

SB

18

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

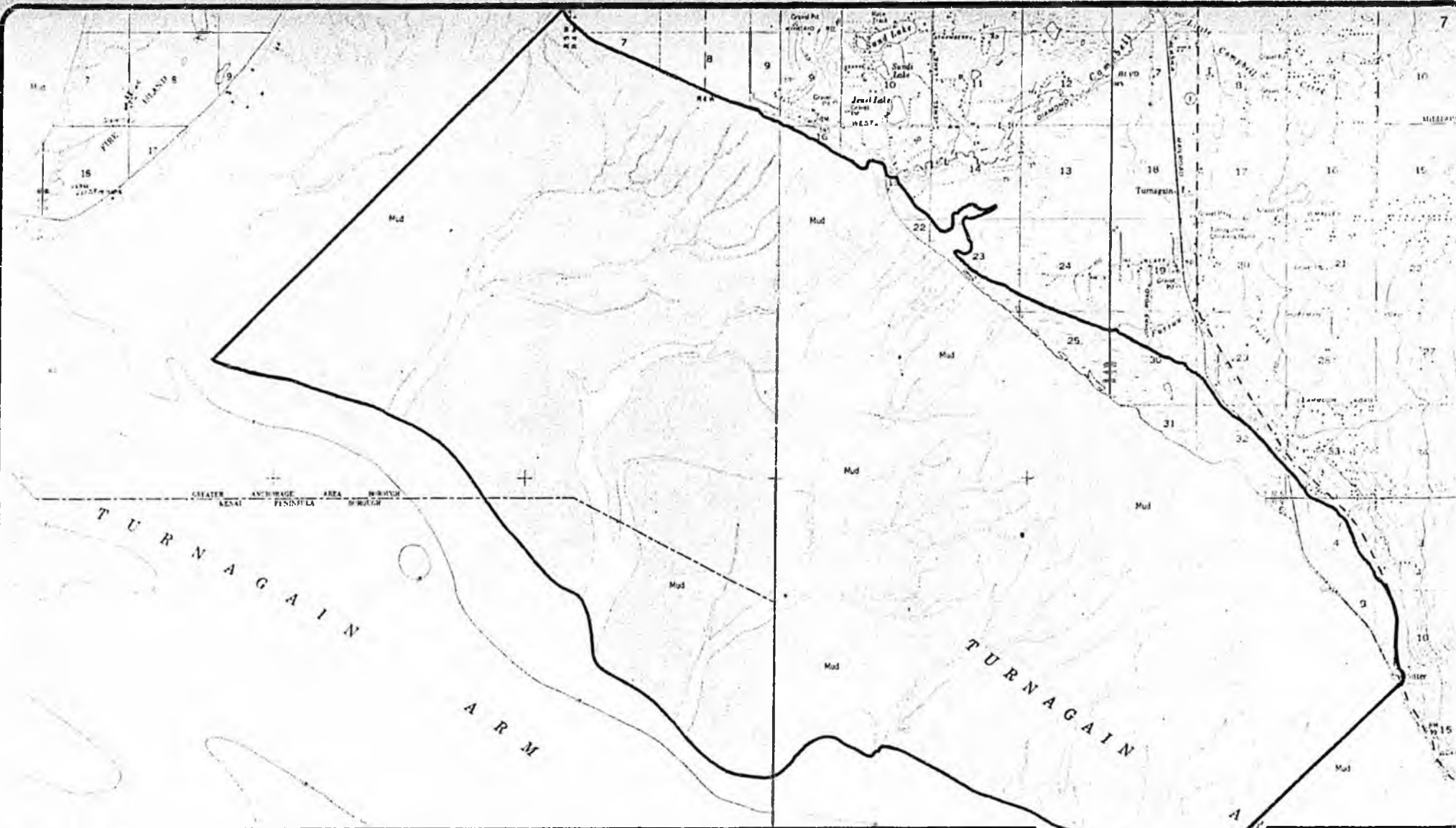
Phone: 465-4100
Date: 1/18/88

Approved by Commissioner: *Donna C. Jensen*
Agency: Fish and Game

Date: 1-18-88

Distribution (by preparer):

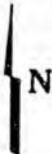
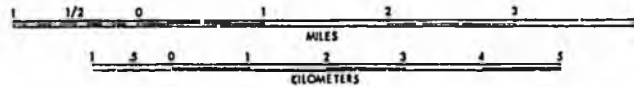
- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)



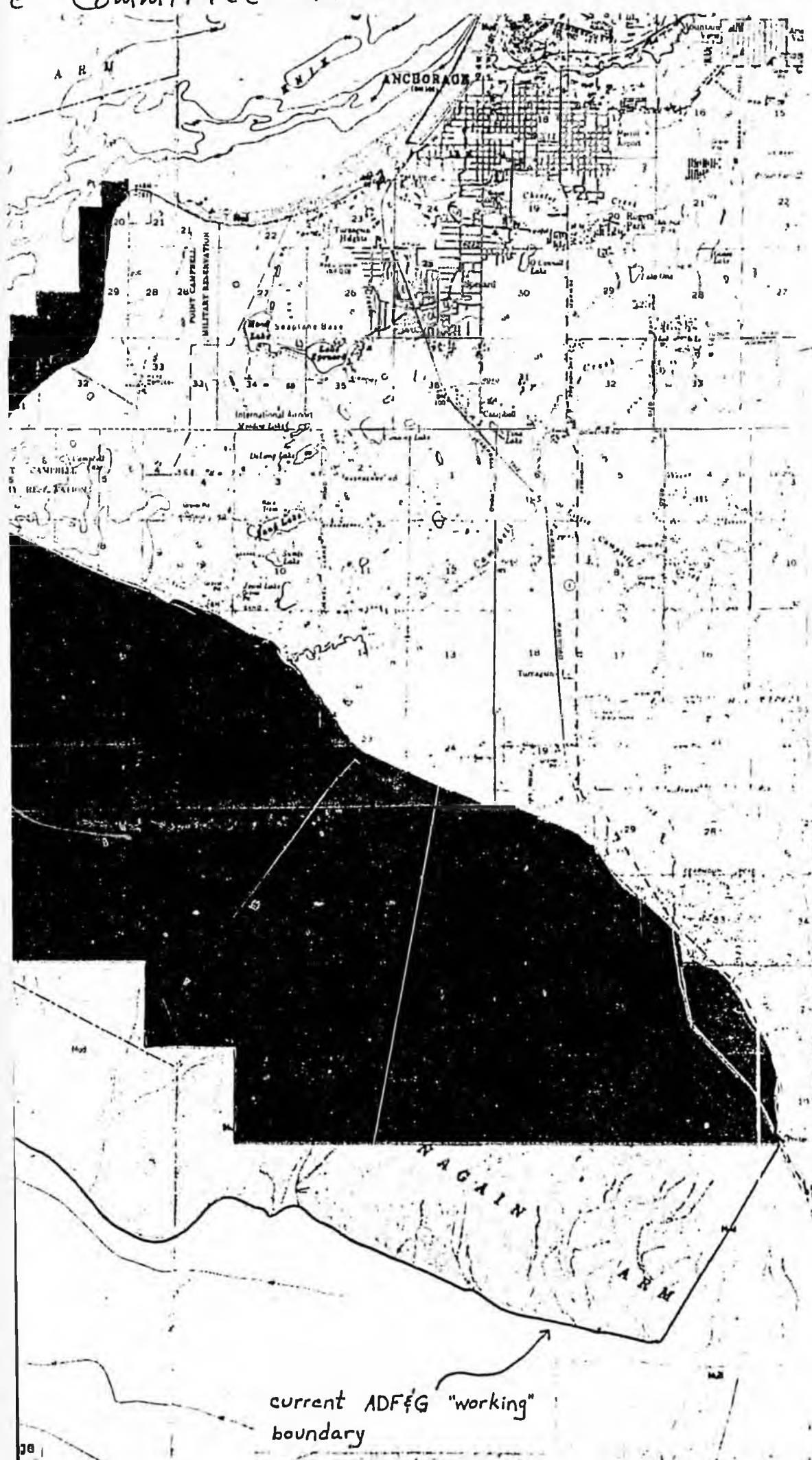
HABITAT DIVISION
JULY 1983

POTTER POINT
State Game Refuge

SCALE 1:63,360



COLOR MAP WILL BE IN
THE COMMITTEE ROOM



current ADF&G "working"
boundary

Page 4(c)

There are hereby created across state lands, within the Anchorage Coastal Wildlife Refuge, appropriate easements between the Anchorage mainland and Fireland, for purposes of services, transportation, and utility facilities, to allow public and private development of Fire Island.

The Commissioner, DNR, in consultation with ADF&G, shall, within 180 days from the request of any landowner on Fire Island, approve alignments of such easements and record said easements in Anchorage recording district.



National Audubon Society

ALASKA REGIONAL OFFICE
308 G STREET, SUITE 219, ANCHORAGE, AK 99501 (907) 276-7034

April 29, 1987

TO: Members, Senate Finance Committee

RE: SB 18, Anchorage Coastal Wildlife Refuge

This is to inform you that the National Audubon Society and its 2,600 members in Alaska strongly support SB 18, a bill to establish Anchorage Coastal Wildlife Refuge. The refuge proposed in this legislation would encompass what is now Potter Point State Game Refuge, an increasingly popular urban wetland area that constitutes a priceless community asset.

