

S B

18

HOUSE COMMITTEE REPORT

5/16/87

Finance

Date referred:

FURTHER REFERRALS:

DATE:

1-22-88
CSSB 18 (C&RA)

Resources

The _____ Committee has considered

"An Act creating the Anchorage Coastal Wildlife Refuge and renaming the Potter Point State Game Refuge as the Anchorage Coastal Wildlife Refuge; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note 1-13-88
- zero with analysis same as previous zero fiscal note published _____

SIGNING DO PASS:

Mike Hovane
[Signature]
Cly Davidson
Heinrich Springer
Adelheid Herrman
Jan G. [Signature]

SIGNING OTHER RECOMMENDATIONS:

Mike Ronge - No Rec
Dink Shurtz - No Rec

Jan G. [Signature]

Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: 2/9/87
 Title: An Act creating Anchorage Coastal Wildlife Refuge
 Sponsor: Szymanski, Sturgulewski, et al
 Requestor: Hse Res Comm
 Agency Affected: Fish and Game
 BRU: Habitat
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE						
---------	--	--	--	--	--	--

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: Roland Shanks
 Division: Commissioner's Office

Phone: 465-4100
 Date: 1/18/88

Approved by Commissioner [Signature]
 Agency: Fish and Game

Date: 1-18-88

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: 2/9/87
 Title: An Act creating Anchorage Coastal Wildlife Refuge
 Sponsor: Szymanski, Sturgulewski, et al
 Requestor: Hse Res Comm
 Agency Affected: Fish and Game
 BRU: Habitat
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE						

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: Roland Shanks
 Division: Commissioner's Office

Phone: 465-4100
 Date: 1/18/88

Approved by Commissioner: *Ronald Szymanski*
 Agency: Fish and Game

Date: 1-18-88

Distribution (by preparer) :
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)



Alaska State Legislature

Senator Mike Szymanski

While in Session:
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4978/4979

MEMORANDUM

TO: Senate Resource Committee Members

FROM: Senator Mike Szymanski

SUBJECT: SB 18 - Anchorage Coastal Wildlife Refuge
Background/Intent

DATE: February 14, 1987

Interim
11920 Johns Rd.
Anchorage, AK 99515
(907) 349-3373

1024 W. 6th
Anchorage, AK 99501
(907) 276-6739

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

In June 1983, the Municipality of Anchorage (MOA) established the Potter Marsh Task Force to address management problems that were developing both within and around the Refuge, and to subsequently make recommendations for improving management of the refuge. The Task Force is supported by the MOA, Alaska Department of Fish and Game (ADF&G), Alaska Department of Natural Resources (DNR) and interested public members.

SB 18 is supported by the Administration, the Rabbit Creek Community Council, the Oceanview Community Council, the National Rifle Association, the Municipality of Anchorage and various environmental and development groups in the Anchorage area. It is an example of multiple-use legislation which has been developed and supported by diverse groups and individuals and I respectfully request its passage by the Committee.

SB 18 would:

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

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

Senate District E

Mar-Su • So. Anchorage • Bird/Indian • Girdwood • Whittier • Nikiski • Cooper Landing • Hope • Seward • Cordova • Valdez

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

The 1971 legislation reads, "The following described state-owned land and adjacent state water, excluding existing and applied-for highway, pipelines and railway rights-of-way as of May 20, 1971, are established as the Potter Point State Game Refuge: All land and water south and west of and adjacent to the toe of the bluff which extends from Campbell Point southeasterly to Potter Creek." This language does not define any real or measurable limit as to how far the Refuge boundary extends seaward, and the inland boundary is open to wide interpretation. Many times, this lack of clarity has resulted in confusion for state agencies, private development interests, and the general public. Therefore, SB 18 in Section 1, subsections (1) through (7) describes in detail the legal refuge boundaries.

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

The MOA has asked that Refuge boundaries be expanded northward from Pt. Campbell to Pt. Woronzof to include municipally owned wetlands within the Refuge for management by ADF&G. In 1979, under the Anchorage Coastal Zone Management Plan, these lands were identified as Areas Meriting Special Attention and classified as Preservation Wetlands. Inclusion of these lands within the Refuge does not afford them any more protection than they already have under the preservation status, but would facilitate the uniform management of Anchorage's coastal lands. The new boundaries (described in Section 1, subsections (1) through (7)) were cooperatively drawn by the MOA, ADF&G, and DNR.

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

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

5) Provide for management of the Refuge by ADF&G and DNR.

