guarantees the city's right to dam

Fritz Creek and use the resulting reservoir as a municipal water supply.

Similar assurances were offered under other plans for disposal of the Fritz Creek acreage. But city officials were skeptical, Calhoun said, that water quality in the watershed could be protected if the lease was used for intense livestock production.

By endorsing creation of the critical habitat area, Calhoun said, he and other council members were "trying to represent the views of a majority" of people in the Hom-

er area.

More than 600 local residents have signed petitions endorsing the idea. Another 50 have written letters to lawmakers.

The bill protects the rights of inholders and gives the Kenai Peninsula Borough a say in the management of lands it nominates for inclusion in the habitat area. Hunting, trapping, skiing, hiking, camping and snowmachining would be allowed in the area, but residential and agricultural development would not.

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Box 1236
Homer, Alaska 99603
March 14, 1985

Commissioner Don Collinsworth
Dept. of Fish and Game
P.O. Box 3-2000
Juneau, Ak. 99802

COMMISSIONER'S OFFICE
RECEIVED
MAR 19 1985

Re: HB 280

DEPARTMENT OF FISH AND GAME

Dear Commissioner Collinsworth:

Enclosed find a packet of letters and resolutions in support of HB 280, an Act creating the Anchor River and Fritz Creek Critical Habitat Area. We are pursuing additional ones and will forward them as we receive them.

Our task force has found strong support for the proposal. In fact, we have encountered no opposition to it. You will note that some of the endorsements are conditional upon the accommodation of additional uses. We believe that there is no conflict in meeting such identified needs as water supply within the critical habitat area.

Please feel free to contact me or any member of our task force should you need any more information. We look forward to working with you towards passage of HB 280.

Sincerely,



Dave Vanderbrink, Chair
Kenai Peninsula Critical Habitat
Task Force



Alaska Center for the Environment
1069 W. 6th Avenue
Anchorage, Alaska 99501 274-3621

Position Statement

CITY OF KACHEMAK
KACHEMAK, ALASKA

RESOLUTION NO. 85-4

A RESOLUTION SUPPORTING THE CRITICAL MOOSE WINTER HABITAT

WHEREAS, the Common Council of the City of Kachemak recognizes the need to protect and maintain critical moose winter habitat along the upper Anchor River and Fritz Creek Drainages; and,

WHEREAS, the Kenai Peninsula Critical Habitat Task Force, working with the Alaska Department of Fish and Game proposes such; and,

WHEREAS, the area in question is approximately 18,000 acres, as proposed by this Task Force; and,

WHEREAS, the City of Kachemak recognizes that a watershed and critical habitat area are compatible; and,

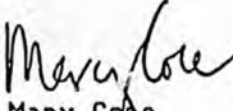
WHEREAS, the City of Kachemak is appealing the Department of Natural Resources conveyance of 3,183.4 acres in the Fritz Creek drainage to the Kenai Peninsula Borough; and,

WHEREAS, the 3,183.4 acres in question is included in the proposal of the Kenai Peninsula Critical Habitat Task Force for the critical moose winter habitat;

NOW THEREFORE LET IT BE RESOLVED: that the Common Council of the City of Kachemak supports the Kenai Peninsula Critical Habitat Task Force, Dave Vanderbrink, Chairman, in its efforts to provide, protect and maintain critical winter moose habitat along the upper Anchor River and Fritz Creek Drainages AS LONG AS THE WATERSHED INTERESTS OF THE

Moose winter habitats on the lower Kenai Peninsula are mostly privately owned and have been notably reduced in both quality and quantity due to residential and commercial development in places such as Coho Beach, lower Deep Creek, lower Ninilchik River, lower Anchor River and Homer Benchland winter habitats. If we hope to insure a significant moose population in this region, it is essential to protect the remaining winter ranges on the state-owned lands along the upper Anchor River and Fritz Creek drainages.

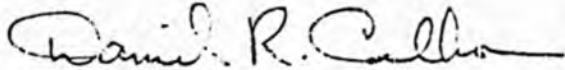
Finally, large portions of the proposed area are being threatened by a major cattle grazing and feedlot operation. Preventing this incompatible use by designating the critical habitat area would protect not only moose winter range but also water quality in both Fritz Creek, a source of water for Homer, and the Anchor River, one of Southcentral's top sportfishing streams.


Mary Cohn
Executive Director
March 11, 1985

February 27, 1985

To Whom it May Concern:

In a meeting on 2/19/85 the Homer Fish and Game Advisory Committee unanimously voted to support the establishment of the Anchor River/Fritz Creek Critical Habitat Area as proposed by the Kenai Peninsula Critical Habitat Task Force.



