

HB

605

HOUSE  
COMMITTEE REPORT

3/7

(9)

Date referred: 2/14/86

FURTHER REFERRALS: FINANCE

DATE: March 5, 1986

The RESOURCES Committee has considered HB 605

"An Act establishing the Shuyak State Game Refuge."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 605 (Resources)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note/5

SIGNING DO PASS: *first*

SIGNING OTHER RECOMMENDATIONS:

Shultz Dick Shultz

Cato Bette Cato

Miller (NP) M.W. Miller

Thompson Paul W. Thompson

Sund [Signature]

Pearce [Signature]

Jenkins [Signature]

Herrmann Adelheid Herrmann

F. Kaybullis no rec  
Wallis

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Adelheid Herrmann  
Co-Chairman Herrmann

Bradley  
3/3/86 ✓

Original sponsor: Thompson

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IN THE HOUSE

BY THE RESOURCES COMMITTEE

CS FOR HOUSE BILL NO. 605 (Resources)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act establishing the Shuyak State Game Refuge."

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

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

Sec. 16.20.035. SHUYAK STATE GAME REFUGE. (a) The following state-owned uplands and all uplands acquired by the state after the effective date of this Act lying within the area described in this subsection are established as the Shuyak State Game Refuge:

(1) Beginning at the E 1/16th corner common to Sections 23 and 26, T18S, R19W, S.M.; then south-southwesterly approximately 8.86 miles to the section corner common to Sections 31 and 32, T19S, R19W, S.M., and Sections 5 and 6, T20S, R19W, S.M.; then westerly along the township line between Townships 19 and 20S, Ranges 19 and 20W, S.M., approximately 2.5 miles to the 1/4 corner common to Section 35, T19S, R20W, S.M., and Section 2, T20S, R20W, S.M.; then southerly along the north-south centerline of Section 2, T20S, R20W, S.M., approximately 0.3 miles to the intersection of the mean high tide line of Shuyak Strait; then meandering in a counter-clockwise direction easterly, northerly, westerly, and southerly to the intersection of the mean high tide with the section line common to Sections 15 and 16, T18S, R19W, S.M.; then south approximately 1.25 miles to the section corner common to Sections 22, 27, 28 and 21, T18S, R19W, S.M.; then east 1.75 miles between Sections 22 and 27, 23 and 26 to the E 1/16th corner common to Sections 23 and 26, T18S, R19W, S.M.; to the point of beginning; and

1 (2) Big Fort Island, Little Fort Island, the Perevalnie  
2 Islands and all other islands, islets, pinnacles and rocks lying  
3 easterly of and within one mile of the easterly shore of the lands  
4 described in (1) of this subsection.

5 (b) The Shuyak State Game Refuge is established to provide the  
6 following:

7 (1) protection and enhancement of habitat;

8 (2) continued opportunity for recreational uses, including  
9 fishing and hunting, and continued trapping and commercial fishing;

10 (3) opportunity to view, photograph, study, and enjoy the  
11 various species of plants and wildlife of the refuge.

12 (c) If the Kodiak Island Borough relinquishes to the state any  
13 state land selected by the borough within the following parcels, that  
14 land becomes part of the Shuyak State Game Refuge:

15 (1) T18S, R19W, S.M.

16 Sections 26 - 28

17 Sections 33 - 35

18 (2) T19S, R19W, S.M.

19 Section 3

20 Section 4

21 Section 6: S1/2

22 Sections 7 - 10

23 Sections 16 - 21

24 Sections 29 - 32

25 (3) T19S, R20W, S.M.

26 Section 1: S1/2

27 Section 2: S1/2

28 Section 10: SE1/4

29 Sections 11 - 16

1                   Sections 20 - 29

2                   Sections 32 - 36

3           (4) T20S, R20W, S.M.

4                   Section 2

5                   Section 3

6           (d) Egress and ingress to and from private and borough property  
7 within or adjacent to land described in (a) of this section shall be  
8 provided through the reservation by the Department of Natural Re-  
9 sources of a 200-foot easement traversing Section 26, T18S, R19W,  
10 S.M.; Sections 15, 16, 21, and 22 of T19S, R19W, S.M.; and Section 32,  
11 T19S, R19W, S.M. The specific locations of the easements shall be  
12 agreed to by the Department of Fish and Game, the Department of  
13 Natural Resources, and the Kodiak Island Borough. If land is conveyed  
14 to the state as provided in (c) of this section, the easements shall  
15 be reserved so as to continue through that land.

16           (e) The Shuyak State Game Refuge shall be managed in accordance  
17 with a management plan prepared by the Department of Fish and Game.  
18 The management plan shall be adopted in accordance with the Alaska  
19 Administrative Procedure Act (AS 44.62).

