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Alaska State Legislature

ARLISS STURGULEWSKI, Chairman
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Senate Committee on Resources

TO: Senate Resource Committee Members March 24, 1986

FROM: Senate Resource Committee Staff

RE: CSSB 462 (Resources) "An Act relating to access to recreation areas."

Attached is a proposed committee substitute for SB 462. There are four changes to the bill. These are underlined on the draft.

- The first change (page 1, lines 27 & 28) makes clear that easements are only required on public waters determined valuable for fishing by the commissioner. This change is to clarify that easements are not required along every little creek or trickle regardless of whether or not they are valuable for fishing. Several points should be made about this section. Easements are required only on state land, and then only when the land is being surveyed for disposal. Nothing in this bill has any mandatory effect on private land. DNR is already following this practice.

- The second change (page 2, line 10) inserts a requirement that public hearings regarding a potential expenditure from the public access fund be in the communities most affected by the action. This is simply a reenforcement of existing DNR policy.

- The third change (page 2, line 22) is the insertion of the words "at least" in front of the requirement that 20 percent of the federal funds be used for access. This is to give some flexibility to the fund if 21 percent or, for that matter, 50 percent of the fund is needed on access projects in a particular year.

- The last change (page 2, lines 23-25) is the insertion of a sentence clarifying that use of Sport Fish Restoration Act funds is subject to the approval of the commissioner of fish and game. This is a requirement of the federal law for the use of these funds.

Both the DNR and Fish and Game have submitted zero fiscal notes on this bill.

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Senate Committee on Resources

TO: Senate Resource Committee Members March 16, 1986
FROM: Senate Resource Committee Staff *ME*
RE: SB 462 "An Act relating to access to recreation areas."

SB 462 is designed to help create access to state waters. The bill employs three mechanisms to do this.

Section 1 of the bill is findings and intent.

Section 2 requires DNR, whenever land is surveyed for disposal, to reserve easements or rights-of-way along public waterways and at least once a mile to establish an easement or right-of-way to access the easement that is along the waterway. Further clarification is probably need to make clear the bill refers to waterways that support sport fisheries or are navigable.

*will clarify
areas where
needed*

Section 3 creates a public access fund. This fund is to be used to develop boating access, including the purchase and lease of land, easements, and rights-of-way to enhance public access to recreational areas. The legislature may appropriate to this fund and it would also be funded through federal funds received under the Sport Fish Restoration Act. The funds available under this act has recently increased dramatically. Information in this packet discuss these federal funds. Last year this committee passed out SB 201 which created a similar public access fund. Section 3 is similar to that bill, though that bill depended on a dividend checkoff program for funds and did not consider the use of federal funds.

Section 4 adds "creating access to waters of the state with high value for recreational uses" to the list of reasons for which DNR is permitted to enter into land trades.

Both DNR and Fish and Game have indicated this bill will probably have zero fiscal notes. In addition to the discussion of the federal funds in this packet is a memo by Fish and Game on access.

Boating and Fishing Access

Wallop-Breaux Amendments require that the states spend at least 10 percent of their annual apportionment on development of boating access. Many states plan on spending more than the mandatory amount to build new access areas or to upgrade existing sites. For example, Delaware will be refurbishing several existing coastal boating access facilities. Florida will renovate up to 20 existing sites and will construct at least three new boating access facilities each year. Iowa has an ambitious blueprint that includes construction of boating access, ten fish cleaning facilities in major state parks, and five fishing piers at large recreational areas within the state. In general, large, productive facilities, such as Ohio's newly opened Sandusky Bay boating and fishing access area on Lake Erie, built with \$700,000 of D-J funds (see SFI BULLETIN No. 370, November-December, 1985), will be more commonplace in the coming years.

SFI was an ardent supporter of the boating access provision and has been monitoring it closely. Approximately \$50 million of motorboat fuels taxes will be part of the total \$122 million available to states in fiscal year 1986. Clearly, boaters and anglers who use boats are responsible for a large share of Wallop-Breaux funds, and therefore should receive substantial access benefits. SFI has long advocated the wise use of access development to disperse angling pressure to improve angling quality. This access provision appears to be a golden opportunity for states to take a new look at access development as a management tool. SFI urges states to make full use of this provision to construct access where it provides the greatest public benefit, whether it be for renovating old, heavily used facilities or constructing new facilities in areas of high user demand but low access availability.

Aquatic Education

The Wallop-Breaux Amendments provide the states with an option to spend up to 10 percent of their annual apportionment on aquatic education projects. Many states, including Florida, Kansas, New Mexico, and Delaware, will use this opportunity to initiate new education efforts. Even the new and growing District of Columbia fishery program is preparing to use Wallop-Breaux Fund monies on a project that will teach District youth the fundamentals of resource management (the Amendments provide the District with monies, one-third of one percent of the Wallop-Breaux Fund, for the first time).

The education provision affords states a great chance to upgrade and develop their education activities. SFI advocates sound planning of education projects to best meet the needs of individual states. SFI also believes that states should use Wallop-Breaux funds to achieve a balanced education program featuring education in aquatic ecology, aquatic resource management, aquatic safety, and fishing.

Research

In the past, the states have used substantial amounts of their Dingell-Johnson monies on essential fact-finding activities. The Sport Fish Restoration Program will continue to fund significant state research, with some interesting new twists. For example, Alaska will gather data for the first time on its world class rainbow trout fisheries in Bristol Bay and the Kenai River. Iowa will survey statewide angling participation and assess the economic value of its fisheries. Missouri and Kentucky each plan on expanding their computer capa-

bilities to enable their managers to better store, access, and evaluate fisheries data. Several coastal states plan on committing Wallop-Breaux funds and state resources to augment the National Marine Fisheries Service's (NMFS) Marine Recreational Fishery Statistics Survey to obtain better estimates of angler participating and harvest.

Research, including inventories and surveys, has borne the brunt of Program criticism since the inception of the D-J Program in 1950. Critics have viewed D-J as a research-only Program, much of which was thought to be repetitive exercises of little value to fishery management.

SFI realizes that surveys, inventories, evaluations, and other forms of research are vital to well rounded state fishery programs. Yet it must be emphasized that Wallop-Breaux funded research should be the mission-oriented research aimed at sport fisheries improvement that is mandated by law, viz:

Sec. 2(a) "... research into problems of fish management and culture as may be necessary to efficient administration affecting fish resources; (b) The acquisition of such facts as are necessary to guide and direct the regulation of fishing by law, including the extent of the fish population, the drain on the fish supply from fishing and/or natural causes, the necessity of legal regulation of fishing, and the effects of any measures of regulation that are applied;"

To address the problem of poor perceptions of research by Program critics, SFI believes that states must clearly show in all project documentation (proposals, progress reports, and final reports) how their research activities are tied to their sport fishery management objectives.

Other Development Activities

New public fishing lakes are other great benefits of the Program. Georgia has begun work on the first new lake that is part of an exemplary 30-year plan to build ten new lakes in areas of the state where fishing pressure is high, but fishing opportunities are scarce. Many states will spend substantial portions of their Program allocations over the next few years on fish culture-enhancing projects. Virginia plans to refurbish antiquated warm water fish hatcheries, and Minnesota plans to upgrade its walleye rearing facilities. Nevada will be building a new \$6 million coldwater facility that will be capable of producing 1,000,000 trout per year. Montana has begun work on renovating and enlarging a warm/cool water hatchery at Miles City at an estimated cost of \$4.9 million. Some southeastern coastal states have expressed an interest in artificial reef development through Wallop-Breaux. California, North Carolina, Louisiana, and Florida are all investigating future reef plans and projects for both fresh and saltwater applications. These new projects will be funded at least in part with Wallop-Breaux Fund monies.