Not only is Potter Marsh adding measurably to the quality of life for Anchorage residents, it's serving as an outdoor classroom for our young people and contributing significantly to the Anchorage economy as well. Most tour companies offering trips between Anchorage and such destinations as Mt. Alyeska and Portage Glacier are making Potter Marsh an important stop for thousands of tourists.

Because of growing threats to this unique urban wildlife sanctuary over the years, concerned Anchorage residents and community groups have been seeking better protection of Potter Marsh and associated wetlands along the Anchorage coastline. In our opinion, SB 18 provides that protection.

Key provisions of the bill include a precise legal descriptions of state-owned lands and waters included in the refuge. Many times in the past, lack of clarity as to the location of both seaward and inland boundaries resulted in confusion among management agencies and unnecessary delays in private development initiatives. This confusion will continue until the legislation is passed.

Boundaries have been carefully drawn to exclude previously issued offshore mining permits from the refuge. Oil and gas leasing will not be affected by the legislation.

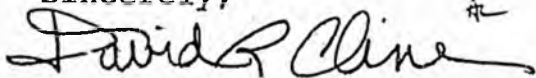
The bill will extend the refuge from Point Campbell to Point Woronzoff. This will provide for more uniform and cost-effective management of both state and municipal-owned wetlands consistent with the Anchorage Coastal Management Plan.

A transportation and utility corridor between Point Woronzoff and Fire Island is provided for. This is to ensure access to the island's owners should future development someday prove feasible there.

The proposed legislation has long enjoyed overwhelming support from diverse local interest groups. These include home owners, developers, the tourism industry, conservationists, the Municipality of Anchorage, and state and federal resource management agencies. We would also like to point out that the bill has a zero fiscal note attached.

We urge you to give SB 18 your support. We respectfully request that you please move the bill out of Senate Finance Committee, and work to ensure it's swift and timely passage through the Senate.

Sincerely,

A handwritten signature in cursive script that reads "David R. Cline". There is a small mark above the "e" in "Cline".

David R. Cline
Regional Vice President

cc: All Anchorage Senators

Anchorage Daily News



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Howard Weaver
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Suzan Nightingale
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Katherine Fanning, Editor and Publisher 1971 to 1983
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The wrong place to make the point

Hold on a minute. The Alaska legislature might make Anchorage's Potter Marsh a state wildlife refuge, and then leave the area open to new mining claims?

Why would anyone want to do that to the crown jewel of Anchorage's birdwatching areas?

Well, no sense letting the ducks have the place all to themselves. They're just a bunch of free-loading out-of-staters anyway. They don't stick around long enough to add much to the economy, and when the first snow hits, they're outta here.

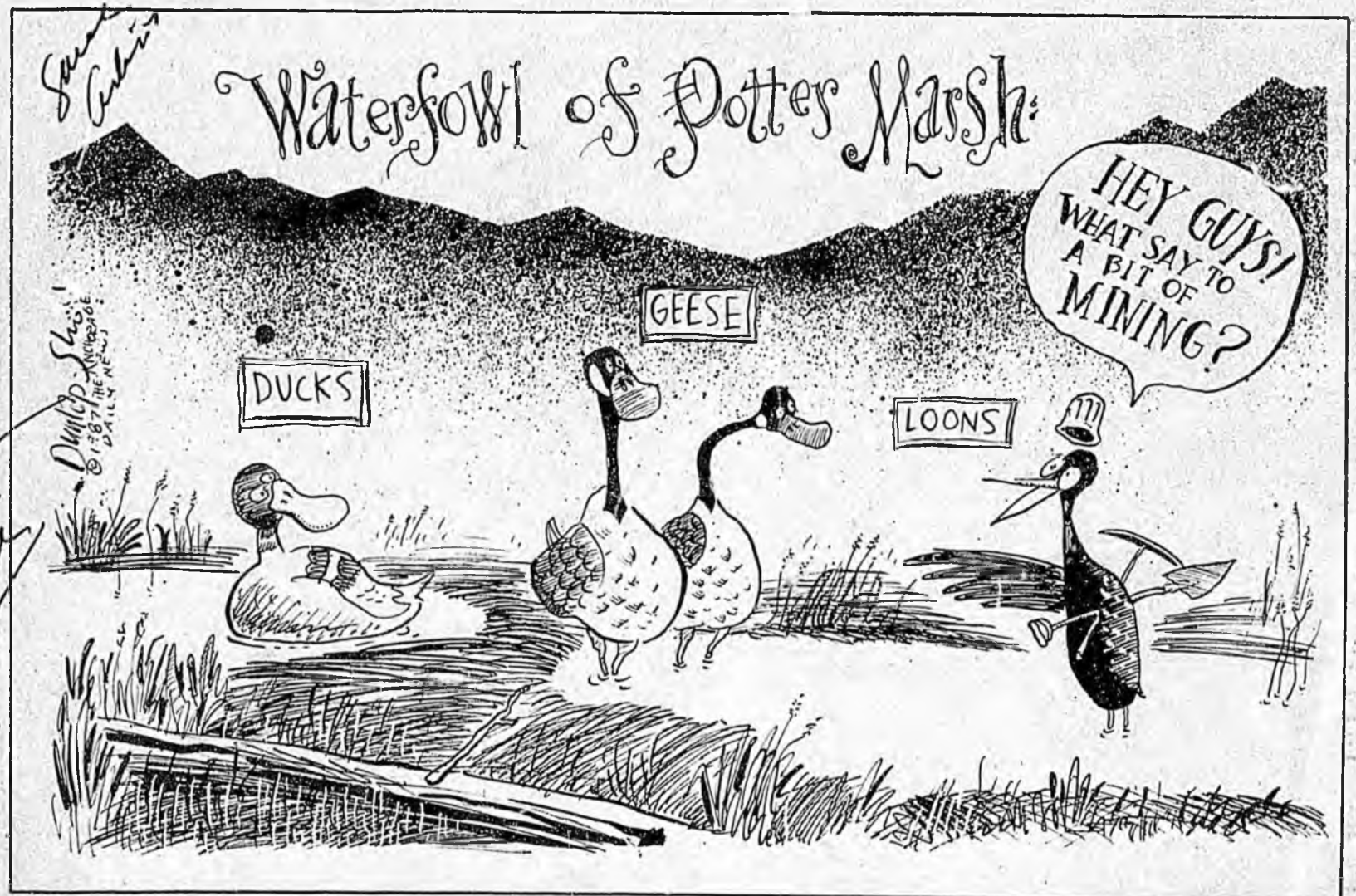
But some people do value having a bird sanctuary right next to the state's largest urban area. For the second year in a row, the legislature is considering enlarging the popular refuge south of town by six square miles.

Unfortunately, new Commissioner of Natural Resources Judy Brady is so blindly committed to a multiple-use philosophy that she won't endorse closing even this unique area to new mining claims.

She says such a closure might set a precedent for other refuges, such as the oil-rich Arctic National Wildlife Refuge. She needn't worry. Responsible management demands that such decisions be made on a case-by-case basis, especially in areas as diverse as Anchorage and the North Slope. Alaska already has suffered too much from a one-size-fits-all approach to land use.

At Potter Marsh, closing off new mineral claims won't do any harm. The closure wouldn't affect existing mineral claims — but it would stop future claims by anyone who might want to dig for gravel within the new refuge.

Last year, the Alaska House unanimously voted to pass a virtually identical bill. That measure was killed in committee by then-Sen. Edna DeVries. Potter Marsh deserves a better fate this year.



obituaries

JEANNE RICE

Services for Jeanne Rice, a longtime Anchorage resident, are pending at Evergreen Memorial Chapel.

Mrs. Rice, 54, died Feb. 4 at her Anchorage home.

GLENN T. NORTON

Services for Glenn T. Norton, former principal of North Star School in Anchorage, will be held Friday in North Bend, Ore.

Mr. Norton, 78, died Feb. 2 at Bay Area Hospital in Coos Bay, Ore.

Born Sept. 23, 1908, in Hillsboro, Ore., he was a 1933 graduate of Pacific University in Oregon. In 1949, after teaching, coaching and doing administrative work at schools in Oregon and Washington, he moved to Anchorage. He was principal of North Star for 20 years and retired in 1969. After retiring, he traveled in the U.S., Europe, Africa, China, Australia and New Zealand.

He was a member of Trinity Presbyterian Church, and



Norton

LILLIE H. MCGARVEY

Memorial services for Lillie H. McGarvey, a past vice-president of the Aleut Corp., will be held at 2 p.m. Saturday at Kehl's Forest Lawn Memorial Chapel.

Mrs. McGarvey, 63, died Jan. 30 at her Anchorage residence following a lengthy illness.

Born July 10, 1923, in Unalaska, she owned a consulting business in Anchorage, and had previously owned and operated the Williwaw Hotel in Unalaska. She was active in many organizations and was president of Native Women of Alaska and the South Central Health Planning and Development and treasurer of the Aleut League. She was recently honored by the Soroptimist Society for her extensive service in the community.

She leaves her husband, R.G. "Rink" McGarvey of Anchorage; her daughters, Sherry Ruberg of Anchorage, and Charlotte Gisvold of Bellingham, Wash.; her brothers, William Hope of Unalaska, and Charlie Hope of Cheyenne, Wyo.; her sisters, Harriet Hope and Gertrude Svarny, both of Unalaska, and Myrtle Alleman of Las Vegas, Nev.; and six grandchildren.