Daniel R. Calhoun
Chairman Homer Fish and Game Advisory Committee
Box 566
Homer, Alaska 99603.



CITIZENS FOR RESPONSIBLE LAND USE

Co-Chairmen:
Roberta Highland
235-8214 (home)
235-5223 (work)

Michael Sheppard
235-7486 (home)
235-5397 (work)

P.O. Box 15227 • Fritz Creek, Alaska 99603

March 5, 1985

To: Mr. Dave Vanderbrink, Chairman

From: Ed Schumann

Subject: Anchor River- Fritz Creek Critical Moose Habitat Area

Dear Dave;

Citizens for Responsible Land Use respectfully submit our endorsement of the Kenai Peninsula Critical Habitat Task Force proposal to create the 19,000 acre Anchor River- Fritz Creek Critical Moose Habitat Area.

We offer our continual support on this matter. We have to date; held public meetings, attended meetings, initiated letter writing campaigns to our legislators, circulated petitions and written appeals to the Department of Natural Resources. What can be done, will be done.

Sincerely,

Ed Schumann
committee member
Citizens for Responsible Land Use



March 1, 1985

Dave Vanderbrink
POB 1230
Homer, Alaska 99603

Dear Mr. Vanderbrink:

This is to inform you that the Kachemak Bay Conservation Society Board of Directors voted unanimously to support the Kenai Peninsula Critical Habitat Task Force's proposed "Anchor River/Fritz Creek Habitat Area." We have conveyed our support to Governor Sheffield and will do what we can to see that this vital watershed remains viable for moose and other wildlife.

Sincerely,

Edgar Bailey

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IN REPLY REFER TO:

United States Department of the Interior

KENAI NATIONAL WILDLIFE REFUGE
P.O. BOX 2139
SOLDOTNA, ALASKA 99669-2139
(907) 262-7021

January 31, 1985

Kenai Peninsula Critical Habitat Task Force
ATTN. Mr. Allen Davis
P. O. Box 598
Homer, Alaska 99603

Dear Mr. Davis:

We have reviewed the proposal on "The Anchor River/Fritz Creek Critical Habitat Area" as submitted by the task force and offer these comments.

Designation of critical habitat areas in Game Management Unit (G.M.U.) 15C, other than lands contained within the Kenai National Wildlife Refuge, will be essential if viable populations of moose, brown bear, and wolves are to continue. Refuge lands in GMU15C do not contain all of the essential habitat components to support populations of these species year around.

Delineation of critical habitat areas off of the refuge is a logical and essential action, if the public desires to have moose and other wildlife species in GMU15C, coincidental with a variety of other uses on these lands.

This concept has our support. We feel it is the only practical alternative that will allow viable wildlife populations to coexist with increased human use and development within GMU15C.

Sincerely,

Robert L. Delaney
Refuge Manager

MBH/pf
0115p/7

Resolution No. 85-8

FRITZ CREEK WATERSHED

The cities of Homer and Kachemak City have a need for additional quantities of water for municipal use in the immediate future. The cities have identified Fritz Creek as the best source to meet their needs, evaluating water quantity, quality, and proximity of the stream. Because the use of Fritz Creek would be for a public water supply, a watershed protection plan would need to be established.

A possible solution would be to designate the watershed area as a wildlife reserve. This could serve two useful purposes: it would preserve some rapidly diminishing winter habitat for game animals on the lower Kenai Peninsula, and it would protect the watershed of the municipal water supply.

THE ALASKA WATER RESOURCES BOARD recommends that the Director of the Division of Land and Water Management put into motion the mechanism to designate the Fritz Creek Drainage as a wildlife refuge to preserve winter habitat for large game animals and to protect the watershed for the future municipal water supply for the cities of Homer and Kachemak City.

Adopted this 1st day of November, 1984

ALASKA WATER RESOURCES BOARD



David Vanderbrink, Chairman



Alaska Environmental Lobby, Inc.

204 N. Franklin Street, Suite 3 Juneau, Alaska 99801

907-586-2345

March 25, 1985

Representative Mike Navarre
Pouch V
Juneau, Alaska 99811

Dear Representative Navarre:

Congratulations on your recent introduction of HB 280, "An Act creating the Anchor River and Fritz Creek Critical Habitat Area." This proposed legislative designation would maintain critical moose wintering grounds, protect important riparian and fur bearing habitat, protect popular recreational opportunities on the Kenai, and ensure a future water supply for lower peninsula residents.