The above development projects are not panaceas for fish restoration and enhancement in the states: there are no substitutes for solid fisheries management, research, and habitat improvement activities. Yet these activities are vital for two reasons. First, the end products of each will unquestionably enhance sport fishing opportunities. Second, these construction projects provide important tangible benefits to user groups which should aid state agencies in building constituency support. Therefore, judicious use of Program funds on these types of projects should be encouraged.

Constraints to the Sport Fish Restoration Program

A fact that must be remembered by all who are concerned about the Sport Fish Restoration Program is that the plans and activities listed above will take time to reach fruition. State and federal administrators of the Program face numerous constraints, not only due to limited resources within their agencies, but also from outside forces acting on their agencies. Some of these constraints include: matching of Wallop-Breaux monies; state hiring ceilings, accounting challenges; and substitution of Wallop-Breaux funds for existing programs.

Matching of Wallop-Breaux Monies

States must either raise substantial new monies or produce in-kind contributions to provide the 1:3 state versus federal dollar match that is necessary to use Wallop-Breaux funds. Some states have moved to increase matching revenues in recent years. Delaware recently passed its first resident fishing license increase since 1969. Arizona added a \$2.00 surcharge to its non-resident fishing license in 1983. These actions will help both states considerably in matching Wallop-Breaux funds.

In-kind contributions may include outright donations or the dollar value of donated land, equipment, and volunteer labor. A good example of an in-kind match is the \$1 million that has been donated by the Gulf Coast Conservation Association to assist Texas in matching necessary Wallop-Breaux monies to build a large new addition on to the John Wilson Hatchery in Corpus Christi, Texas.

Several states have indicated that they will have difficulty in raising matching monies. In these states, the political climate is not suitable for raising license fees, general fund appropriations to the state fish agency, or other revenue increasing measures. SFI urges these states to strive to use in-kind contributions as much as possible. In-kind matching appears to hold much promise in helping states utilize fully their Wallop-Breaux Fund apportionments.

State Hiring Ceilings

Several states would like to hire additional fisheries personnel to carry out new projects, but face hiring ceilings imposed by state legislatures. In Virginia, Rhode Island, and California, for example, it will not matter if the state fishery agency can fund the new positions with license fees or Wallop-Breaux funds; at this time, these states are mandated not to put anyone else on the payroll. SFI urges states facing hiring ceilings to make prudent use of sub-contracting projects to private firms or universities to overcome state government restrictions.

Accounting Challenges

The new regulations imposed by Wallop-Breaux will add new accounting requirements to the old list of D-J and other federal requirements with which states must comply. To maintain eligibility for receiving Wallop-Breaux funds, states must meet both the old and new requirements, some of which are the following:

1. guarantee that fishing license fees are not being diverted away from their fishery programs;
2. spend at least 10% of each annual apportionment on boating access projects;
3. divide equitably "new" revenues (i.e., Wallop-Breaux revenues over and above those collected from D-J taxes)

between marine and freshwater projects based on the proportion of marine and freshwater angler numbers in coastal states;

4. document expenditures on each Program-funded project 90 days after the completion of the project; and
5. perform a major audit every year on all Program projects within their states.

It is incumbent on states to comply with the accounting requirements of the Wallop-Breaux legislation and other federal regulations which apply. If the state and federal administrators of the Program cannot accurately account for Program expenditures, the entire credibility of the Program will be jeopardized. SFI has learned of several cases where states are remiss or delinquent in conducting audits or accounting for project expenditures and are not in compliance with federal regulations. These situations must be rectified, and the accounting aspect of the Program must be tightened-up.

Substitution of Wallop-Breaux Funds for Existing Programs

This represents one of SFI's greatest concerns for the Program. SFI fears some state and federal agencies may attempt to fund existing fisheries or boating access projects by substituting Wallop-Breaux funds for existing funding sources. This clearly violates the spirit of the Wallop-Breaux Amendments to the Federal Aid in Sport Fish Restoration Act which requires that "additional funds resulting from expansion of the Sport Fish Restoration Program must be added to existing state fishery program funds and not as a substitute thereof" (from the Final Rule Implementing Amendments to the Federal Aid in Sport Fish Restoration Act, Federal Register, Vol. 50, No. 100, Friday, May 24, 1985). States must comply with this regulation, not only to maintain Program eligibility, but also to act in good faith to put the new monies to the uses intended by Congress. At the federal level, Wallop-Breaux funds must not be substituted for boating access funds from the Land and Water Conservation Fund administered by the Park Service, for the Anadromous Fish Conservation Program administered by USFWS and the National Marine Fisheries Service (NMFS), for the Marine Recreational Fishery Statistics Survey conducted by NMFS, and other such programs. This too would violate the spirit of the law and would break faith with the user groups who pay for and benefit from the Program.

Conclusion

The Sport Fish Restoration Program is on course and in action but is not without its problems. To ensure the long-term prosperity of the Program, state fishery agencies must strive to produce maximum, cost-effective benefits from their Wallop-Breaux dollars. Fiscal accountability by the states must be an integral part of the Program. The USFWS should strive to be reasonable and flexible in administering the Program, yet not so flexible as to permit states to be in non-compliance with Program requirements and continue to receive Program funds. Fishery conservation organizations and boating interests must help to guard the Program from being undercut at the federal level. In this regard, the Gramm-Rudman Deficit Reduction measure, recently signed into law by President Reagan, may pose Program supporters with a challenge in protecting Wallop-Breaux from budgetary attacks. OMB or congressional budget cutters may attempt to directly limit full allocation of Wallop-Breaux Trust Fund monies. Another scenario may see Congress keep Wallop-

Breaux intact and cut back other fishery and boating access programs and, in essence, use Wallop-Breaux funds as a substitute for the other program funds.

The Sport Fish Restoration Program is the "goose" that will be "laying the golden eggs" of increased sport fishing opportunities. All organizations that have a stake in the protection and wise utilization of aquatic resources, must meet the challenge of Wallop-Breaux to ensure the future of fishing and boating in America.

~~ENVIRONMENTAL CONSERVATION AND THE PETROLEUM INDUSTRY~~

Recently, a report was prepared by the National Institute for Urban Wildlife for the American Petroleum Institute entitled, "Environmental Conservation and the Petroleum Industry." The report was authored by Daniel L. Leedy, Lowell W. Adams, and Louise E. Dove. The report is the result of information obtained from the major oil and gas companies in response to a questionnaire. It is not a technical document in that it has not delved deeply into the complex problems of pollution and pollution control, or the intricate interactions of ecosystems. However, it does recognize a wide variety of environmental influences and describes approaches the industry has taken to make its operations compatible with the environment.

The forward to the publication is written by C.R. "Pink" Gutermuth. Pink, an articulate historian of the conservation movement, has received numerous awards for his conservation work, and is a former Vice President of the Wildlife Management Institute. He was very active in the conservation movement when it was not the "in thing." Pink used the forward to describe the evolution and formation of the American Petroleum Institute's Conservation Liaison Committee. The Conservation Liaison Committee was created in 1960, and in its 25 years of existence, has been a valuable communication tool between the petroleum industry and the conservation/environmental community.

Among its very important activities, the Conservation Liaison Committee has arranged annual tours for the conservation community of ecologically important areas that are impacted by the petroleum industry. These annual trips have provided the community with an opportunity to witness how the petroleum industry operates. The tours permit the conservation community to do investigative reporting and analysis of very sensitive petroleum industry impacted areas.