Local arrangements by Evergreen Memorial Chapel.

GUST ORLOFF

Services for Gust Orloff, a commercial fisherman, will be held in Port Heiden later this week.

Mr. Orloff, 86, died Feb. 2 at Providence Hospital.

Born June 3, 1900, in Port Moller, he was a lifelong Alaska resident.

He leaves his wife, Matrona, of Port Heiden; and his children, Nina Anderson of Chignik Lagoon, Susan Abel of Anchorage, Nancy Azami of Seattle, Wash.; Norman, of Bellingham, Wash., and Ernest and Nefuti, both of Port Heiden.

Local arrangements by Evergreen Memorial Chapel.

MARIE A. FREIERMUTH

Funeral arrangements for Bethel resident Marie A. Freiermuth, 40, are pending at Witzleben Family Funeral Homes and Crematory, Sixth Avenue Chapel.

She died Feb. 4 at Alaska Native Medical Center.

vital statistics

Births

Providence Hospital

Jan. 1, 1987

Kimi Fehrer, Anchorage, girl, 7lbs., 1oz.
Lisa Leonard and Mark Graves, Anchorage, girl, 7lbs., 11oz.
Peggy and Thomas Ewell, Anchorage, girl, 5lbs., 1oz.
Linda and Willem Timme, Anchorage, boy, 8lbs., 15oz.
Marcy and Terry Patrick, Whittier, girl, 8lbs., 1oz.
Wanda and Mark Bailey, Anchorage, boy, 7lbs., 3oz.

Jan. 2, 1987

Sherry Hart, Chugiak, boy, 7lbs., 5oz.
Kelly Brunlow, Houston, boy, 4lbs., 5oz.
Teri and Jim Hunt, Anchorage, girl, 8lbs., 4oz.
Leona and Lamas Wells, Anchorage, boy, 8lbs., 11oz.
Laura and Darwin Walter, Anchorage, boy, 8lbs., 11oz.
Denise and John Mason, Anchorage, boy, 9lbs., 12oz.

Jan. 3, 1987

Cheryl and James Sparks, Glennallen, girl, 6lbs., 9oz.
Debra and Aaron Cave, Anchorage, girl, 7lbs., 8oz.

Jan. 4, 1987

Jennifer Weed, Anchorage, boy, 7lbs., 10oz.
Marlene Collier, Anchorage, boy, 6lbs., 15½oz.
Judy and Roland Gower, Anchorage, girl, 7lbs., 5oz.
Pamela and Douglas Holmes, Anchorage, girl, 6lbs., 6oz.
Wilma and Ronald Campbell, Fort Richardson, girl, 5lbs., 14oz.
Kathleen and John Melter, Anchorage, boy, 9lbs., 5oz.
Christina and Carlos Lertora, Anchorage, girl, 8lbs.

Jan. 5, 1987

Sandra Knight, Anchorage, boy, 9lbs., 2oz.
Barbara and Patrick Morin, Eagle River, girl, 8lbs., 9oz.
Christine and Brock Stellings, Anchorage, girl, 7lbs., 10oz.
Amy Adams and Earl Greist, Kotzebue, boy, 9lbs., 7oz.
Valerie and Ted Welsh, Anchorage, girl, 5lbs., 14oz.
Ariane and Ray Balnbridge, Anchorage, boy, 7lbs.
Morena and Norman John, Kwigillingok, boy, 8lbs., 8oz.

Jan. 6, 1987

Betsy and Mace Hill, Wasilla, girl, 6lbs., 3oz.
Ivette and Karl Carter, Anchorage, girl, 6lbs., 3oz.
Valerie and Terry Disla, Anchorage, girl, 7lbs., 2oz.
Jody and Terry Siverson, Anchorage, boy, 9lbs., 7½oz.
Jannis and Michael Deland, Anchorage, girl, 8lbs., 14oz.
Susan and Robert Wallick, Elmendorf AFB, boy, 2lbs., 8oz.
Sandra and Jeffrey Hallwill, Anchorage, boy, 8lbs., 3oz.
Danise and Joseph Galbraith, Anchorage, girl, 10lbs., 1oz.
Linda and Douglas Yates, Anchorage, boy, 9lbs., 14oz.

Jan. 7, 1987

Elizabeth and Karl Buckmeier, Anchorage, girl, 8lbs., 3½oz.
Mary and Leonard Bryan, Anchorage, girl, 7lbs., 14oz.
Pamela Dupuis and William Saupe, Anchorage, boy, 8lbs., 11oz.
Barbara and Joseph Rand, Anchorage, girl, 7lbs., 1oz.
Myona and Seung Ho Choi, Anchorage, boy, 8lbs., 11oz.

Jeannie and Donald Cameron, Gakona, boy, 7lbs., 7oz.

Jan. 8, 1987

Brenda and Regino Soriano, Anchorage, boy, 7lbs., 9oz.
Michelle and Wayne Johnson, Anchorage, boy, 5lbs., 5oz.
Rachelle Martinson, Anchorage, boy, 8lbs., 11oz.
Marcia Baker and Mark Fairbanks, Kotzebue, twin boys, 5lbs., 2oz. and 6lbs., 2oz.
Anita and Rick Wilson, Anchorage, boy, 7lbs., 4oz.
Hong Ja and Hyung Suk Kim, Anchorage, boy, 7lbs., 11oz.
Yvonne and Rainer Ebert, Anchorage, girl, 6lbs., 5oz.

Jan. 9, 1987

Jacqueline and Ruppoll Humes, Anchorage, girl, 6lbs., 4oz.
Julie Caro, Anchorage, girl, 9lbs., 6oz.
Frances and David Hall, Anchorage, girl, 7lbs., 3oz.

Jan. 10, 1987

Teresa Andreason, Anchorage, boy, 8lbs., 2oz.
Vonda and Jeff Benedict, Anchorage, boy, 7lbs., 10z.
Nina Nelson and Andrew Thomas, Anchorage, boy, 7lbs., 10oz.
Lona and Jack Sims, Anchorage, boy, 7lbs., 7oz.
Doris and Len Anderson, Kotzebue, boy, 6lbs., 9oz.

Jan. 11, 1987

Jean Moore and Jerry Gillette, Chugiak, girl, 6lbs., 10oz.
Tanjia Neumann and Arthur Golez, Anchorage, girl, 7lbs., 14oz.
Elizabeth and Erié Agustin, Anchorage, boy, 6lbs., 14oz.

See Page B-8, VITAL

CONCEAL THE CLITTER

ANCHORAGE PUBLIC POLICY FORUM

presents a panel discussion on

IS IT TIME TO SPEND THE PERMANENT FUND?

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STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER CS SB18 (CoRA)	SPONSOR Szymanski & Sturgulewski
DEPARTMENT POSITION Support			
PREPARED BY Habitat Division <i>Wesley J. Fite</i>	DATE 2/5/87	COMMISSIONER'S SIGNATURE <i>Chris Coleman</i>	DATE 2.5.87

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL Anchorage Residents
ORGANIZATIONAL SUPPORT FOR BILL Municipality of Anchorage Department of Natural Resources Potter Marsh Task Force (Interagency)	ORGANIZATIONAL OPPOSITION TO BILL None Known

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

Establishment of the Anchorage Coastal Wildlife Refuge will protect important waterfowl and shorebird habitat in the Anchorage area. It will provide for public use and enjoyment of the refuge. The bill will clarify and enhance the existing Potter Point State Game Refuge.

ANALYSIS OF BILL/PROGRAM EFFECTS

See SB 18 Bill Analysis 1/23/87

Amendments to the bill will:

1. Clarify that the act will rename the existing Potter Point State Game Refuge.
2. Clarify that Department of Fish and Game will prepare a management plan in consultation with the Department of Natural Resources.
3. Provide for a public right-of-way for surface transportation and a utility corridor between Fire Island and the Mainland.
4. Direct that the management plan be completed within three years after the effective date of the act.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____
 Revision Date: _____
 Title: Anchorage Coastal Wildlife
 Refuge
 Sponsor: Szymanski Sturqulewski
 Requestor: _____

Bill Version: CS SB18 (COR)
 Publish Date: _____

Agency Affected: ADF&G
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0				
TRAVEL		0				
CONTRACTUAL		0				
SUPPLIES		0				
EQUIPMENT		0				
LAND & STRUCTURES		0				
GRANTS, CLAIMS		0				
MISCELLANEOUS		0				
TOTAL OPERATING		0				
CAPITAL		0				
REVENUE		0				

FUNDING: (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS						
OTHER						
TOTAL		0				

POSITIONS:

FULL-TIME		0				
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Bruce Baker, Acting Director *(Eden) State for Bruce Baker* Phone: 465-4105
 Division: Habitat Date: 2/5/87
 Approved by Commissioner: *Oliver Nelson* Date: 2/5/87
 Agency: Fish and Game

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

MEMORANDUM

State of Alaska

TO: Roland Shanks
Special Assistant
Office of the Commissioner

Baker

FROM: Bruce H. Baker
Acting Director
Habitat Division
Department of Fish and Game

DATE: April 9, 1985

FILE NO:

TELEPHONE NO: 465-4105

SUBJECT: Permitted Activities
in Critical Habitat
Areas

As you requested, we have reviewed the files on Critical Habitat Area permits for the past three years. There were a total of 30 applications received for activities in seven of the Critical Habitat Areas. Of these, 28 were approved and 2 were denied. Activities in Critical Habitat Areas which were permitted include: seismic exploration; placement of fill material; sewage outfall; dredging; heavy equipment transport; storage of marine drilling rig; small boat harbor expansion; log rafting and transfer; retaining walls/bulkheads; oil and gas leases; and geological exploratory work. Details are provided in the attached list.