20           (f) The Board of Fisheries and the Board of Game shall adopt  
21 regulations governing the taking of fish and game within the Shuyak  
22 State Game Refuge to implement (b) of this section.

23           (g) To the extent that funds are available, the commissioner of  
24 natural resources shall identify the boundaries of the Shuyak State  
25 Game Refuge by surveying and posting each inland boundary described in  
26 (a)(1) of this section, or as added under (c) of this section, at its  
27 beginning and its end and not less often than each one-eighth of a  
28 mile.  
29

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

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

**REQUEST**

Bill/Resolution No. : CSHB 605  
 Title : Shuyak State Game Refuge  
 \_\_\_\_\_  
 Sponsor : Rep. Thompson  
 Requestor : House Resources Committee  
 Date of Request : March 3, 1986

**FISCAL DETAIL**

Agency Affected : Natural Resources  
 BRU : Land Management  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_

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

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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<b>REVENUE</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
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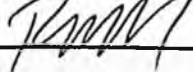
**FUNDING : (Thousands of Dollars)**

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

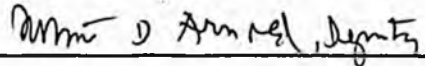
**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Prepared by : Carol Wilson   
 Division : Commissioner's Office

Phone : 465-2400  
 Date : 3/4/86

Approved by Commissioner :   
 Agency : Natural Resources

Date : 3/4/86

Distribution (by Agency preparing fiscal note) :

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



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
**BILL ANALYSIS**

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER HB 605	SPONSOR Representative Thompson
DEPARTMENT POSITION Support			
PREPARED BY Habitat Division	DATE 2/25/86	COMMISSIONER'S SIGNATURE <i>Donnell Callersworth</i>	DATE 2-28-86

**SUMMARY**

OTHER AGENCIES AFFECTED BY BILL DNR	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL Administration (see attached letters)	ORGANIZATIONAL OPPOSITION TO BILL None Known

FISCAL IMPACT:       NONE       FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The purpose of creating the Shuyak State Game Refuge is to provide (1) protection and enhancement to fish and wildlife habitat, (2) continued opportunity for fishing, hunting, and trapping, and (3) other recreational opportunities.

ANALYSIS OF BILL PROGRAM EFFECTS

The bill will:

1. Establish the Shuyak State Game Refuge.
2. Provide for the addition of lands relinquished by the borough to the refuge.
3. Ensure access to private and borough holdings.
4. Direct the preparation of a refuge management plan.
5. Require surveying the refuge boundary to the extent that funds are available.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No. : HB 605  
 Title : An act establishing Shuyak State Game Refuge

Sponsor : Representative Thompson  
 Requestor : Dept. of Fish and Game  
 Date of Request : \_\_\_\_\_

FISCAL DETAIL

Agency Affected : Dept. of Fish & Game  
 BRU : Habitat and Game Divisions

Components : Operating and Capital Budgets

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

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-				
TRAVEL		-0-				
CONTRACTUAL		-0-				
SUPPLIES		-0-				
EQUIPMENT		-0-				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>-0-</b>				
<b>CAPITAL</b>		<b>-0-</b>				
<b>REVENUE</b>						

**FUNDING : (Thousands of Dollars)**

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

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Roland Shanks  
 Division : Commissioner's Office

Phone : 465-4100  
 Date : February 28, 1986

Approved by Commissioner : Donnell Peensworth  
 Agency : Department of Fish and Game

Date : 2-28-86

Distribution (by Agency preparing fiscal note) :

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





FEB 06 1986



# Kodiak Island Borough

710 MILL BAY ROAD  
KODIAK, ALASKA 99615-6340  
PHONE (907) 486-5736

January 30, 1986

The Honorable David W. Thompson  
House of Representatives  
Box V  
Juneau, Alaska 99811

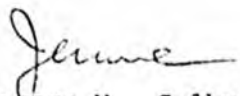
Dear Mr. <sup>Pave</sup>~~Thompson~~:

Enclosed please find a copy of Kodiak Island Borough Resolution No. 86-06-R requesting state legislation to create Shuyak State Game Refuge approved at the January regular meeting. Also enclosed is a letter from Neil C. Johannsen, Director, Division of Parks and Outdoor Recreation indicating the State's endorsement of the proposed game refuge.

If I can be of any further assistance, please let me know.