The Sport Fishing Institute (SFI) has participated in a number of these tours and can attest to the value and importance of seeing things first hand. SFI is convinced that the petroleum industry seeks to have a friendly relationship with the conservation/environmental community and more importantly, to have a favorable relationship with the environment that they impact. It is impressive to witness the tremendous amount of money spent, and care expended, in minimizing and restoring the sites impacted by oil and gas production.

The report treats a variety of issues dealing with the compatibility of: onshore oil and gas development with the environment, offshore oil and gas development with the environment, other oil and gas operations with the environment, royalties and grants relating to wildlife conservation, protecting the urban environment, and protecting archaeological, historical, and cultural values. The report also includes

a handy reference for further reading.

The report is not intended to be an exhaustive nor objective analysis of the relationship between the petroleum industry and the environment. However, it can be said that the information is presented in an interesting and informative manner. It is up to the reader to evaluate the report's content. Copies can be obtained from the American Petroleum Institute at: 1220 L Street, N.W., Washington, D.C., 20005. Address your inquiries to Keith G. Hay, Conservation Director of the Conservation Liaison Committee.

~~NATIONAL ARTIFICIAL REEF PLAN RELEASED~~

The National Artificial Reef Plan, required by the National Fishing Enhancement Act, Public Law 98-623, Title II, has been completed by the National Marine Fisheries Service (NMFS).

Section 202 of the Act recognized that "... properly designed, constructed, and located artificial reefs ... can enhance the habitat and diversity of fishery resources." The law established a national policy to promote and facilitate responsible and effective efforts to establish artificial reefs. It will: 1) enhance fishery resources to the maximum extent practicable; 2) facilitate access and utilization by United States recreational and commercial fishermen; 3) minimize conflicts among competing uses of waters covered under the Act and the resources in such waters; 4) minimize environmental risks to personal health and property; and 5) be consistent with generally accepted principles of international law and shall not create any unreasonable obstruction to navigation.

To accomplish these purposes, Congress directed the Secretary of Commerce to develop and publish a long-term plan. The National Artificial Reef Plan was formulated by federal agencies involved in reviewing and approving federal permits for artificial reef construction, and with assistance from states and local governments, Regional Fishery Management Councils, and Marine Fisheries Commissions, industry, artificial reef authorities, and the public.

The plan serves three major functions. First, based on the best available scientific information, it provides guidance to individuals, organizations, and government agencies on technical aspects of artificial reef planning, design, siting, construction, and management.

Second, the Plan is a guide and technical reference for federal and state agencies involved in artificial reef permitting and management, to help meet the national standards and objectives established by the Act. The Act requires the Secretary of the Army to ensure that siting, construction, monitoring, and arrangement of artificial reefs are conducted in a manner consistent with standards set forth in the Act. The Secretary of the Army must consider the Plan when issuing an artificial reef permit and notify the Secretary of Commerce of any need to depart from the Plan.

Third, the Plan encourages and provides guidance for developing detailed, site-specific, regional, state, and local artificial reef plans that focus on criteria for specific conditions.

Compiled by Richard Stone of NMFS, the Plan represents a team effort by a large number of knowledgeable experts on artificial reefs. The Plan is an important step for artificial reef development in this country. Developers will now have a policy to work from, removing much of the

Alaska Recreational Fishery Access, Enhancement and Development

Need:

Alaska, with a population of 510,554 people (1983) and land-mass of 586,412 square miles (1/5th the size of the contiguous lower 48 States), has a severe access problem. Although the state has over 3,000,000 lakes and 365,000 miles of rivers, it has only about 2500 miles of state maintained paved, 2960 miles of unpaved roads and 8400 miles of local government and specialty (includes National Park Service and military) roads. Access to the states fish and wildlife resources is severely restricted and inadequate. This limited access results in concentration of fishing effort, habitat degradation, restricted management options and social conflicts.

However, even with limited road access to fishery resources, fishing is still the most popular outdoor passtime in Alaska. Of the 535,608 anglers who fished in 1984, 71% were Alaska residents and 29% were non-residents. This represents a 6% increase in resident anglers and a 15% increase in non-resident anglers over 1983. Since 1977 the average annual increase in anglers has been 8% (7% for resident anglers and 11% non-resident anglers).

Fishing is concentrated along the road system and near the population centers. Of the 1,866,837 angler-days fished in 1984, 1,341,658 (72%) were expended in the Southcentral region of Alaska, 326,138 (17%) were expended in the Southeast region, and 199,041 (11%) were expended in the Arctic-Yukon-Kuskokwim region. The Cook Inlet area, within the Southcentral region, had 1,109,727 days (59%) of the State's total sport fishing and the Kenai Peninsula had 668,161 angler-days or 36% of the State total. The Kenai River alone had 270,422 angler-days of use or 14% of the State total.

For all its lakes, streams and anglers, the state has only 31 boat launching facilities statewide. A few private launch ramps also exist. This limited boat access concentrates fishing to areas near the launching facilities, creates traffic congestion problems, and destroys needed habitat as a result of overcrowding. On busy days boat owners often must wait for extended periods of time to launch their boats and then drive up to 1 mile to park their cars and trailers before going fishing. A lengthy wait also accompanies removal of boats from the water.

Identified Access problems include

1. Insufficient parking at limited access points which results in illegal parking along public roads creating a safety hazard and unauthorized parking on private property;
2. Limited access sites which force walk-in use across private property to popular fishing locations. Repeated use creates unwanted trails, accumulation of garbage and general destruction of the aesthetic value of the private property;

3. High use of inadequate or undeveloped boat launch facilities which destroys habitat through stream and bank degradation, siltation, misuse of private property to access water sites and illegal parking of boat trailers;
4. The degradation of existing sites through excessive use which creates sanitation problems, social conflicts and loss of aesthetic values.

The goal of this project is to increase or improve public access for fishing through the purchase of lands, development of facilities, and enhancement of state lands and waters.

Objectives.

1. To provide angler and boat access to recreational fishing waters;
2. To construct, develop, improve and maintain facilities and lands acquired or used by recreational anglers;
3. To increase and/or improve the quality of habitat for sport fish;
4. To provide necessary support facilities for the administration, or management of recreational fisheries.

Expected Results and Benefits:

- A. Acquisition of lands and access opportunities (rights-of-way and easements) will ensure dedicated accessibility to the fishery resources for the public.
- B. Acquired sites will be managed and operated to provide primary benefits to the recreational angler and boater and help in distributing angler effort throughout a greater area of a particular fishery or among suitable fisheries.
- C. Additional access sites will allow more anglers to participate in a fishery, and will allow those who presently use a fishery to reduce conflict by dispersing effort over a larger area and reducing congestion on existing sites.

Additional sites may allow anglers to reach fisheries not presently accessible from existing locations (e.g. acquiring a suitable site that favors a boat launching facility) thereby increasing management options for harvest regulation.

- D. Allow development of new fisheries.

Facility developments will improve the aesthetic qualities of the recreational fishery and lessen impacts on the environment. This will be accomplished by: providing the necessary camping, eating and sanitary facilities for public use; improved access to accommodate vehicle and

foot traffic; increased vehicle and trailer parking and paving of such areas thereby reducing conflict; maintaining streambank integrity; and, reducing siltation and pollution.

Field support facilities, when required, will allow proper supervision of select fisheries in terms of fishery monitoring and data acquisition. Habitat improvements should increase fish production and expand waters available for enhancement.