Critical Habitat Areas are multiple use areas. Activities are allowed in Critical Habitat Areas in a manner consistent with the purpose for which each area is established. Activities which are permanent in nature or will have a significant effect on fish and game populations or their habitats (other than lawful hunting and fishing) require a permit from the Department of Fish and Game. All other activities do not require permits. Activities which do not require a critical habitat area permit include hunting, fishing, trapping, public access, recreational activities (hiking, skiing, horseback riding, dog team travel, camping, mountain climbing, etc.), boating, berrypicking, firewood gathering (dead and down timber) and many others.

Enclosure

Permits Requested in
Critical Habitat Areas Since 1982

Area	Activity	Decision
Kachemak Bay CHA	Seismic exploration	Approved
Kachemak Bay CHA	Geophysical exploration	Approved
Kachemak Bay CHA	Placement of fill material for construction of Campground Homer Spit	Approved
Kachemak Bay CHA	Sewage Outfall Line	Approved
Kachemak Bay CHA	Storage of Temporary Jack-Up Drilling Rig	Approved
Kachemak Bay CHA	Homer Small Boat Harbor Expansion	Approved
Kachemak Bay CHA	Bulkhead (Mud Bay)	Denied
Kachemak Bay CHA	Unauthorized Fill (Jackaloff Bay)	Denied
Kachemak Bay CHA	Pier construction and Maintenance Dredging Homer Small Boat Harbor	Approved
Kachemak Bay CHA	Mariculture (Blue Mussel Farm)	Approved
Kachemak Bay CHA	Dock construction (Tutka Bay)	Approved
Kachemak Bay CHA	Log Rafting and Transfer	Approved
Kachemak Bay CHA	Retaining Wall Construction	Approved
Kachemak Bay CHA	Bulkhead construction and Dredging Seldovia Small Boat Harbor	Approved
Clam Gulch CHA	Dredging Ninilchik Small Boat Harbor	Approved
Clam Gulch CHA	Beach and River Erosion Control	Approved
Clam Gulch CHA	Dredging Ninilchik Small Boat Harbor	Approved

Area	Activity	Decision
Clam Gulch CHA	Oil and gas lease	Approved
Fox River Flats CHA	Heavy Equipment/Track vehicle movement	Approved
Fox River Flats CHA	Track Vehicle Crossing	Approved
Fox River Flats CHA	Four wheel drive crossing	Approved
Fox River Flats CHA	Heavy Equipment Crossing	Approved
Port Moller CHA	Geological Field Reconnaissance	Approved
Port Moller CHA	Gravity Survey	Approved
Port Moller CHA	Seismic Exploration	Approved
Port Moller CHA	Geological Field Program	Approved
Port Moller CHA	Marine Seismic Exploration	Approved
Kalgin Island CHA	Oil and gas lease	Approved
Pilot Point CHA	Oil and gas lease	Approved
Cinder River CHA	Oil and gas lease	Approved



OFFICIAL BUSINESS

Alaska State Legislature
Senate

POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

TO: Senate C&RA Members

Jan 29, 1987

FROM: Senate C&RA Staff

A handwritten signature in dark ink, appearing to be "M. E. L.", written over the "FROM" line.

RE: SB 18 - Anchorage Coastal Wildlife Refuge :

Enclosed in this packet is a memo and sectional analysis of SB 18 provided by the prime sponsor, a map of the affected area, and a letter and zero fiscal note from DNR.

A position paper and fiscal note from the Department of Fish and Game has not yet been received, however I have been told by representatives of the department that they support the bill and if the date for completion of a management plan (section 2, page 5, line 16) can be extended from one to three years, there would be a zero fiscal note. The sponsor has indicated that this is agreeable.

DNR's fiscal note is zero and its position paper indicate general support for the bill. DNR objects, however, to Section 1(f) of the bill (page 5, lines 13 & 14) which closes the refuge to mineral entry. The proposed boundaries of the refuge were drawn so all mining claims are outside the refuges boundaries. DNR's stance is a switch from last year when the department supported the refuge. Oil and gas leasing are not affected by this legislation.

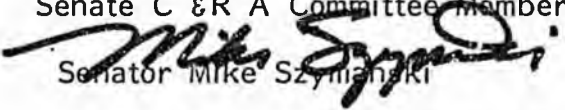


Alaska State Legislature

Senator Mike Szymanski

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

MEMORANDUM

TO: Senate C & R A Committee Members
FROM: 
Senator Mike Szymanski
SUBJECT: SB 18 - Anchorage Coastal Wildlife Refuge
Background/Intent
DATE: January 26, 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

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 ASI6.20.040-16.20.060. The plan will be completed within one year of 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

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801
PHONE: (907) 465-2400

January 28, 1987

The Honorable Arliss Sturgulewski, Chair
Senate Community and Regional Affairs Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski:

Subject: Anchorage Coastal Wildlife Refuge - SB 18

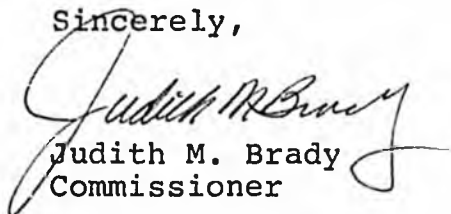
Response: 1. I am writing to indicate the Department's general support for SB 18 but to request deletion of Section 1(f).

2. This section closes the land to mineral entry, specifically locatable minerals and offshore prospecting. As a policy matter, we would like to avoid making such permanent decisions by statute.

Recommendation: I recommend two alternatives:

1. Make the mineral closure recommendations a product of the resource planning process described in Section 1(b); or
2. If mineral closure decisions are made by statute; include a periodic review provision lifting the closing order until the incompatibility of mining activities with other significant surface uses was reconfirmed.

Sincerely,


Judith M. Brady
Commissioner

cc: Committee Members
Governor's Legislative Liaison

ADDITIONAL
INFORMATION

FOR

FEB 5, 1987

MEETING

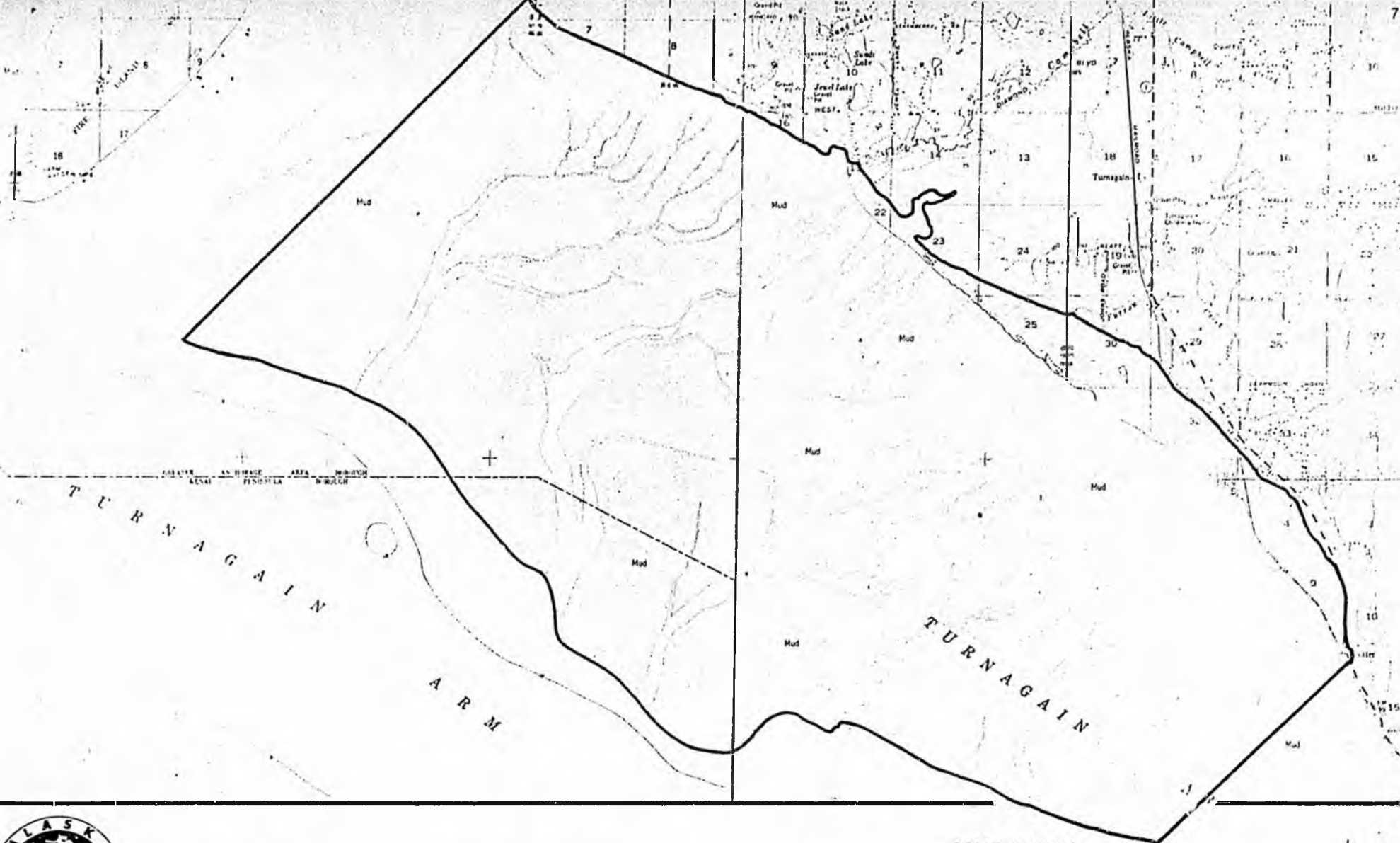
LOCATION MAP



Year Established	1971
Purpose	protect natural habitat and game populations (especially waterfowl)
Lands Involved	State lands, tidelands, and submerged lands