Protection of relatively undisturbed stream and river bottoms in the lower Kenai is essential to the perpetuation of the area's moose population. Though wide ranging in the summer and fall months, the estimated 2500 moose of the area rely upon only five or six drainages during the winter for the food, cover and diminished snowfall necessary for survival. These streams and rivers, however, are changing quickly as the human population of the Kenai increases. The moose must contend with loss of habitat and associated human uses of the area such as grazing. Without being alarmist, it is safe to say that protection of some of these overwintering areas is necessary for the survival of moose populations in the lower Kenai.

Of course, moose are not the only users of the area. The riparian habitat that support the moose also support a variety of other important species including dolly varden, steelhead, cohos and king salmon. Bald eagles, black and brown bear, and fur bearing animals like mink, coyote, wolf, river otter and beaver utilize the area as well.

Alaskans would stand to benefit from the proposed designation also. Recreational uses of the area would be encouraged under critical habitat management. Skiing, hiking, hunting, fishing, trapping, wildlife viewing and photography would all be proper uses of the area, subject to ADF&G's protection of the wildlife habitat. (Salmon sportfishing, for instance, is already prohibited in the area). The area is currently widely used for these activities and these uses would be enhanced under critical habitat designation.

Finally, parts of the proposed critical habitat area are being considered for a cattle grazing and feedlot operation. This would threaten both moose habitat and a watershed identified as important by the cities of Homer and Katchemak. Creating the Anchor River and Fritz Creek Critical Habitat Area makes good sense: it means that future generations of Alaskans on the Kenai will be able to enjoy a healthy moose population; and the cities of Homer and Katchemak will be ensured a future source of drinking water. The Alaska Environmental Lobby--on behalf of 19 conservation groups statewide-- is pleased to endorse HB 280.

Sincerely,
Scott Highleyman
Scott Highleyman
Executive Director

cc: Rep. Peter Goll

ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER, SIERRA CLUB • JUNEAU GROUP, SIERRA CLUB • SITKA GROUP, SIERRA CLUB
KNIK GROUP, SIERRA CLUB • DENALI GROUP, SIERRA CLUB • ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY
DENALI CITIZENS' COUNCIL • ALASKA FRIENDS OF THE EARTH • JUNEAU AUDUBON SOCIETY • KACHEMAK BAY CONSERVATION SOCIETY
KENAI PENINSULA AUDUBON SOCIETY • KOJIAK AUDUBON SOCIETY • LYNN CANAL CONSERVATION • ALASKA WILDERNESS GUIDES ASSOCIATION
SITKA CONSERVATION SOCIETY • NORTHERN ALASKA ENVIRONMENTAL CENTER • SOUTHEAST ALASKA CONSERVATION COUNCIL

MEMORANDUM

State of Alaska

TO: Tom Hawkins, Director
ADNR/Div. of Land & Water Mgmt.
Anchorage

DATE:

FILE NO:

TELEPHONE NO. 267-2284

SUBJECT: Reclassification and
Conveyance ADL# 53853,
206347, and 206348

ATTN: Russell R. Cunningham, Jr.
Natural Resource Manager

FROM: Dennis D. Kelso, Deputy Commissioner

BY: Dimitri B. Bader ^{DB}
Habitat Biologist
Habitat Division
Anchorage

*Sent out Jan 8th
According to Kelso's office*

The Alaska Department of Fish and Game (ADF&G) has reviewed the proposed reclassification and conveyance. The department opposes the reclassification and conveyance of that portion of the proposed action referred to as unit two (map attached) based on the need to protect important moose winter range occurring there, even though these lands are currently under lease for grazing. Neither Fritz and/or Beaver Creek drainage supports vegetation suitable for grazing. Beaver Flats is composed of open heath with a high percentage of low willow; the headwaters of Fritz Creek are characterized by open stands of Sitka spruce and white spruce which have a dense understory of willow. These areas would have to be drained, cleared and planted to grass to make them suitable for cattle grazing. Such intensive pasture development would eliminate moose winter forage.