Section 1(b) provides that, as in the past, both ADF&G and DNR would exercise their respective authorities over the Refuge, except as provided in Section 1(d). Management of the Anchorage Coastal Wildlife Refuge will be consistent with a management plan prepared by the ADF&G under AS16.20.040-16.20.060. The plan will be completed within one year or the effective date of the Act (Section 2).

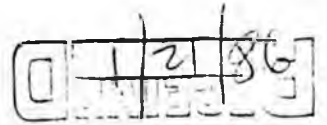
The management plan prepared by ADF&G shall also provide for a corridor for transportation and utilities between Fire Island and the Anchorage mainland (Section 1(c)). This is to ensure access to the island's owners for future development and would also be of economic benefit to the MOA.

Hunting, as in the past and in accordance with state regulations will continue to be allowed on state-owned lands within the Refuge west and north of the Alaska Railroad.

While the land and water areas of the Anchorage Coastal Wildlife Refuge are closed to mineral entry under AS 38.05.185 - 38.05.275, the boundary extension north of Pt. Campbell was drawn so that all previously issued offshore mining permits were excluded from within the Refuge. Oil and gas leasing will not be affected (Section 1(f)) by this legislation

ALASKA WATERFOWL ASSOCIATION

3105A LAKESHORE DRIVE, SUITE 102
ANCHORAGE, ALASKA 99503
TEL. (907) 243-3235



January 14, 1986

Senator Edna DeVries, Chair
Senate Community & Regional Affairs
Box V
Juneau, Alaska 99811

RE: HB 186
Anchorage Coastal
Wildlife Refuge

Dear Senator DeVries:

Our organization of over 200 people support the Anchorage Coastal Wildlife Refuge. We would urge you to report it out of your committee with a do pass. If there are any problems with this bill please let me know by return mail. We believe it is time to finish this worthwhile task and proceed to the next one. Hopefully our great grandchildren will hear the sounds of waterfowl 100 years in the future.

Very truly yours,


John W. Hendrickson
President

c.c: Mayor Tony Knowles
Senator Vic Fischer
Representative Syzmanski ✓

JWH:kmf

Fell



ANCHORAGE
Audubon Society, Inc.
A CHAPTER OF THE NATIONAL AUDUBON SOCIETY

February 12, 1986

Post Office Box 101161
Anchorage, Alaska
99510

Honorable Jan Faiks
Alaska State Senator
Pouch V
State Capitol
Juneau, AK 99811

Dear Senator Faiks:

During last year's session I communicated with you regarding House Bill 186 which has been referred to your Finance Committee and to the Senate Community and Regional Affairs Committee. As President of the 1,600 member Anchorage Audubon Society, Inc., I am writing to you to request prompt consideration of HB 186 by the Senate Finance Committee and its favorable recommendation of the Bill.

As you may know, this Bill received its impetus from the Potter's Marsh Task Force, a consortium of state and federal government agencies, profit and non-profit groups interested in conservation, and development interests. The Bill expands the refuge in some respects so that the boundaries of the refuge more closely coincide with the Marsh's actual physical boundaries. The Bill specifically protects private property owners by prohibiting the state's exercise of its powers of condemnation. Most importantly, from our Society's point of view, the Bill specifically requires the development of a long-range management plan.

Potter's Marsh is one of the most accessible and outstanding nongame recreational and educational opportunities which serves not only your South Anchorage constituency but the entire Anchorage Bowl. Potter's Marsh receives in excess of 200,000 visits from tourists and residents each year. From our point of view, it is imperative that a long-range plan be developed in order that the Marsh's full potential as a recreational and educational facility can be developed while, at the same time, maximizing the protection of

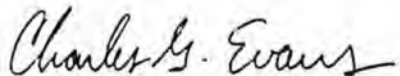
its eco-system so that future residents and visitors may continue to enjoy its outstanding benefits.

As an example of the unparalleled opportunities provided by the Marsh, keep in mind that the Marsh is used each spring by significant numbers of trumpeter swans. These magnificent birds are making a comeback from the endangered species list. Each spring, the Marsh is a haven, feeding ground, and staging area for the swans northern migration to west of Anchorage. Most of the school children of our country will never see a trumpeter swan during their lifetime. Yet, here in Anchorage, the Marsh provides a natural habitat where they may be observed by all without appreciable danger. This is the kind of opportunity passage of House Bill 186 will guaranty for the future of Anchorage and your constituency.

If you have any questions, I will be happy to discuss them with you personally. My work number is 278-4691. Please let me know when HB 186 will be scheduled for hearing. If necessary, I will be happy to testify at the hearing. Thank you for your consideration and prompt passage out of your Committee of HB 186.

Yours very truly,

ANCHORAGE AUDUBON SOCIETY, INC.