POTTER POINT STATE GAME REFUGE

AS 16.20.030 (b) The following described state-owned lands and adjacent state waters, 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 lands and waters south and west of and adjacent to the toe of the bluff which extends from Campbell Point southeasterly to Potter Creek. Notwithstanding any other provision of law, within one year from the effective date of this Act, the municipality in which the Potter State Game Refuge is contained may zone privately owned land within the refuge. If no zoning action is taken by the municipality within one year, the Department of Natural Resources may adopt, in accordance with the Administrative Procedure Act (AS 44.62), zoning regulations governing privately owned land within the Potter Point State Game Refuge.



HABITAT DIVISION
JULY 1983

POTTER POINT
State Game Refuge

SCALE 1:63,360



N

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801
PHONE: (907) 465-2100

February 4, 1987

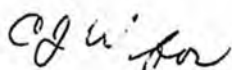
The Honorable Arliss Sturgulewski, Chair
Senate Community and Regional Affairs Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski:

Subject: I am writing to reiterate my support for establishing the Anchorage Coastal Wildlife Refuge as described in SB 18.

Recommendation: I understand that enactment of this bill may be in jeopardy because of my request that mineral closure of the refuge extension not be included in the statute, but instead be the product of the refuge planning process. I made clear from the beginning, if it appears that my request jeopardizes SB 18 in any way, feel free to approve the bill as written.

Sincerely,



Judith M. Brady
Commissioner

cc: Committee Members
Governor's Legislative Liaison

LOCATION MAP



Year Established	1971
Purpose	protect natural habitat and game populations (especially waterfowl)
Lands Involved	State lands, tidelands, and submerged lands

POTTER POINT STATE GAME REFUGE

AS 16.20.030 (b) The following described state-owned lands and adjacent state waters, excluding existing and applicable for highway, pipelines and railway rights-of-way as of May 20, 1971, are established as the Potter Point State Game Refuge: All lands and waters south and west of and adjacent to the toe of the bluff which extends from Campbell Point southeasterly to Potter Creek. Notwithstanding any other provision of law, within one year from the effective date of this Act, the municipality in which the Potter State Game Refuge is contained may zone privately owned land within the refuge. If no zoning action is taken by the municipality within one year, the Department of Natural Resources may adopt, in accordance with the Administrative Procedure Act (AS 44.62), zoning regulations governing privately owned land within the Potter Point State Game Refuge.

PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: JERRY MCCUTCHEON

TITLE:

ADDRESS: 121 WEST 11TH

CITY: ANCHORAGE, ALASKA

ZIP: 99501

PHONE: 277-3076

BILL NO:

SUBJECT: POTTER MARSH

MESSAGE: WHAT MINING CLAIMS ARE NEAR THE POTTER MARSH? HOW WOULD THEY
IMPINGE ON THE MARSH?

POMID: 03104232

DATE: 02/03/87

TIME: 10:42:32

LIONAME: ANCHORAGE LIO

COPIES: SENATOR

SZYMANSKI



PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: NANCY TANKERSLEY
TITLE:
ADDRESS: 13021 MOUNTAIN PLACE
CITY: ANCHORAGE, ALASKA ZIP: 99516
PHONE: 267-2149
BILL NO: SB 18
SUBJECT: ANCHORAGE COASTAL WILDLIFE REFUGE
MESSAGE: PLEASE SUPPORT SB 18 AS IS. THE REFUGE IS IMPORTANT FOR
LOCAL WILDLIFE, RESIDENT HUNTERS AND BIRDWATCHERS, AND
WILDLIFE-SEEKING TOURISTS. NO MINING THERE PLEASE!

POMID: 03130550
DATE: 02/03/87
TIME: 13:05:50
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

HALFORD
KELLY
SZYMANSKI
ZHAROFF



PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: GERALD BROOKMAN
TITLE:
ADDRESS: 715 MUIR AVE.
CITY: KENAI ZIP: 99611
PHONE: 283-9329
BILL NO: SB 18
SUBJECT: ANCHORAGE COASTAL WILDLIFE REFUGE
MESSAGE: I STRONGLY URGE YOUR VOTE IN FAVOR OF THE PASSAGE OF SB-18.

POMID: 13084400
DATE: 05/08/87
TIME: 08:44:00
LIONAME: SOLDOTNA LZO

COPIES: SENATORS

ABOOD
BENNETT
BINKLEY
COGHILL
DUNCAN
ELIASON
FAHRENKAMP
FAIKS
FISCHER
HALFORD
HENSLEY
JONES
JOSEPHSON
KELLY
KERTTULA
RODEY
SZYMANSKI
UEHLING
ZHAROFF

FEB 6 1987

February 3, 1987

Senator Arliss Sturgulewski
Senator Mike Szymanski
P.O. Box V
Juneau, AK 99811

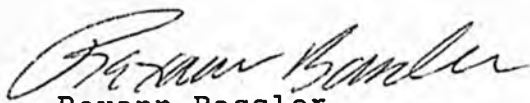
Dear Senators:

I have enclosed a copy of a letter I wrote to Ms. Judy Brady, Commissioner of Natural Resources. It is my sincere desire that the Potter Marsh bill be passed in order to make this area an official wildlife refuge.

The nonsense that I read about Ms. Brady, is infuriating. There is no need for mining in the area and likely is nothing there to mine. We have got to preserve more of these areas, and the Potter's Marsh area is a very good one. It is accessible to the general public and to think of invading an area the birds have become accustomed to using is simply ridiculous. Not only is there no mining in the boundary area, but the people of Anchorage would never stand for any such activity if it were proposed in the future.

I hope that you will do your best to get this long overdue bill passed and preserve this natural habitat.

Sincerely,



Rexann Bassler

February 3, 1987

Judy Brady
Commissioner of Natural Resources
400 Willoughby Avenue
Juneau, Alaska 99801

Dear Ms. Brady:

Today I read in the Anchorage Daily News an article regarding the Potter Marsh wildlife refuge area. It is my strong feeling that the Potter Marsh area should be made an official wildlife refuge. There is such strong support for it from the people, whom you serve, and other legislators. It would seem, from this article, that you are the only one who has reservations about this because it would close the area to mining. Of course it would, that's the whole point! We have got to start perserving areas where the natural habitat can remain undisturbed or we will soon be out of natural habitats. In addition, I am quite sure that no one in the Anchorage area, especially the hillside residents, would ever want any type of mining operations going on in that area.

You were appointed, not elected, commissioner of natural resources by Governor Cowper, but you as well as Governor Cowper serve the people, not each other. This Potter's Marsh debate has been going on long enough and if you are the only one holding it up because you think we should leave our options open (to future mining possibilities), then you should be fired!

Since it is obvious that the people and many legislators think this area should be made an official wildlife area, you have no right to block the bill. In fact, you should whole heartedly support the bill.

I have enclosed a copy of the Daily News article with some highlights. Please consider the voice of the people and the animals and waterfowl that use this marsh area. It is very important to all of us.

Sincerely,

Rexann Bassler

cc: Senator A. Sturgulewski
Senator M. Szymanski

Original sponsors: Szymanski, Sturgulewski,
Josephson and Kerttula

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 18 (C&RA) *CHANGES ARE*
3 IN THE LEGISLATURE OF THE STATE OF ALASKA *MARKED IN MARGIN*
4 FIFTEENTH LEGISLATURE - FIRST SESSION *AND UNDERLINED*

5 A BILL

6 For an Act entitled: "An Act creating the Anchorage Coastal Wildlife
7 Refuge and renaming the Potter Point State Game
8 Refuge as the Anchorage Coastal Wildlife Refuge."