It is our understanding that an ad hoc committee of Homer residents have submitted draft legislation to local legislators proposing the establishment of this land as a critical habitat area (see attached map). This area has long been recognized as important winter range for moose on the southern Kenai Peninsula. Approximately 300 to 500 moose use the area each winter, depending on winter severity. The area's importance takes on added significance due to the fact that virtually no overwintering of moose occurs on the Kenai National Wildlife Refuge in game management subunit 15C. With the exception of the proposed critical habitat area, most southern Kenai Peninsula moose winter range occurs on private land where residential, commercial and agricultural development will most likely occur. In addition to moose, the proposed critical habitat area provides habitat for brown and black bears, several species of furbearers, numerous nongame species and spawning/rearing habitat for salmon and trout. This area receives considerable recreational use including hunting, trapping, wildlife viewing and photography, snowmachining, skiing, and hiking.

We recommend that alternative lands be identified for conveyance to the University if a conveyance is necessary. Last July, our department discussed a proposed reclassification of certain lands within the Deep Creek Management Area with Pat Beckley of your Southcentral Regional Office. This proposal identified grazing lands based on recent Soil Conservation Service (SCS) findings. Since the state has expressed the intent of managing a portion of the Deep Creek lands for grazing, the possibility exists that some lands here may be suitable for conveyance.

We recommend that staff from our two departments meet and jointly review land status on the southern Kenai Peninsula to identify alternative lands for conveyance. In the event the Deep Creek lands are determined to be unsuitable, we could support the conveyance of other state lands if they have real capability for grazing and do not contain regionally important wildlife habitat.

Thank you for the opportunity to comment. If you have any questions please don't hesitate in contacting this office.

cc: D. Timm
G. Bos
D. Holdermann
S. Logan
R. Redick

Attachment

Moose winter food supply threatened

Biologist, citizens' group want to establish Peninsula habitat area

By RONNIE CHAPPELL
Daily News reporter

The continued destruction of critical winter feeding areas could decimate the moose population on the southern Kenai Peninsula, state biologists warn.

One of the biologists and a citizens' group want to set aside an area of the Peninsula to assure the moose have a sufficient winter food source.

Residential subdivisions and agricultural development are fast gobbling up the lowland, willow forests on which moose depend for winter browse. Once these feeding areas are destroyed they can never be replaced, said Dave Holderman of the Alaska Department of Fish and Game.

None of the winter feeding areas south of Tustumena Lake lies within the boundaries of the Kenai National Wildlife Refuge, Holderman said. Almost all are on private land "that is being developed at a pretty rapid pace."

This shrinking winter range now represents less than 10 percent of the acreage foraged by the giant ungu-

lates in the spring, summer and fall, Holderman said.

It also is the factor that will determine the size of the area's moose population in the future. If moose don't survive the winter, they can't reproduce in the spring he said.

To prevent the complete destruction of the winter range, Holderman and an ad hoc citizens' committee from the Homer area have proposed creating a 19,000-acre critical habitat area that includes parts of the Anchor River and Fritz Creek drainages.

Population densities as high as 23 moose per square mile have been recorded in the area. All of the land is owned by the state.

"This is the last opportunity to set aside a big portion of public land for the benefit of the wildlife populations on the southern Peninsula," Holderman said.

If approved by the legislature, the habitat area would be managed by the state Department of Fish and Game. People could still hunt, fish, trap, hike, camp, ski and

snowmachine in the area, Holderman said, but residential and agricultural development would not be allowed.

The plan is a controversial one.

Many of the people who support it see it as a way to block the development of a major cattle export project in the Homer area. A similar tactic was used in the late 1970s to prevent oil exploration in Kachemak Bay.

According to Holderman, the critical habitat area was not conceived as a reaction to the cattle export venture. Work on the plan began in 1981, he said. "We were hoping to get a proposal to the 1985 legislature, which we have done. This other issue came up in the meantime."

The "other" issue is a 3,000-acre grazing lease in the Fritz Creek drainage that almost everybody wants.

The University of Alaska wants title to the land so that it can lease the property to Han-A Samick America Corp., a Korean firm, that says the land is crucial to its plans to raise and export 10,000 head of cattle a year.

The cities of Homer and Kachemak want the drainage preserved as a possible municipal water source. The Kenai Peninsula Borough and the Seldovia Native Association have expressed an interest in owning the land.

Fish and Game, Holderman and the citizens' committee would like to see the tract included in the proposed critical habitat area.

Earlier this month, the state decided to transfer ownership to the borough. But now borough officials say they don't want the land if its use is going to be limited by restrictions placed in the title. University officials say there's a good chance they will appeal the decision.

"It's unfortunate the timing has occurred like this," said homesteader Bob Moss who serves on the ad hoc task force. "No one on the committee has taken a stand, one way or the other."

Instead, he said, task force members oppose the destruction of irreplaceable moose habitat for the sake of a grazing operation that could take place on other state land.