Approach:

Land Acquisition/Access.

Land will be acquired by fee-title purchase, lease, or right-of-way/easements for the purposes of public access, boat launching ramps, parking lots, and camping facilities. Land will be also acquired by willing seller/buyer negotiations and in accordance with P.L. 91-646 Uniform Relocation and Real Property Acquisition requirements.

Operational Plans will be submitted with the Project Agreements for acquisition of land parcels and will conform to FA Manual requirements, Chap 10 Land Acquisition. Examples of information to be provided:

1. The soil characteristics, topography, and vegetative communities.
2. The surface waters, mineral and water rights.
3. The fish and wildlife species, abundance and distribution on the property.
4. Existing capital developments, use of area by landowners or lessees.
5. Use of area by the public (types of use, man-days expended, harvest of fish and wildlife, etc.).
6. Pertinent planning and administration related to lands in the vicinity.
7. Summary of appropriate hydrologic, engineering, geologic or other technical investigations that support the property's suitability for development.
8. Cooperative Agreements relating to project objectives.

Priorities for acquisition or improvement of access will include, but not be limited to:

1. Economic importance. Importance to the local community;
2. Public importance. The number of people who use the area, the man-days of effort expected, safety factors, trespass problems and distance from metropolitan areas;

3. Biological/Ecological importance. Will site provide access to new fisheries, suitability of site, ability of resource to accommodate existing and potential use, etc;
4. Political significance. Are matching funds being provided by local interests, or have political decisions (funding) prescribed priority to the project.

Development.

Development activities will include the construction, modification or improvement of access sites. Such activities may include, but not be limited to, land clearing, access road construction, boat launching ramp construction, trail development, hard surfacing (e.g., black top) of parking areas and access roads, addition to ramps, and/or construction of floats and piers, navigational aids, mooring buoys, bank stabilization projects, sanitary and camping facilities, and other amenities that provide needed public services for sport fishing purposes.

Field support facilities will be considered on a case-to-case basis for special fisheries. This activity may construct cabins to house seasonal employees conducting creel censuses, or caretakers, and include necessary support items such as water, sewer, electrical and other services.

Procedures for facilities requiring user fees, concessions, caretakers or custodians will be incorporated in Operational Plans and submitted at the time of acquisition with the Project Agreement.

Habitat improvements will incorporate construction of water level stabilization structures, weirs and barriers to control ingress and egress of fish, or for ecological improvements to waterways and standing waters. In many instances, nonproductive or marginal waters may only require structures to provide water level stabilization and/or control of fish movement when associated with stocking to provide an acceptable fishery. Jobs developed under this project will have detailed operational plans, and materials lists as required for the activity.

For all construction items costing more than \$100,00, a qualified engineer will approve engineering plans and estimates, approve the feasibility determination, supervise the construction, and furnish a report of final inspection. All other construction activity will apply acceptable engineering standards commensurate with the level of complexity and magnitude involved.

Enhancement.

Enhancement in this project refers to improvements in the properties discussed in this document under the Land Acquisition/Access and Development sections.

Location. Statewide

ACCESS PROJECTS

REGION	LOCATION	PROJECT TITLE	PROJECT DESCRIPTION	ESTIMATED COS
<u>REGION 1</u>				
1	Juneau	Amalga Harbor	Dredge channel to create an all-tide launch area.	\$100.0
1	Sitka	Starrigavan Bay	Build a parking area on public land to service boat launching ramp.	\$ 70.0
1	Ketchikan	Mountain Point	Project will expand launch ramp, add breakwater fill and build temporary tie-up facility.	\$140.0
1	Petersburg	Pajkes Land. Moorage	Increase mooring and docking facilities.	\$ 60.0
1	Juneau	North Douglas Ramp	Project will install a boat dock at existing launch ramp.	\$ 50.0
1	SE Alaska	Fish Cleaning Stat.	Install fish cleaning stations at 3 harbors in Petersburg, 3 harbors in Wrangell, 1 harbor in Ketchikan, 1 harbor in Sitka, and 1 harbor in Haines.	\$ 10.0
1	Juneau	Harris Boat Harbor	Install dock at one side of existing launch ramp.	\$ 50.0
1	Juneau	Douglas Boat Harbor	Install dock at one side of existing launch ramp.	\$ 50.0
1	Haines	Lutak Inlet Ramp	Build launch ramp at Lutak Inlet.	\$ 60.0
1	Haines	Lutak Inlet Parking	Provide parking at Lutak launch ramp.	\$ 75.0
1	Juneau	Tee Harbor Access	Clear and mark right-of-way across state land from road to saltwater, install ramp.	\$100.0
1	Petersburg	Blind Slough Parking	Improve parking access at Blind Slough.	\$ 75.0
1	Sitka	Silver Bay Mooring	Four permanently anchored mooring buoys would be placed near the head of Silver Bay.	\$ 30.0
1	Sitka	Starrigavan Launch	Install a walkway and extent the Starrigavan Bay boat ramp.	\$ 40.0
1	Wrangell	Fools Inlet Ramp	A boat launch will be build at Fools Inlet after the Forest Service has extended the road.	\$150.0
1	Sitka	Blue Lake Ramp	This project will construct a marine-type hand-wench rail with boat carrier at Blue Lake.	\$100.0
1	Petersburg	Ideal Cove Road	A one-half mile road will be constructed to salt-water for beach launching of boats.	\$150.0
1	Wrangell	Anan Creek Moorage	Mooring buoys will be placed in the mouth of Anan Creek to provide tie-up for anglers fishing Anan Creek and local lakes.	\$100.0

1	Juneau	Auke Lake Ramp	Clear right-of-way from parking lot to lake shore and construct concrete launching ramp.	\$ 50.0
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REGION 2

2	Ninilchik	Ninilchik Land	Acquisition of land fronting both banks of the Ninilchik River at the Sterling Hiway bridge.	\$300.0
2	Palmer	Cottonwood Creek Land	Purchase of lands to insure continual access to the Cottonwood Creek sport fishery.	\$ 40.0
2	Soldotna	Crooked Creek Land	Purchase additional acreage at the confluence of Crooked Creek and the Kaslof River.	\$200.0
2	Wasilla	Kashwitna Landing	Purchase private boat launching and parking facilities and buildings located at the confluence of the Kashwitna and Susitna Rivers.	\$500.0
2	Wasilla	Wasilla Creek Land	Purchase private lands to insure continual public access to the Wasilla Creek sport fishery.	\$100.0
2	Anchorage	Behm Lake	Purchase 41 acree along south and east shores of Behm Lake for use as park land and access.	\$600.0
2	Soldotna	Funny River Access	Acquisition of property at the mouth of Funny River will provide access to a major portion of the Kenai River.	\$1,300.0
2	Palmer	Little Willow Creek	Purchase additional private lands to insure access from the Parks Highway to Little Willow Creek.	\$100.0
2	Soldotna	Whiskey Gulch Access	Purchase 60 acree of land for parking and camping plus access to Whiskey Gulch for marine fishing.	\$200.0
2	W. Susitna	Neil Lake Land	Purchase property to provide float plane access to upper Deshka River.	#NE
2	W. Susitna	Moose Creek Land	Purchase property at junction of Moose Creek and the Six-mile Road to provide float plane access to Moose Creek and the Deshka River.	#NE
2	Soldotna	Bishop Beach Land	Purchase of the tidal spit at the south of the Swanson River.	\$200.0
2	Anchorage	Bird Creek Land	Purchase land adjacent to Bird Creek to provide upstream access to the fishery.	#NE
2	Soldotna	Deep Creek Land	Purchase land for development of increased camping facilities for the Deep Creek users.	#NE
2	Anchorage	Sand Lake Land	Purchase property on Sand Lake and develop a park	

			site to provide non-motorized boat access to the lake.	\$100.0
2	Homer	Anchor River Land	Purchase 40 acres of land at river mouth for access to the river mouth and a location to launch boats for the marine fishery.	\$ 80.0
2	Homer	Plumb Bluff Estates	Purchase 16+ acres along Happy Creek which includes an access trail to Cook Inlet.	#NE