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

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

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

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

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

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

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

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

25 Section 30: SE 1/4 SE 1/4

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

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

- 1 (2) Township 13 North, Range 5 West, Seward Meridian
2 Section 36: S 1/2
3 S. 1/2 N 1/2
- 4 (3) Township 12 North, Range 4 West, Seward Meridian
5 Sections 6 - 9: Seaward of the 20 foot elevation
6 contour
7 Section 15: N 1/2 seaward of the 20 foot elevation
8 contour
9 SW 1/4 NE 1/4 seaward of the 20 foot elevation
10 contour
11 Government Lot 5 and the remainder of the W 1/2 SE
12 1/4, all
13 SW 1/4
14 Section 16: Seaward of the 20 foot elevation contour
15 Sections 17 - 22
16 Section 23: Government Lot 1 and the remainder of the
17 SW 1/4, all seaward of the 20 foot elevation contour
18 Government Lot 2 and the remainder of the S 1/2 NW
19 1/4, all seaward of the 20 foot elevation contour
20 Government Lots 3 and 4, and the remainder of the SE
21 1/4, all seaward of the 20 foot elevation contour
22 Section 24: Tract A, Shorecrest Subdivision (Plat No.
23 81-68, Anchorage Recording District)
24 Section 25: Government Lots 1 and 2, and the remainder
25 of the W 1/2, all
26 Tract A, Johns Park Estates, and the remainder of the
27 NE 1/4, excluding Skyway Park Estates, Addition No. 1
28 all seaward of the 20 foot elevation contour Govern-
29 ment Lots 3 and 4, and the remainder of the SE 1/4,

1 all

2 Sections 26 - 36

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

4 Sections 1 - 2

5 Sections 11 - 14

6 Sections 23 - 26

7 Sections 35 - 36

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

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

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

17 Government Lots 3 and 4 and the remainder of the SW
18 1/4, all

19 That portion of the SW 1/4 NE 1/4 and the SE 1/4
20 southwesterly of Oceanview Subdivision, Addition No.
21 4 and Addition No. 6

22 Section 31

23 Section 32: All land southwesterly of the Alaska
24 Railroad right-of-way

25 Section 33: All land westerly of the Alaska Railroad
26 right-of-way

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

28 Section 3: Government Lot 5

29 Section 4: That portion southwesterly of the Old

1 Seward Highway right-of-way and The Landings
2 Subdivision which is northeasterly of the New Seward
3 Highway right-of-way

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

6 Sections 5 - 8

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

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

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

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

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

17 Sections 1 - 4

18 Sections 10 - 12

19 (b) Except as provided in (d) of this section, the Department of
20 Fish and Game and the Department of Natural Resources shall exercise
21 their respective authorities over the Anchorage Coastal Wildlife
22 Refuge consistent with a management plan prepared by the Department of
23 Fish and Game ~~under AS 16.20.040 - 16.20.000~~ in consultation with the
24 Department of Natural Resources.

25 (c) A public right-of-way for surface transportation and a
26 utility corridor are created across state-owned land and water within
27 the Anchorage Coastal Wildlife Refuge between the Anchorage mainland
28 and Fire Island. The management plan prepared under (b) of this
29 section shall identify the actual location on the land and water of

1 the right-of-way and of the utility corridor between the Anchorage
2 mainland and Fire Island.

3 (d) Land owned by the Municipality of Anchorage that lies within
4 the boundary of the Anchorage Coastal Wildlife Refuge described in (a)
5 of this section may be included in the Anchorage Coastal Wildlife
6 Refuge. An agreement between the Department of Fish and Game and the
7 Municipality of Anchorage for the management of the land within the
8 Anchorage Coastal Wildlife Refuge that is owned by the Municipality of
9 Anchorage shall be approved by the Municipality of Anchorage and by
10 the Department of Fish and Game.

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

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

20 * Sec. 2. The initial management plan prepared under AS 16.20.031(b) as
21 enacted in sec. 1 of this Act shall be completed within ~~two~~^{three} years after the
22 effective date of this Act.

23 * Sec. 3. AS 16.20.030(b) is repealed.

24 x Sec. 4. This Act takes effect immediately under AS 01.10.070(c)
25
26
27
28
29

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801
PHONE: (907) 465-2400

1/6/87 3/5/87

February 4, 1987

The Honorable Arliss Sturgulewski, Chair
Senate Community and Regional Affairs Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski:

Subject: I am writing to reiterate my support for establishing the Anchorage Coastal Wildlife Refuge as described in SB 18.

Recommendation: I understand that enactment of this bill may be in jeopardy because of my request that mineral closure of the refuge extension not be included in the statute, but instead be the product of the refuge planning process. As I made clear from the beginning, if it appears that my request jeopardizes SB 18 in any way, feel free to approve the bill as written.

Sincerely,

CJW for

Judith M. Brady
Commissioner

cc: Committee Members
Governor's Legislative Liaison



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER CS SB18 (L+R)	SPONSOR Szymanski & Sturgulewski
DEPARTMENT POSITION Support			
PREPARED BY Habitat Division <i>Wesley Smith</i>	DATE 2/5/87	COMMISSIONER'S SIGNATURE <i>Frank B. Kelly</i>	DATE 2.5.87

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL Anchorage Residents
ORGANIZATIONAL SUPPORT FOR BILL Municipality of Anchorage Department of Natural Resources Potter Marsh Task Force (Interagency)	ORGANIZATIONAL OPPOSITION TO BILL None Known

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

Establishment of the Anchorage Coastal Wildlife Refuge will protect important waterfowl and shorebird habitat in the Anchorage area. It will provide for public use and enjoyment of the refuge. The bill will clarify and enhance the existing Potter Point State Game Refuge.

ANALYSIS OF BILL/PROGRAM EFFECTS

See SB 18 Bill Analysis 1/23/87

Amendments to the bill will:

1. Clarify that the act will rename the existing Potter Point State Game Refuge.
2. Clarify that Department of Fish and Game will prepare a management plan in consultation with the Department of Natural Resources.
3. Provide for a public right-of-way for surface transportation and a utility corridor between Fire Island and the Mainland.
4. Direct that the management plan be completed within three years after the effective date of the act.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CS SB18 (2A)

Publish Date: _____

Revision Date: _____

Agency Affected: ADF&G

Title: Anchorage Coastal Wildlife
Refuge

BRU: _____

Sponsor: Szymanski Sturqulewski

Components: _____

Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0				
TRAVEL		0				
CONTRACTUAL		0				
SUPPLIES		0				
EQUIPMENT		0				
LAND & STRUCTURES		0				
GRANTS, CLAIMS		0				
MISCELLANEOUS		0				
TOTAL OPERATING		0				

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

REVENUE		0				
---------	--	---	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0				
FEDERAL FUNDS						
OTHER						
TOTAL		0				

POSITIONS:

FULL-TIME		0				
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Bruce Baker, Acting Director *(New Title for Bruce Baker)*

Phone: 465-4105

Division: Habitat

Date: 2/5/87

Approved by Commissioner: *Oliver Peterson*

Date: 2/5/87

Agency: Fish and Game

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Senate Secretary

1 IN THE SENATE

BY SZYMANSKI, STURGULEWSKI
JOSEPHSON AND KERTTULA

2

SENATE BILL NO. 18

3

. IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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18 contour
19 SE 1/4 NE 1/4 seaward of the 20 foot elevation con-
20 tour
21 Section 29: E 1/2 seaward of the 20 foot elevation
22 contour
23 SW 1/4 seaward of the 20 foot elevation contour
24 Section 30: SE 1/4 SE 1/4
25 Section 31: All seaward of the 20 foot elevation
26 contour except NW 1/4 NW 1/4
27 Section 32: All seaward of the 20 foot elevation
28 contour

29 (2) Township 13 North, Range 5 West, Seward Meridian

SB0018A

P. 4 23-26 - surface area Tine Island
P. 5 - lines 13 + 14 - cleared to municipal contour
05 - agreement to law. of 3 years
no forest note

SB 18

1 Section 36: S 1/2
2 S 1/2 N 1/2
3 (3) Township 12 North, Range 4 West, Seward Meridian
4 Sections 6 - 9: Seaward of the 20 foot elevation
5 contour
6 Section 15: NW 1/4 seaward of the 20 foot elevation
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19 Government Lots 3 and 4, and the remainder of the SE
20 1/4, all seaward of the 20 foot elevation contour
21 Section 24: Tract A, Shorecrest Subdivision (Plat No.
22 81-68, Anchorage Recording District)
23 Section 25: Government Lots 1 and 2, and the remainder
24 of the W 1/2, all
25 Tract A, Johns Park Estates, and the remainder of the
26 NE 1/4, excluding Skyway Park Estates, Addition No. 1
27 all seaward of the 20 foot elevation contour Govern-
28 ment Lots 3 and 4, and the remainder of the SE 1/4,
29 all

1 Sections 26 - 36
2 (4) Township 12 North, Range 5 West, Seward Meridian
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7 (5) Township 12 North, Range 3 West, Seward Meridian
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10 Oceanview Subdivision, Addition No. 6
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15 Addition No. 1
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1 Subdivision which is northeasterly of the New Seward
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10 Section 10: That portion westerly of the Old Seward
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13 That portion southwesterly of the Alaska Railroad
14 right-of-way

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

16 Sections 1 - 4

17 Sections 10 - 12

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

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

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

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

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

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

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

18 * Sec. 3. AS 16.20.030(b) is repealed.



OFFICIAL BUSINESS

Alaska State Legislature
Senate

POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

COMMITTEE SCHEDULE

TUESDAY, FEBRUARY 3, 1987

Presentation by the Department of Community and Regional
Affairs

THURSDAY, FEBRUARY 5, 1987

SB 52 - Definition of "Rural" for Housing Program

All meetings in the Butrovich Room. 3:30 TO 5 P.M.

Kie has copy

January 28, 1987

COOK INLET REGION, INC.