CITIZENS FOR RESPONSIBLE LAND USE

Co-Chairmen:
Roberta Highland
235-8214 (home)
235-5223 (work)

Michael Sheppard
235-7486 (home)
235-5397 (work)

P.O. Box 15227 • Fritz Creek, Alaska 99603

MEMBERS

Roberta Highland - Co-Chairperson 235-8214 (hm); 235-5223 (wk)
Michael Sheppard - Co-Chairperson 235-7486 (hm); 235-5397 (wk)

OBJECTIVES

1. We support the conveyance of the 80 ac. Olson Mountain parcel to the university of Alaska, along with a covenant that limits it to its historic use as an experimental station.
2. We support the Kenia Peninsula Critical Habitat task force and their proposal (to be put before the legislature) to define some 19,000 acres in the Anchor River, Beaver Flats, and Fritz Creek Valley area as Critical Moose Habitat. Public opinion is essential to the passage of this legislation.
3. We support responsible use of wetlands and recognize that the property commonly known as the Red Meat Farm and its associated wetlands are not suitable for intensive grazing or large scale feedlot.
4. We support the development of the 80 ac. Red Meat Farm as a community or, preferably, four year college.
5. We support the maintenance of the Fritz Creek/Beaver Flats/Anchor River areas as watershed, *if it is not used for industrial use & all other studies have been exhausted. for an alternative water supply.*

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 85-33

A RESOLUTION ENDORSING HOUSE BILL 280 "AN ACT CREATING THE ANCHOR RIVER AND FRITZ CREEK CRITICAL HABITAT AREA".

WHEREAS, the City of Homer has an interest in preserving the Fritz Creek Watershed for future use as a water supply for residents of the Southern Kenai Peninsula; and

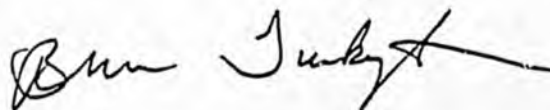
WHEREAS, the City has an interest in preserving areas for wildlife habitat; and

WHEREAS, the City has an interest in protecting and preserving certain lands for public access and public recreation purposes;

NOW THEREFORE, the City endorses House Bill 280 "An Act creating the Anchor River and Fritz Creek Critical Habitat Area";

DATED, at Homer, Alaska this 25th day of March, 1985.

CITY OF HOMER



Wayne Kessler, Mayor

ATTEST:

Kathleen Herold
Kathleen Herold, City Clerk

March 29, 1985

Dave Vanderbrink, Chairman
Kenai peninsula Critical Habitat Task Force
Box 1236
Homer, Alaska 99603

Dear Mr. Vanderbrink:

In a meeting held March 22, 1985 the officers and board of directors voted unanimously to support HB #280.

The International Moose Federation feels that any use of this land other than preservation for the use of wild life on the Southern portion of the Kenai Peninsula would cause a permanent decline in opportunities for recreational use of our wildlife resources and water quality.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan O. Smith", with a long horizontal flourish extending to the right.

Stan O. Smith
President
International Moose Federation



Homer Soil Conservation Sub-District
P.O. Box 415 · Homer, Alaska 99603 · Telephone: 235-8177

March 26, 1985

Dave Vanderbrink
Kenai Peninsula Critical Habitat
Task Force
P.O. Box 1236
Homer, Alaska 99603

RE: Critical Habitat - Anchor River & Fritz Creek Drainage


Dear Dave,

I am writing on behalf of the Board of Supervisors of the Homer Soil & Water Conservation District. As you well know, we have followed your committee's activities with regard to the formulation of the critical moose habitat legislation.

We wish to express our support and encouragement for the ultimate passage of this legislation. On 13 March 1985, we were given ample assurances by you and your committee that the critical habitat designation would allow continued management as a multiple resource, thus allowing open grazing of livestock and associated activities that would not conflict with or deplete the habitat. This assurance eliminated our primary concern.

We therefore wish to, once again, express our support for the critical habitat designation by legislation and hope that your activities will bring a successful conclusion to your efforts.

Sincerely,


Pat Marquis
Chairman

bg

To Whom It May Concern:

Whereas the South Central Regional Council represents 17 Local Fish and Game Advisory Committees and;

Whereas those Advisory Committees are concerned with the moose population in South Central Alaska as well as Game Management Unit 15 C and;

Whereas the South Central Regional Council realizes the critical function of winter moose habitat and;

Whereas the South Central Regional Council understands that development in the Homer area has and will continue to spread and eliminate critical winter moose habitat and;

Whereas this critical habitat must be set aside before development begins in the area where this habitat exists;

Therefore be it Resolved by the South Central Regional Council, at a meeting on March 21, 1985 by unanimous vote, to support the ANCHOR RIVER/FRITZ CREEK CRITICAL HABITAT AREA.