FACILITIES DEVELOPMENT

2	Palmer	Willow Creek	Complete Susitna River access road, boat launch, parking and trailhead development, campground, fishing trails and sanitary facilities.	\$5,000.0
2	Palmer	Little Susitna R	Provide a 50 parking unit access point, boat ramp, drinking water and sanitary facilities.	\$400.0
2	Soldotna	Kenai River Park	Provide basic sanitary facilities, parking, refuse disposal, camping and visitor information at several locations along the Kenai River.	\$1,000.0
2	Soldotna	Ninilchik/Deep Ck	Provide an all-tide ramp pier or small boat basin for safe boat launching.	#NE
2	Wasilla	Kepler-Bradley	Provide trails and ramps for handicapped anglers, horse trails, picnic and sanitary facilities, and additional parking.	\$200.0
2	Soldotna	Anchor River Facil.	Rehabilitate beach front campground with sanitary facilities, well water, river access trails and new campground development.	\$ 75.0
2	Soldotna	Whiskey Gulch Facil.	Upgrade parking, sanitary, and refuse disposal facilities.	\$200.0
2	Wasilla	Sheep Creek	Develop latrines, a foot trail and remote picnic facilities at the confluence of Sheep Creek and the Susitna River.	#NE
2	Anchorage	Sand Lake Facil.	Provide for non-motorized boat access to Sand Lake.	\$ 50.0

KODIAK

2	Kodiak	Womans Bay	Provide a boat launch and parking facilities at Womans Bay.	\$200.0
2	Kodiak	Karluk River	Purchase land parcels adjacent to the Karluk River	#NE
2	Kodiak	Ayakulik River	Purchase land parcels adjacent to the Ayakulik River mouth.	#NE

BRISTOL BAY

2	King Salmon	Naknek River	Construct public boat launch and docking facilities at King Salmon.	\$150.0
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REGION 3

3	Fairbanks	Chena River	Improve access road and build boat launching facility with parking area.	\$ 10.0
3	Delta	Jan/Dot Road	Build a road and ramp to Jan and Dot Lakes.	\$200.0
3	Delta	Shaw Creek	Provide public boat launching facilities at Shaw Creek.	\$ 10.0
3	Fairbanks	Salcha River	Improve boat launching and parking facilities.	\$ 20.0
3	Fairbanks	Yukon River	Improve boat launching facilities to Yukon River at Dalton Highway bridge.	\$ 30.0
3	Fairbanks	Chatanika River	Upgrade existing boat launch and parking facilities.	\$ 10.0
3	Fairbanks	Birch Lake	Install concrete boat ramp and improve road at Birch Lake public access.	\$ 20.0
3	Fairbanks	Lost Lake	Install concrete boat ramp and expand and improve parking area at Lost Lake public facilities.	\$ 25.0
3	Fairbanks	Murphy Dome Road	Improve lower 2 miles of Murphy Dome Road, install boat launching facility, and add parking spaces.	\$ 75.0
3	Delta	George Lake	Provide access road, boat launching ramp and parking area at George Lake.	\$ 50.0
3	Delta	Fielding Lake	Provide access road, boat launching ramp and parking area at Fielding Lake.	\$ 15.0

* NE - NO ESTIMATE AVAILABLE

Outdoors



Rising to the Bait

Dan Sisson

What's with Access Bill, Sen. Fischer?

An angler quiz. More Anchorage sport fishermen can be found on the Kenai Peninsula than any place else in the state.

Right?

Sport fishermen who take their families and spend vacations on the Kenai help the local economy. Right?

Especially when the state's budget has fallen off due to oil prices. Right?

And sportfishermen complain they can't get access to some of the best fishing waters without paying a fee to launch boats or stand on the bank. Right?

Finally, most anglers would like to see Alaska's premier fishing streams improved, especially if the Federal Government would pay for it. Right?

If you answered "Right" to all the above you will be shocked to know that Senator Paul Fischer, who represents the sport fishermen of the Kenai Peninsula, does not.

For some unexplained reason, Mr. Fischer refuses to clear out of his "sub-committee of one" — meaning himself — Senate Bill 462, which has been called the "Access Bill," because it would provide money to buy land to fish from.

Senate Bill 462 could be the vehicle through which the feds give approximately \$160 million to Alaskan sport fisheries over the next 20 years. In 1987, for example, Dick Logan, Sport Fish Director for the state, predicts his division could realize \$8 million.

Compare that with this year's total budget for sportfishing from state revenues: \$3.5 million from the sale of sportfishing licenses and roughly \$450,000 from the general fund — of which the latter has evaporated. So, from a budget of nearly \$4 million, the sport fisheries could suddenly get \$12 million. And this at a time when every other budget category is being slashed or held constant.

Yet Sen. Paul Fischer says he cannot report the bill out because there is "a constitutional problem." When I asked his aide what the "constitutional problem" was, he could not tell me. When I called back I still did not receive an answer.

There is no answer because there is no constitutional problem. The Legislative Legal Services group informed the Senate Resources Committee that the bill "had no legal problems" and, in fact, had plenty of precedents in other states dating back to the 1950 Dingell-Johnson Act (D-J).

The new bill (Wallop-Breaux) is merely an amendment to the D-J Bill that's 36 years old and would have been declared unconstitutional decades ago if there had been anything wrong with it.

So what does Sen. Paul Fischer say is wrong? He won't.

If Sen. Paul Fischer was in agreement with a host of organizations and people well-known in the sport fishing field, it might be possible to go along.

But Senator Paul Fischer is alone in his opposition and won't say why.

When one looks over the groups in support of SB 462, opposition to the bill seems even more incongruous. The Department of Natural Resources, Fish & Game, the Resources Development Council, the Alaska Sportfishing Association and the Alaska Outdoor Council all are convinced it's a great bill. The present and former directors of the state's Sport Fish Division, Dick Logan and Rupe Andrews, believe it is an excellent bill.

But Senator Paul Fischer says it has a problem, and he won't say why.

About the only thing the senator will say is he'll recommend the bill be sent out of his "committee of one" by May 7th. The trouble with that date is it will effectually kill the bill because there will not be enough time left in the session.

So, sportfishermen might ask, why this opposition to a bill that the most respected groups and individuals in the state endorse?

No one will say why the bill is about to be killed, but the slashing of \$450,000 in the general fund of the Sport Fish Division's money might be a clue.

And therein lies the danger. If the members of the Finance Committee, of which Sen. Paul Fischer is one, believe they can deplete the general fund of monies allotted to sportfishing and replace them with federal monies from Dingell-Johnson/Wallop-Breaux, they are mistaken.

It's not only a dangerous game; it's a stupid game. And it's not just \$8 million this year; it could be \$100 million in the next ten years.

But even more important is why? Why wouldn't Sen. Paul Fischer, representing a district overflowing with sport fishermen, not want to see a better quality sport fishery?

If you are a sport fisherman you might wish to find out.