By: 
Charles G. Evans, President

CGE:afg

cc: Senator Edna DeVries
Rep. Mike Szymanski
Mayor Tony Knowles
Greg Jones
Dave Cline, National Audubon Society
Toni McPherson, Okiotak Editor

Municipality
of
Anchorage

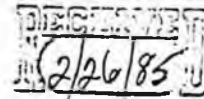


P.O. BOX 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4960

TONY FLOWLES
MAYOR

INTERGOVERNMENTAL AFFAIRS

February 20, 1985



Hon. Edna DeVries
Pouch V
Juneau, Alaska 99811

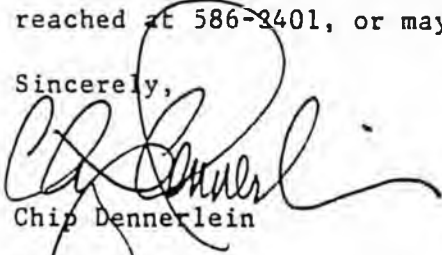
Dear Sen. DeVries:

During a recent hearing concerning S.B. 19, creating the Anchorage Coastal State Wildlife Refuge, you asked whether the Anchorage Assembly supported the legislation. At that time, I responded by highlighting several actions which the Assembly had taken with respect to the management of lands within the Refuge for preservation and public recreation purposes, including adoption of the Coastal Zone Management Plan and an Anchorage Wetlands Plan. While both of these documents and other actions spoke directly to land use, we wanted to make certain that the Assembly had an opportunity to speak directly on the issue of S.B. 19 itself.

Attached is Assembly Resolution 85-42, recommending enactment of S.B. 19 creating the Anchorage Coastal State Wildlife Refuge, which was passed by the Assembly on February 19, 1985.

If I can be of any further assistance in moving along S.B. 19, please call on me. I will be in Juneau the first three days of next week, and can be reached at 586-2401, or may see you on the Hill.

Sincerely,



Chip Dennerlein

Enclosure

cc: Sen. Vic Fischer
Rep. Mike Szymanski



Rabbit Creek Community Council

16350 Sandpiper Drive,
Anchorage, Alaska 99516

February 12, 1987

Senate Resource Committee,
Juneau, Alaska

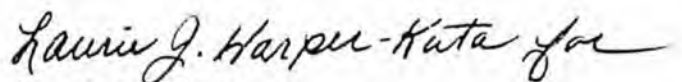
Dear Senators,

We respectfully request this letter be read into the Resource Committee hearing minutes on February 25th, 1987.

The Rabbit Creek Community Council (RCCC) is pleased that the bill creating Anchorage Coastal Wildlife Refuge has been reintroduced into the legislature as Senate Bill 18. We unanimously support this bill which provides a refuge for the protection of waterfowl, shorebirds, salmon, and other fish and wildlife species, and their habitat and for the enjoyment and use of the people of the state. We trust that the Senate and House will take positive and immediate action on SB 18 that has the wide support of your constituents.

The RCCC looks forward to working with you throughout this legislative session. If there are any questions or concerns that you might have with which we could help, please contact me (h. 345-2453, w.261-4664).

Sincerely,



Maureen McCrea
President



NATIONAL RIFLE ASSOCIATION OF AMERICA
INCORPORATED 1871

1600 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D.C. 20036

RUPE ANDREWS
FIELD REPRESENTATIVE
ALASKA

9416 LONGRUN DRIVE
JUNEAU AK 99801
907/789-7422

March 14, 1986

Senator Edna DeVries
427-Capitol
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator DeVries:

Other professional committments will prevent me from personally testifying before your committee on Senate CS for CS for House Bill 186, "An Act Creating the Anchorage Coastal Wildlife Refuge".

Section 16.20.031 (d), clearly states that any management plan adopted by ADF&G may not restrict the area where the present Rabbit Creek Range is located, and further, this section describes said rifle range boundaries. This section protects in perpetuity the shooting facilities.

From the perspective of the National Rifle Association, we support HB 186 in the above version and urge its' approval and adoption by your committee and adoption by the Alaska Senate.

Thank you for letting me take this means to comment.

Sincerely,

Rupe Andrews, Alaska Field Representative

League of Women Voters of Alaska

9151 Skywood Lane
Juneau, Alaska 99801
February 26, 1985

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

Re: HB 186: Anchorage Coastal Wildlife Refuge

Dear Representatives Herrmann and Shultz:

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

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

Thank you for considering our views.

Sincerely,



Elizabeth Cuadra, Board Member
(Natural Resources Portfolio)

DEC:sd

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