Sincerely,

KODIAK ISLAND BOROUGH

  
Jerome M. Selby  
Borough Mayor

Enclosures

mdd

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES**

**DIVISION OF PARKS AND OUTDOOR RECREATION**

225A CORDOVA STREET  
ANCHORAGE, ALASKA 99501  
PHONE (907) 463-2855

MAILING ADDRESS:  
POUCH 7001  
ANCHORAGE, ALASKA 99510

November 27, 1984

Re: Proposed Baranof State  
Game Refuge on Shuyak island

Jerome Selby, Manager  
Kodiak Island Borough  
Box 1246  
Kodiak, Alaska 99615

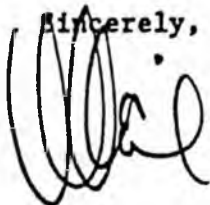
Dear Mr. *Jerome Selby*,

I recently learned of the Borough Assembly's resolution to seek legislation establishing the proposed Baranof State Game Refuge on Shuyak Island.

The Division of Parks and Outdoor Recreation supports the proposed state game refuge and believes it will be an important component of Kodiak's long-term outdoor recreation resources.

If there is anything I can do to assist in your efforts, please let me know.

Sincerely,



Neil C. Johannsen  
Director

Kodiak Island Borough  
Kodiak, Alaska  
**RECEIVED**

NOV 30 1984

AM PM  
7 8 9 10 11 12 1 2 3 4 5 6

KODIAK ISLAND BOROUGH  
RESOLUTION NO. 86-06-R

A RESOLUTION OF THE KODIAK ISLAND BOROUGH ASSEMBLY REQUESTING  
STATE LEGISLATION TO CREATE THE SHUYAK STATE GAME REFUGE

WHEREAS, on August 14, 1981, the Superior Court ordered the Agreement of Consent Decree to effectively dismiss the appeals the Kodiak Island Borough brought against the Alaska Department of Natural Resources with regards to its lands selections; and

WHEREAS, a condition in the Agreement of Settlement and Consent Decree is that the Kodiak Island Borough is to use its best efforts to have legislation introduced to create a state park and state game refuge on Shuyak Island for those portions not to be conveyed to the Kodiak Island Borough; and

WHEREAS, the Shuyak State Game Refuge is to be established to protect fish and wildlife habitats and population of all fish and wildlife species, particularly deer and brown bear, feeding, wintering and migration areas as well as to provide public uses of fish and wildlife in their habitat for hunting, viewing, photography, and general recreation in a high quality environment; and

WHEREAS, the Kodiak Island Borough had caused to be prepared a proposed bill entitled "An Act Creating the Aleksandr Baranov State Game Refuge" for the 1981-82 legislature; and

WHEREAS, Bill HCSSB 51, "An Act Establishing the Shuyak Island State Park; and Providing for an Effective Date" was signed by Governor Sheffield on July 11, 1984; and

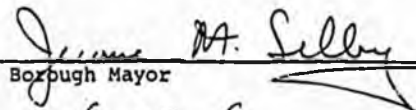
WHEREAS, nothing further has been done to establish a State Game Refuge.

NOW, THEREFORE, BE IT RESOLVED by the Kodiak Island Borough Assembly that legislation entitled "An Act Creating the Shuyak State Game Refuge" be introduced and assigned a number providing for the creation of said state game refuge.

BE IT FURTHER RESOLVED by the Kodiak Island Borough Assembly that the Borough administration be directed to send this resolution to the Senator for District N, the Representative for House District 27, Governor Sheffield, the Alaska Department of Natural Resources, and the Alaska Department of Fish and Game and implore their assistance in the successful adoption of this legislation.

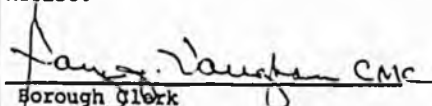
PASSED AND APPROVED THIS 2 DAY OF January, 1986.

KODIAK ISLAND BOROUGH

  
Borough Mayor

  
Presiding Officer

ATTEST:

  
Borough Clerk

February 21, 1986

The Honorable Jerome Selby  
Mayor  
Kodiak Island Borough  
710 Mill Bay Road  
Kodiak, AK 99615-6340

Dear Mayor Selby:

Thank you for sending me Kodiak Island Borough Resolution No. 86-06-R supporting introduction of a bill to create Shuyak State Game Refuge. Shuyak is a very scenic island, with outstanding hunting and viewing opportunities. As you are aware, Representative Thompson has introduced a bill to establish such a refuge. I support the creation of Shuyak State Game Refuge in keeping with the out-of-court settlement between the borough and the state. By copy of this letter, I have asked the Commissioners of Fish and Game and Natural Resources to provide any necessary technical assistance to Representative Thompson on this bill.

I look forward to designation of the area as a state game refuge in the near future.

Sincerely,

/s/ Bill Sheffield

Bill Sheffield  
Governor

cc: Commissioner Don Collinsworth  
Department of Fish and Game

Commissioner Esther Wunnicke  
Department of Natural Resources

The Honorable David Thompson  
Alaska State Legislature

BS/DWC/DC/tw  
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FG3

LEG OFF  
HB 605