Dan Sisson, an outdoors writer and college instructor living on the Kenai Peninsula, is a contributor to Field and Stream magazine.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CSSB 462 (Res)
 Title : Access to recreation areas

Sponsor : Senate Resources
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : ADF&G
 BRU : Sport Fish Division

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						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE		0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Anticipate access acquisition under the Federal Aid in Sport Fish Restoration Program to increase slightly and with DNR and DOT/PF participation to not require extraordinary increase of functions. No additional operational costs expected.

Prepared by : Richard Logan Phone : 465-4180
 Division : Sport Fish Date : 3/24/86

Approved by Commissioner : *Don Collinsworth* Date : 3-24-86
 Agency : Department of Fish and Game

Distribution (by Agency preparing fiscal note) :

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

AK *FILE SB 462*
WESTERN LEGISLATIVE CONFERENCE
THE COUNCIL OF STATE GOVERNMENTS

720 SACRAMENTO STREET, SAN FRANCISCO, CALIFORNIA 94108 (415) 986-3760

MEMORANDUM

To: Land and Energy Committee Members
From: Patty Spangler, WLC *Patty*
Date: March 20, 1986
Subject: Access on Public and Private Lands

MAR 25 1986

Representative Marlene Simons (WY) forwarded the enclosed materials on problems of access to public and private lands in Wyoming as well as in other Western States. Enclosed is a copy of a letter from U.S. Senator Malcolm Wallop announcing a Wyoming hearing on the subject and a letter of response prepared by Representative Simons. If you have any questions about this issue, Representative Simons can be contacted at (307) 283-2664 or via Mr. Ralph Thomas, Director, Wyoming Legislative Service Office, (307) 777-7011.

Enclosure

WC39-20

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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510

FRANK M. CUSHING, STAFF DIRECTOR
GARY G. ELLSWORTH, CHIEF COUNSEL
D. MICHAEL HARVEY, CHIEF COUNSEL FOR THE MINORITY

March 4, 1986

Mr. Lee Coffman
President
Wyoming Public Lands Council
Box 115
Casper, Wyoming 82602

Dear Mr. Coffman:

You are invited to send an appropriate witness to present testimony before the Public Lands, Reserved Water and Resource Conservation Subcommittee of the United States Senate Committee on Energy and Natural Resources at an oversight hearing on March 15, 1986, in Rock Springs, Wyoming. The hearing will be held at the Rock Springs City Hall, 212 D Street, Rock Springs, Wyoming from 9:00 a.m. to 1:00 p.m.

The Subcommittee wishes to obtain information and recommendations on solving the problems of access on public and private lands.

The Subcommittee will hear testimony in four panels from invited organizations and groups on:

(1) the assessment, identification and definition of public and private land access policies, laws, and practices;

(2) the private and commercial users of private and public lands who need or desire access and how the patterns of access develop;

(3) the identification of access problems, the need to resolve or reduce conflicts, current strategies and agreements for providing access on public and private lands; and

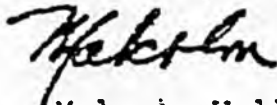
(4) the solutions and recommendations for resolving problems and the recommendations for administrative or legislative change.

The public is invited to attend the hearing, and questions to the panelists and members may be submitted at the hearing. Testimony from the public concerning specific complaints or problems should not be given at the hearing but can be directed toward organizations gathering that data.

We ask that you address the issues in Panel (4) (see above) and limit your oral testimony to five minutes. Your complete written testimony will appear in the hearing record. Panelists are asked to bring 15 copies of their written statement to the hearing with them. For further information contact Kate Dupont at 202-224-6441 or Tony Bevinetto at 202-224-5161.

We look forward to a stimulating and productive hearing which results in conflict resolution

Sincerely,



Malcolm Wallop
United States Senator

MW:tb/af

March 12, 1986



REPRESENTATIVE MARLENE J. SIMONS

Crook County
Wind, Area: Box 20
Boulder, Wyoming 82712

Committees:

Agriculture, Public Lands and
Water Resources, Chairman:
Travel, Recreation and Wildlife

Hon. Malcolm Wallop
United States Senator
Washington, D. C. 20510

Re: Subcommittee on Public Lands, Reserved Water and
Resource Conservation

Dear Senator Wallop:

I am very concerned over your hearings scheduled in Rock Springs on March 15, 1986 at 9:00 a.m. I feel this hearing will be adding more fuel to the fire on public lands and access across private lands. I feel that this should be a state issue, dealt with on the state level by state people. Only .04% of Wyoming's land is inaccessible as public land.

I would like to comment with reference to the four panels mentioned in your letter.

(1) Your group may not be properly informed as to why there isn't public access across private lands. Private land ownership and the decisions of those private lands should be at the discretion of the landowner. Verified access has been established.

(2) With Gramm-Rudman in Washington, and with the threat of loss of funds, commercial users access on public lands needs to be identified and instead of stopping their access, we should seek ways to give them access with a minimum of environmental impact, i.e., less stringent road building qualifications by the Forest Service as in the case of Union Pass Road in the Shoshone/Bridger-Teton National Forest.

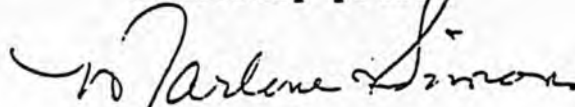
(3) The identification of access problems should be only a state problem where it concerns private property and private property rights. Many of the current problems being caused on public lands have to do with federal agencies trying to minimize conflicts with environmental groups.

(4) The solutions and recommendations panel should center only around administrative changes. We do not need any further legislation mandated on the State of Wyoming.

I am very concerned over the many environmental and conservation groups who keep trying to restrict multiple use on public lands by introducing wolves and grizzly bears and expanding their habitat and limiting the use of especially the Western Slope mountains by the young, the very old and the handicapped.

I would recommend that you consider no federal legislation on access in western states and that you consider reviewing administrative procedures in BLM and Forest Service concerning access and putting emphasis on wise multiple use for all lands in Wyoming and in all western states.

Sincerely yours,

A handwritten signature in cursive script that reads "Marlene Simons". The signature is written in dark ink and is positioned above the printed name.

Marlene Simons
Representative
Crook County

Bradley
3/21/86



Original sponsor: Resources Committee

CHANGES SINCE LAST

MEETING HIGHLIGHTED

AND UNDERLINED

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 462 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to access to recreation areas."

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

8 * Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature
9 finds that the recreational use of state waters for fishing, hunting,
10 guiding, boating, lodge operation and other recreational uses is very
11 important to the economy of the state. State waters, and public access to
12 those waters, is critical to the interrelated recreation, tourism, guiding
13 and lodge industries. These industries support a large number of small,
14 resident Alaska businesses. Recreational use of state waters is also
15 extremely important to the people of the state. The legislature further
16 finds that many of the state's popular freshwater and marine fisheries are
17 severely overcrowded and that increasing the ease of access to additional
18 waters suitable for recreational uses would enhance the enjoyment by the
19 people, would be beneficial to the economy, and would reduce the overcrowd-
20 ing on the already popular waters.

21 (b) It is the intent of the legislature to encourage state programs
22 to develop access to additiona' waters of the state near the state's major
23 population areas.

24 * Sec. 2. AS 38.04 is amended by adding a new section to read:

25 Sec. 38.04.052. ACCESS TO WATERWAYS. (a) Wherever state land
26 is surveyed for disposal into private use, legal rights-of-way and
27 easements shall be reserved along public water of the state determined
28 valuable for fishing by the commissioner. The right-of-way or ease-
29 ment shall be at least 50 feet wide but the commissioner may require a

1 wider right-of-way or easement depending on local conditions.