Senator Arliss Sturgulewski, Chairman
Community and Regional Affairs Committee
Pouch V, State Capitol
Juneau, Alaska 99811

Dear Senator Sturgulewski:

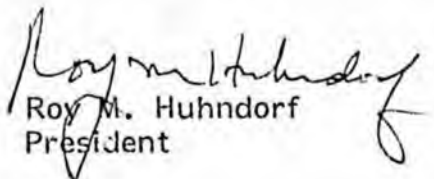
Cook Inlet Region, Inc. (CIRI) respectfully requests the Senate Committee on Community & Regional affairs to amend Paragraph (c) of proposed legislation for the Anchorage Coastal Wildlife Refuge (SB 18). Changes are necessary due to ambiguities and uncertainties regarding access to Fire Island which is owned by CIRI and the federal government. Portions of the island are currently being used by the Federal Aviation Administration and U.S. Coast Guard, and the northern portion of the island has been identified by the Port of Anchorage as a likely site for necessary future port expansion.

Specifically, the existing legislation does not adequately address the need to reserve clearly defined access and utility easements. In place of existing language, CIRI requests that Paragraph (c) be amended to include language contained in the attached March 6, 1985 recommendation to then Representative Mike Szymanski. Please note that the language was jointly supported by the Municipality of Anchorage and the Port of Anchorage.

We strongly urge that the Committee support the recommended amendment. Given the need to attract new businesses and create new underpinnings for Alaska's economy, clearer provisions for access to Fire Island -- or any other lands which can serve economic development goals, without substantial environmental costs -- are in every Alaskan's best interests.

Sincerely,

COOK INLET REGION, INC.


Roy M. Huhndorf
President

cc: Senator Tim Kelly, Vice-Chairman
Senator Rick Halford
Senator Fred Zharoff
Senator Mike Szymanski

RMH:ah
23:762

Municipality
of
Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4317

TONY KNOWLES,
MAYOR

COOK INLET REGION, INC.

DEPARTMENT OF PROPERTY & FACILITY MANAGEMENT

MAR 7 1985

HAND-DELIVERED

Land Department

March 6, 1985

Representative Mike Szymanski
State Capitol, Room 517
Pouch V
Juneau, AK 99811

RE: HB 186--Anchorage Coastal Wildlife Refuge

Dear Representative Szymanski:

In cooperation with the Municipality, CIRI land managers Don Marx and Steve Planchon have drafted the attached Fire Island access language which refines a similar provision in paragraph (c) of Senator Vic Fischer's CSSSSB 19 (C&RA). The CIRI land managers and counsel find this language preferable to the vaguer language incorporated in the committee substitute, however, CIRI has not yet committed to support (or, not oppose) the refuge legislation even if this access provision is included.

Chip Dennerlein and I have reviewed the new access language on behalf of the Municipality and find it acceptable. Tyler Jones, the Port Director, has advised that CIRI's concern with protecting access to Fire Island is a matter of similar concern to the Port of Anchorage. This new access amendment also has been read to and discussed with Tom Hawkins of the Department of Natural Resources, and he had no problem with it. The amendment has been mentioned to several people at the Department of Fish and Game including Special Assistant Roland Shanks and Bruce Baker of the Habitat Division, but they have not yet seen the specific language.

Please call me at 264-4807 to discuss this recommended Fire Island access amendment or other provisions of HB 186.

Sincerely,

Peter Scholes
Property Management Officer

cc: Senator Vic Fischer
Steve Planchon, CIRI
Debra Clausen, Habitat Division, Department of Fish and Game
Chip Dennerlein, Office of Intergovernmental Affairs, MOA
Tyler Jones, Port of Anchorage

(c) Notwithstanding any other provision of State law, there are hereby reserved and created on, within and across State lands within the Anchorage Coastal Wildlife Refuge (1) appropriate easements and rights-of-way between the Anchorage mainland and Fire Island in Cook Inlet for the purpose of surface transportation and access to and from Fire Island, and (2) appropriate easements and rights-of-way between the Anchorage mainland and Fire Island in Cook Inlet for utility facilities between Fire Island and the mainland. The management plan provided for in (b) of this section shall address the requirements for surface transportation and access and for utility facilities between Fire Island and the mainland, and shall recommend the easement and right-of-way alignments that are most compatible with the purposes of this section and with the development of Fire Island. The Commissioner of Natural Resources shall, no later than ninety (90) days from the date on which the management plan is issued, either approve the easement and right-of-way alignments recommended in the management plan, or shall select and approve the alternative alignments that shall be used for the easements and rights-of-way reserved and created hereunder; the Commissioner's decision as to the alignments for these easements and rights-of-way shall be recorded in the records of the recorder's office of the Anchorage Recording District, Third Judicial District, State of Alaska.

RECOMMENDED AMENDMENT TO SB 19 and HB 186 -- Creating Anchorage Coastal Wildlife
Refuge

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : SB 18
Publish Date : _____

Revision Date: 1/27/87

Agency Affected: Natural Resources

Title: Anchorage Coastal Wildlife
Refuge

BRU: L&M

Sponsor: Szymanski & Sturgulewski

Components : _____

Requestor: Senate C&RA

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

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)

No fiscal impact unless survey is required.

Prepared by: Carol Wilson
Division: Commissioner's Office

Phone: 465-2400
Date: 1/27/87

Approved by Commissioner: Mrs D Amred, Deputy
Agency: Department of Natural Resources

Date: 1/28/87

Distribution (by preparer):

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



OFFICIAL BUSINESS

Alaska State Legislature
Senate

POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

TO: Senate C&RA Members

Jan 29, 1987

FROM: Senate C&RA Staff

RE: SB 18 - Anchorage Coastal Wildlife Refuge

Enclosed in this packet is a memo and sectional analysis of SB 18 provided by the prime sponsor, a map of the affected area, and a letter and zero fiscal note from DNR.

A position paper and fiscal note from the Department of Fish and Game has not yet been received, however I have been told by representatives of the department that they support the bill and if the date for completion of a management plan (section 2, page 5, line 16) can be extended from one to three years, there would be a zero fiscal note. The sponsor has indicated that this is agreeable.

DNR's fiscal note is zero and its position paper indicate general support for the bill. DNR objects, however, to Section 1(f) of the bill (page 5, lines 13 & 14) which closes the refuge to mineral entry. The proposed boundaries of the refuge were drawn so all mining claims are outside the refuges boundaries. DNR's stance is a switch from last year when the department supported the refuge. Oil and gas leasing are not affected by this legislation.

*see C&RA letter
7/1/87 frame after
part*



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 C & R A Committee Members
FROM: *Mike Szymanski*
Senator Mike Szymanski
SUBJECT: SB 18 - Anchorage Coastal Wildlife Refuge
Background/Intent
DATE: January 26, 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.

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 ASI6.20.040-16.20.060. The plan will be completed within one year of 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

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801
PHONE: (907) 465-2400

January 28, 1987

The Honorable Arliss Sturgulewski, Chair
Senate Community and Regional Affairs Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski:

Subject: Anchorage Coastal Wildlife Refuge - SB 18

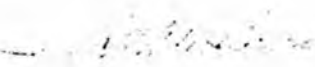
Response: 1. I am writing to indicate the Department's general support for SB 18 but to request deletion of Section 1(f).

2. This section closes the land to mineral entry, specifically locatable minerals and offshore prospecting. As a policy matter, we would like to avoid making such permanent decisions by statute.

Recommendation: I recommend two alternatives:

1. Make the mineral closure recommendations a product of the resource planning process described in Section 1(b); or
2. If mineral closure decisions are made by statute; include a periodic review provision lifting the closing order until the incompatibility of mining activities with other significant surface uses was reconfirmed.

Sincerely,


Judith M. Brady
Commissioner

cc: Committee Members
Governor's Legislative Liaison

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version : SB 18
Publish Date : _____

Revision Date: 1/27/87

Agency Affected: Natural Resources
BRU: L&M

Title: Anchorage Coastal Wildlife
Refuge

Sponsor: Szymanski & Sturgulewski
Requestor: Senate C&RA

Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
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	-0-	-0-	-0-	-0-	-0-	-0-

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)

No fiscal impact unless survey is required.