Submitted by:

Daniel R. Calhoun

Daniel R. Calhoun
Vice-Chairman
South Central Regional Council

HELP ESTABLISH THE ANCHOR RIVER/FRITZ CREEK
CRITICAL HABITAT AREA

SUPPORT HB 280

The future of a healthy moose population on the lower Kenai Peninsula is being threatened. Moose in this region concentrate during the lean winter months in the lower segments of major river valleys and south-facing benchlands. These areas are unique in providing moose with the essentials for overwinter survival-- an abundant food supply in the form of willow browse, resting and hiding cover, and relief from deep snows. Unfortunately, most moose winter habitat on the lower Kenai Peninsula is privately owned and has been seriously diminished in quality and extent by a rapidly growing human population during the past two decades.

House Bill 280, introduced in the Alaska Legislature on March 13, 1985 by Representative Mike Navarre (D-Kenai) at the request of many Homer-area residents, would provide for the creation of the Anchor River and Fritz Creek Critical Habitat Area. This legislation needs your support.

Important Facts:

1. The winter period is the bottleneck in the moose's annual cycle. Reproductive success and population growth depend on overwinter survival.
2. Moose on the lower Kenai Peninsula are restricted during the winter period to less than 10% of the area that they occupy in summer and fall.
3. Virtually no moose overwinter on the Kenai National Wildlife Refuge south of Tustumena Lake.
4. Substantial amounts of residential and commercial development have already occurred on moose winter habitat at Coho Beach, lower Deep Creek/Niniichik River, lower Anchor River, and the Homer Bench.
5. The Anchor River is important spawning and rearing habitat for king salmon, coho salmon, steelhead/rainbow trout, and dolly varden.
6. The Anchor River/Fritz Creek area has been identified since the early 1970's as critical moose winter habitat. The effort to have it legislatively designated began several years ago.

House Bill 280:

HB 280 would set aside 19,000 acres as the Anchor River and Fritz Creek Critical Habitat Area. The purpose is to protect and preserve the habitat of the area for wildlife and fish. Traditional uses such as hunting, fishing, recreation, etc. would be allowed, but incompatible uses would be restricted. Specific multiple uses for the area would be determined through the adoption of a management plan developed by ADF&G after public hearings. Existing grazing leases would be unaffected by the designation.

The bill includes these specific provisions:

- (1) The use of Fritz Creek as a water source is protected.
- (2) The possibility of a dam and reservoir on Fritz Creek is reserved.
- (3) The use of inholdings is guaranteed.
- (4) Borough land within the boundaries that is committed to the critical habitat area by the borough is subject to joint management by the state and borough. (All of the 19,000 acres proposed for the area is state-owned except for 3000 acres on the Fritz Creek end which was recently conveyed to the Kenai Peninsula Borough. The conveyance is currently under appeal.)

How You Can Help:

HB 280 has been referred to the House Resources and Finance Committees for public hearings. The Resources Committee is expected to take it up very soon and may teleconference its meeting to Homer and other sites.

You can let legislators know of your support for the bill by writing them at Pouch V, Juneau, Ak. 99811 or by sending them a free public opinion message by calling 235-7878 (Homer), 262-9364 (Soldotna), or 278-3668 (Anchorage). People at those numbers can inform you of the bill's progress.

The future of a healthy moose population on the southern Kenai Peninsula depends on the availability of large tracts of undeveloped winter habitat. Lands along the upper Anchor River and Fritz Creek represent the last opportunity to preserve a major moose winter range on the lower Peninsula.
Urge legislative passage of HB 280!

prepared by:

Kenai Peninsula Critical Habitat Task Force
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3/14/85

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 280
 Title: Anchor River Critical
Habitat
 Sponsor: Navarre and Goll
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Natural Resources
 Program Category Affected: NRMEC
 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
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-
CAPITAL		-0-	-0-	-0-	-0-	-0-
REVENUE		-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

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 Division: Land and Water Management Date: March 28, 1985
 Approved by Commissioner: *Robert D. Arnold* Date: March 28, 1985
 Agency: Department of Natural Resources

Distribution (by Agency preparing fiscal note):

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7/1/84