2 (b) The commissioner shall also establish rights-of-way or
3 easements to ensure access to rights-of-way or easements that are
4 along the public waterways. Easements under this subsection shall be
5 established not less often than once each mile.

6 * Sec. 3. AS 38.05 is amended by adding a new section to read:

7 Sec. 38.05.880. PUBLIC ACCESS FUND. (a) The public access fund
8 is created in the general fund of the state. The commissioner of
9 natural resources shall administer the fund. The commissioner, after
10 public hearings ~~and consultation with the commissioner of fish and~~
11 game and the commissioner of transportation and public facilities, may
12 use money in the fund to develop boating access, including the pur-
13 chase and lease of land, easements, and rights-of-way to enhance
14 public access to recreational areas.

15 (b) The title to rights of public access to recreational areas
16 obtained by the commissioner vests in the state. The commissioner
17 shall include in the instrument transferring title to the state a
18 clause requiring that the land be used for public access. If the land
19 ceases to be available for public access, the state shall pay the
20 assessed value of the land to the fund.

21 (c) If the state receives funds under 16 U.S.C. 777-777k (Sport
22 Fish Restoration Act) at least ^{approximately} 20 percent of the funds shall be used
23 to implement the provisions of this section. Expenditure of funds
24 received by the state under this subsection is subject to the approval
25 of the commissioner of fish and game.

26 (d) The legislature may appropriate to the fund.

27 (e) The commissioner may adopt regulations under the Administra-
28 tive Procedure Act (AS 44.62) that are necessary to implement this
29 section.

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* Sec. 4. AS 38.50.010 is amended to read:

Sec. 38.50.010. AUTHORIZATION. Subject to the requirements of this chapter, the director, with the concurrence of the commissioner, is authorized to dispose of state land or interest in land by exchanging it for land, interest in land, or other consideration. Exchanges shall be for the purpose of consolidating state land holdings, creating land ownership and use patterns which will permit more effective administration of the state public domain, creating access to waters of the state with high value for recreational uses, facilitating the objectives of state programs, or other public purposes.

Bradley
3/14/86 /

Original sponsor: Resources Committee

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 462 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to access to recreation areas."

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11 important to the economy of the state. State waters, and public access to
12 those waters, is critical to the interrelated recreation, tourism, guiding
13 and lodge industries. These industries support a large number of small,
14 resident Alaska businesses. Recreational use of state waters is also
15 extremely important to the people of the state. The legislature further
16 finds that many of the state's popular freshwater and marine fisheries are
17 severely overcrowded and that increasing the ease of access to additional
18 waters suitable for recreational uses would enhance the enjoyment by the
19 people, would be beneficial to the economy, and would reduce the overcrowd-
20 ing on the already popular waters.

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22 to develop access to additional waters of the state near the state's major
23 population areas.

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26 is surveyed for disposal into private use, legal rights-of-way and
27 easements shall be reserved along public waterways of the state. The
28 right-of-way or easement shall be at least 50 feet wide but the com-
29 missioner may require a wider right-of-way or easement depending on

1 local conditions.

2 (b) The commissioner shall also establish rights-of-way or
3 easements to ensure access to rights-of-way or easements that are
4 along the public waterways. Easements under this subsection shall be
5 established not less often than once each mile.

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9 natural resources shall administer the fund. The commissioner, after
10 public hearings and consultation with the commissioner of fish and
11 game and the commissioner of transportation and public facilities, may
12 use money in the fund to develop boating access, including the pur-
13 chase and lease of land, easements, and rights-of-way to enhance
14 public access to recreational areas.

15 (b) The title to rights of public access to recreational areas
16 obtained by the commissioner vests in the state. The commissioner
17 shall include in the instrument transferring title to the state a
18 clause requiring that the land be used for public access. If the land
19 ceases to be available for public access, the state shall pay the
20 assessed value of the land to the fund.

21 (c) If the state receives funds under 16 U.S.C. 777-777k (Sport
22 Fish Restoration Act), 20 percent of the funds shall be used to imple-
23 ment the provisions of this section.

24 (d) The legislature may appropriate to the fund.

25 (e) The commissioner may adopt regulations under the Administra-
26 tive Procedure Act (AS 44.62) that are necessary to implement this
27 section.

28 * Sec. 4. AS 38.50.010 is amended to read:

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this chapter, the director, with the concurrence of the commissioner, is authorized to dispose of state land or interest in land by exchanging it for land, interest in land, or other consideration. Exchanges shall be for the purpose of consolidating state land holdings, creating land ownership and use patterns which will permit more effective administration of the state public domain, creating access to waters of the state with high value for recreational uses, facilitating the objectives of state programs, or other public purposes.

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 3-21-86

REQUEST

Bill/Resolution No. : SB 462
 Title : Access to Recreation Areas

Sponsor : Senate Resources
 Requestor : Senate Resources
 Date of Request : 3-21-86

FISCAL DETAIL

Agency Affected : Natural Resources
 BRU : Park & Recreation Mgmt.

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						
TOTAL OPERATING	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Ned Farquhar *Ned Farquhar*
 Division : Commissioner's Office

Phone : 465-2400
 Date : 3-21-86

Approved by Commissioner : Ned Farquhar
 Agency : Natural Resources

Date : 3/22/86

Distribution (by Agency preparing fiscal note) :

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

ALASKA MINERS ASSOCIATION, INC.
509 West Third Avenue, Suite 17
Anchorage, Alaska 99501

JAN 30 1986

January 28, 1986

Senator Arliss Sturgulewski, Chair, Resources
Box V
Juneau, Alaska 99811

SUBJECT: SB 334, Hatcher Pass Public Use Area

Dear Senator Sturgulewski:

SB 334 is a superfluous bill. Does it really take legislation to authorize such things as hiking, mountaineering, horseback riding, kayaking hang-gliding, picnicking, viewing, etc.? It is proposed to be under a new statute chapter developed in the last session for the Nelchina "Public Use Area" titled "Multiple Use Management."

We believe that multiple use should be provided by management techniques rather than by a multitude of legislated enclaves, each with its own specialized management plan.

It should be a last resort and with an admission of failure that our professional land managers are unable to provide multiple use management, that any further special use areas be legislatively designed.

The Hatcher Pass Management Plan has been in the development stage for at least five years. There have been several completely different planning teams over that period who have held hearings, requested technical information, taken tours, etc. Each team began from scratch in getting acquainted with the resources and uses of the area. SB 334 would require "adequate" public hearings and adoption of a revised management plan for the Public Use Area. We believe the current planning procedures are overkill; to develop yet another management plan for "multiple use" appears absurd.

Other than being totally redundant legislation, specific problems include the following:

41.23.100(b)

- 1) Fish and wildlife resources are well protected and managed by Fish and Game under existing statutes.
- 2) These recreational uses have been, and will continue to be, activities in the area under proper land management and require no further legislation.

3) Water quality is fully protected under existing statutes; scenic resources can be protected by proper multiple use management without requiring further legislation.

41.23.110

a) DNR is currently responsible for the surface and subsurface estate requiring no further legislation.

b) Fish and Game is currently responsible for management of fish and game, requiring no further legislation.

c) A Hatcher Pass Management Plan is currently being developed, requiring no further legislation. The concurrence of Fish and Game should not be required, as they act in an advisory capacity on plan development. DNR is the land planning agency.

d) Superfluous.

e) This closes the Little Susitna and one-half mile on each side to mineral entry. For well-documented, sufficient reasons of conflict, this may be done under existing management authority.

f) A given without legislation.

g) This authority is already existing in statute.

h) If land disposal is found to be a use conflicting with multiple use management of the area, the area may not be selected for disposal under existing management.

i) A given without further legislation.

41.23.120

Under "multiple use" management, there would be certain times when certain uses may dominate, such as a mineral development area being unsafe for a ski trail, but professional managers can weigh and balance uses to develop the combination that will allow the optimum use and enjoyment of the resources.

In summary, what does SB 334 propose to do?

1) Give Fish and Game concurring authority on a land management plan.

2) Close mining in the Little Susitna corridor.

3) Close the area to land disposal.

4) Not allow a park.

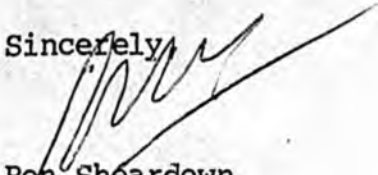
5) Repeat various existing authorities.

6) Allow restriction of a use found to be incompatible with another use.

7) Develop another management plan--for what?

SB 334 is totally unnecessary legislation requiring a fiscal commitment to a new management plan and special management. The Alaska Miners Association opposes SB 334 in total.

Sincerely,



Ron Sheardown
Vice-President

RS/skg

cc: AMA
Paul Metz, MIREL, Fairbanks

JAN 23 1986

Jan. 18, 1986

Senator Arliss Sturgulewski
Resources Committee
State Senate
Juneau, Alaska

Dear Senator,

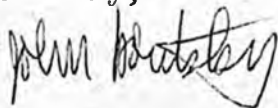
Please support Senate Bill 334, introduced by Senator Kerttula last week. This legislation seeks to put a stop to further unlawful squatting along the Little Susitna River near Hatcher Pass, and to clean up the area for the tourists.

It is important to me and other people in the area that the Hatcher Pass region be kept attractive. I and my family and our guests like to drive along the Little Susitna River to the old Independence Mine. At any season the area is a real attraction. One of the few detractions from the experience, however, is the trashy "mining" sites along the road. Squatters have erected threatening signs warning the public off their placer claims, and have created a series of small junkyards.

I have nothing against legitimate mining on state lands, however these people are taking unfair advantage of the rules. These "miners" take a couple of ounces of dust from the river each year, certainly an amount insufficient to justify such use of state land. I realize that the Division of Mining in DNR is starting to enforce the regulations on the river, and I encourage them to do so. Unfortunately, we have no assurance that they will persist. Where were they in the past? What enforcement are they pursuing in other areas occupied by squatters now? Can we trust the Department to enforce its regulations in the future under other state administrations?

Senate Bill 334 solves these uncertainties. Although the bill does not directly affect the current squatters, it does prevent the problem from growing. I would like to be assured that the river corridor will be cleaned up and stay cleaned up by statute, rather than to depend on the whim of the bureaucrats in DNR. The bill is just good, basic resource management.

Sincerely,



John Koutsky

P.S. I personally hope you run for governor!

Box 871306
Wasilla 99



COOK INLET
AQUACULTURE ASSOCIATION

RT. 2, BOX 849
SOLDOTNA, AK 99669
(907) 283-5761

APR 14 1986

April 9, 1986

Senator Arliss Sturgulewski
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Sturgulewski:

The Cook Inlet Aquaculture Association supports the passage of SB No. 334. Establishment of the Hatcher Pass Public Use Area would increase the degree of water quality and habitat protection afforded to the headwater streams of the Little Susitna River. Protection of water quality and habitat will ensure the continued productivity of the River's fish populations.

The Little Susitna River produces significant quantities of all five species of Pacific Salmon which are found in Alaska. Some of these fish are harvested commercially as they pass northward through Cook Inlet. The Little Susitna River salmon are also important to Matanuska-Susitna and Anchorage area recreational fishermen because the stream flows largely through public lands, is close to population centers, is accessible via the road system and is, in itself, picturesque.

The COOK INLET REGIONAL SALMON ENHANCEMENT PLAN lists the Little Susitna River as a site for fish stocking projects which will increase annual recreational fishing harvests by 10,000 coho salmon and 6,000 king salmon. In the future I would expect the Little Susitna River to become even more important to regional salmon harvesters and the creation of the Hatcher Pass Public Use Area through the passage of SB No. 334 would be a wise preparatory step toward that future.

Sincerely,

Thomas E. Mears,
Executive Director

cc: All Senate Resources and Finance Committee Members

PUBLIC OPINION MESSAGE

FA

TO: SENATOR ARLISS STURGULEWSKI

FROM: LINDA WHITE
1312 ZARVIS PLACE
ANCHORAGE
274-4989

99508

BILL NO: SB 334

SUBJECT: ESTABLISHING HATCHER PASS PUBLIC USE AREA

MESSAGE:

I SUPPORT THIS BILL. I THINK IT IS GOING TO BE GOOD FOR
GENERAL PUBLIC USE, TOURISM, AND IT WILL HELP DEVELOPMENT
IN THE WASILLA AREA.

DATE: 04/11/86 TIME: 14:15:55 SENT BY: ANCHORAGE LIO

COPIES TO: SENATOR:
SENATOR:

JAN FAIKS
JALMAR M. KEP

PUBLIC OPINION MESSAGE

TO: SENATOR ARLISS STURGULENSKI

FROM: JANE STAMMEN
4205 HAYES
ANCHORAGE
563-7703

99503

BILL NO: SB 334

SUBJECT: ESTABLISHING HATCHER PASS PUBLIC USE AREA

MESSAGE:

I URGE YOU TO SUPPORT THE HATCHER PASS PUBLIC USE AREA PLEASE.

DATE: 04/11/86 TIME: 14:13:09 SENT BY: ANCHORAGE LIO

COPIES TO: SENATOR:
SENATOR:

JAN FAIKS
JALMAR M. KERTTULA

PUBLIC OPINION MESSAGE

TO: SENATOR ARLISS STURGULEWSKI

FROM: WENDY BLOCK
627 N STREET
ANCHORAGE
272-7913

99501

BILL NO:

SUBJECT: HATCHER PASS BILL

MESSAGE:

I URGE YOU TO SUPPORT THE BILL THAT CLOSES THE LITTLE
SUSITNA TO PLACER MINING.

DATE: 04/11/86 TIME: 13:58:12 SENT BY: ANCHORAGE LIO

COPIES TO: SENATOR:
SENATOR:

JAN FAIKS
JALMAR M. KERTTULA

PUBLIC OPINION MESSAGE

TO: SENATOR ARLISS STURGULEWSKI
FROM: STUART OLLANIK
627 N STREET, APT 2
ANCHORAGE 99501
279-4506

BILL NO: SB 334

SUBJECT: ESTABLISHING HATCHER PASS PUBLIC USE AREA

MESSAGE:

**I STRONGLY SUPPORT PASSAGE OF SENATOR KERTTULA'S HATCHER PASS
BILL IN ITS PRESENT FORM. THE BILL WISELY RECOGNIZES THE
IMPORTANT RECREATIONAL AND TOURISM VALUE OF THIS UNIQUE AREA.
I KNOW THAT OTHER MEMBERS OF THE MOUNTAINEERING CLUB OF ALASKA
ALSO SHARE THIS VIEW.**

DATE: 04/11/86 TIME: 13:56:10 SENT BY: ANCHORAGE LIO

COPIES TO: SENATOR: JAN FAIKS
SENATOR: JALMAR M. KERTTULA