Prepared by: Carol Wilson
Division: Commissioner's Office

Phone: 465-2400
Date: 1/27/87

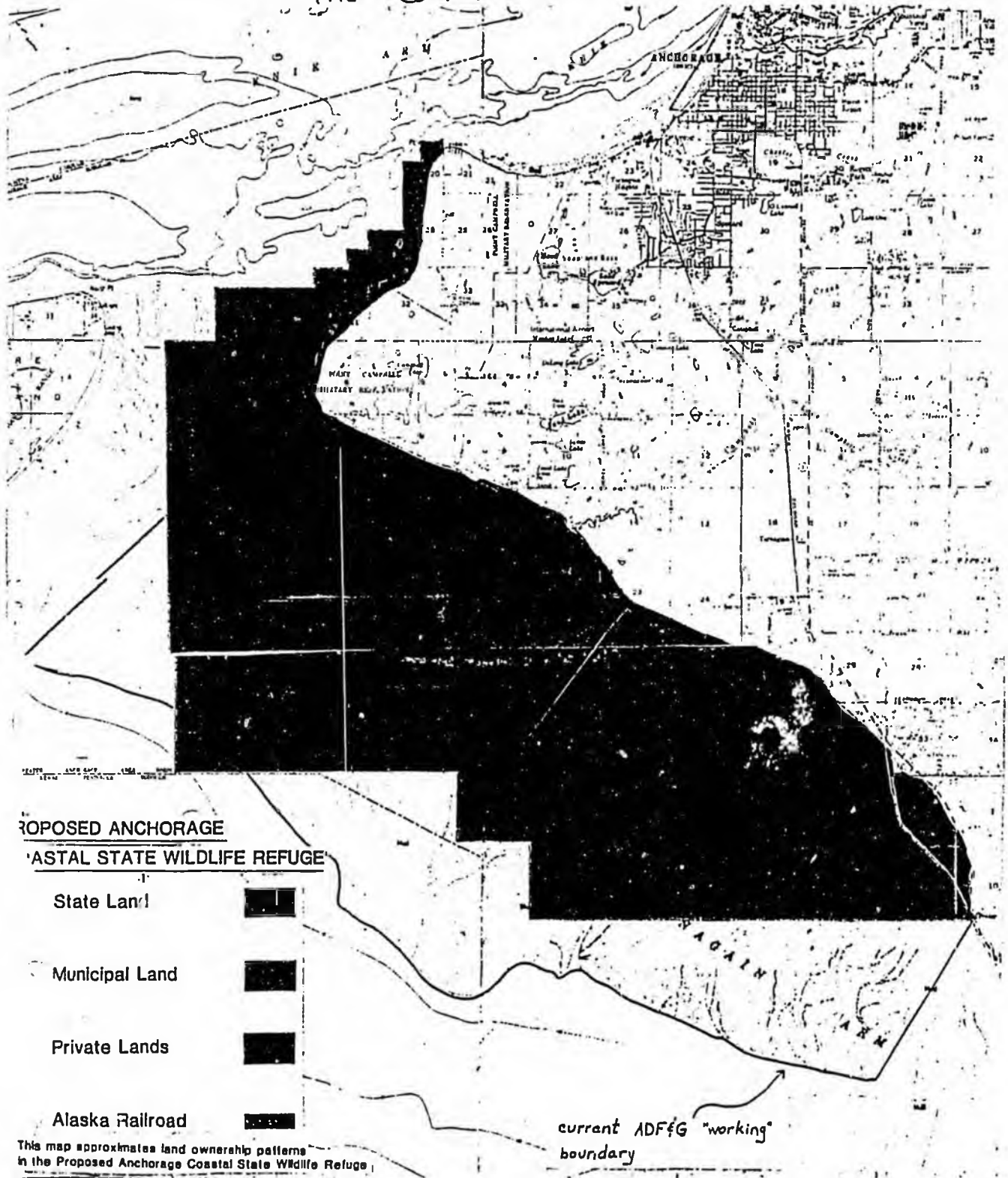
Approved by Commissioner: Wm D Ammer, Deputy
Agency: Department of Natural Resources

Date: 1/23/87

Distribution (by preparer) :

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

A LARGER COLOR MAP WILL BE IN THE COMMITTEE ROOM



INFORMATION AFTER THIS PAGE WAS RECEIVED THIS MORNING AFTER

PACKETS HAD BEEN PREPARED



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB18	SPONSOR Szymanski & Sturculewski
DEPARTMENT POSITION			
Support			
PREPARED BY Lance H. Baker Habitat Division	DATE 1/23/87	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 1-29-87

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL Anchorage Residents
ORGANIZATIONAL SUPPORT FOR BILL Municipality of Anchorage Department of Natural Resources Potter Marsh Task Force (Interagency)	ORGANIZATIONAL OPPOSITION TO BILL None Known
FISCAL IMPACT: <input type="checkbox"/> NONE <input type="checkbox"/> FISCAL NOTE ATTACHED	

BACKGROUND/LEGISLATIVE INTENT

Establishment of the Anchorage Coastal Wildlife Refuge will protect important waterfowl and shorebird habitat in the Anchorage area. It will provide for public use and enjoyment of the refuge. The bill will clarify and enhance the existing Potter Point State Game Refuge.

ANALYSIS OF BILL/PROGRAM EFFECTS

The bill will:

1. Change the name of Potter Point State Game Refuge to Anchorage Coastal Wildlife Refuge.
2. Extend the refuge to encompass wetlands and nearshore waters lying between Point Campbell and Point Woronzoff.
3. Clarify the legal boundaries of the refuge.
4. Provide for the management of lands lying within the refuge.

AMENDMENTS PROPOSED

1. Section 2. Either change the requirement and allow 3 years for completion of the refuge management plan or provide a fiscal note to allow the refuge management plan to be prepared within one year.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____ Bill Version: SB18
 _____ Publish Date: _____
 Revision Date: _____ Agency Affected: ADF&G
 Title: Anchorage Coastal Wildlife BRU: _____
Refuge _____
 Sponsor: Szymanski & Sturgulewski Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		45,100				
TRAVEL		4,000				
CONTRACTUAL		4,000				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		53,100				
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		53,100				
FEDERAL FUNDS						
OTHER						
TOTAL		53,100				

POSITIONS:

FULL-TIME		16 B/C				
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Bruce H. Baker, Acting Director Phone: 465-4105
 Division: Habitat Date: January 26, 1987
 Approved by Commissioner: *Don Collinsworth* Date: January 29, 1987
 Agency: Fish and Game

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

January 28, 1987

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Community and Regional Affairs Committee
Pouch V, State Capitol
Juneau, Alaska 99811

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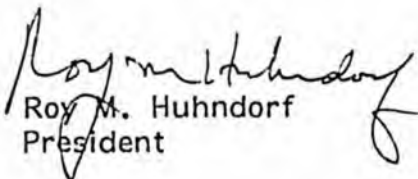
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We strongly urge that the Committee support the recommended amendment. Given the need to attract new businesses and create new underpinnings for Alaska's economy, clearer provisions for access to Fire Island -- or any other lands which can serve economic development goals, without substantial environmental costs -- are in every Alaskan's best interests.

Sincerely,

COOK INLET REGION, INC.


Roy M. Huhndorf
President

cc: Senator Tim Kelly, Vice-Chairman
Senator Rick Halford
Senator Fred Zharoff
Senator Mike Szymanski

RMH:ah
23:762

Municipality
of
Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 264-4317

TONY KNOWLES,
MAYOR

COOK INLET REGION, INC.

DEPARTMENT OF PROPERTY & FACILITY MANAGEMENT

MAR 7 1985

HAND-DELIVERED

Land Department

March 6, 1985

Representative Mike Szymanski
State Capitol, Room 517
Pouch V
Juneau, AK 99811

RE: HB 186--Anchorage Coastal Wildlife Refuge

Dear Representative Szymanski:

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Please call me at 264-4807 to discuss this recommended Fire Island access amendment or other provisions of HB 186.

Sincerely,

Peter Scholes
Property Management Officer

cc: Senator Vic Fischer
Steve Planchon, CIRI
Debra Clausen, Habitat Division, Department of Fish and Game
Chip Dennerlein, Office of Intergovernmental Affairs, MOA
Tyler Jones, Port of Anchorage

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RECOMMENDED AMENDMENT TO SB 19 and HB 186 -- Creating Anchorage Coastal Wildlife Refuge

Mining the marsh

Potter Marsh bill mired in trouble

By JOHN LINDBACK
Daily News reporter

JUNEAU — The bill to make Potter Marsh, on the south edge of Anchorage, an official wildlife refuge just can't win.

Despite its widespread community and legislative support — it passed the House 40-0 in 1985 — the proposed Anchorage Coastal Wildlife Refuge died last year in the Senate Community and Regional Affairs Committee chaired by former Sen. Edna DeVries, a political rival of then-Rep. Mike Szymanski, the sponsor of the bill.

Szymanski said DeVries killed the bill because of their rivalry. DeVries denied it, but kept the bill bottled up in committee.

This year DeVries is out of the legislature, Szymanski is a senator, and the bill is back.

But a new problem surfaced last week.

Judy Erady, Gov. Steve Cowper's commissioner of natural resources, doesn't like the bill because it would close the marsh area to mining. She

See Page B-3, MARSH

MARSH: Debate continues

Continued from Page B-1

wants the bill reworded so the marsh could be mined in the future.

Brady's position reverses the Department of Natural Resources' previous support of the bill. The proposed boundaries of the new refuge were drawn so all existing mining claims would be outside it.

"I love that bill and I don't intend to jeopardize it," Brady said Monday. But as a matter of principle, she said, no area should be closed to any use forever. Brady says she can't envision mining activities in the area, but the state should leave open the possibility.

Szymanski said he's stunned by Brady's position.

The prospects of mineral exploration or mining in the Potter Marsh area, just off the Seward Highway, are "so far removed and remote nobody even can conceive that it would be done," he said.

Szymanski said the new commissioner is trying to avoid setting a precedent for future negotiations over wildlife refuges, such as the Arctic National Wildlife Refuge on the North Slope or the proposed Minto Flats State Game Refuge.

"I think you have to look at each refuge on a case-by-case basis," Szymanski said. "I guess if the Potter Marsh refuge was by Prudhoe Bay, you'd have to look at it differently."

Sen. Arliss Sturgulewski, one of Szymanski's three co-sponsors on the bill and chairwoman of the Community and Regional Affairs Committee, said she



also was surprised by Brady's request.

"The boundaries do not contain known mineral deposits," she said. The bill is scheduled for consideration today in her committee.

It does no harm to consider mining in the marsh, Sturgulewski said, but "I don't see that the issue should be an impediment to the legislation passing."

Potter Marsh is one of the most popular and accessible spots in Anchorage to view swans, geese, blackbirds, eagles, hawks and other kinds of birds. The area is now officially known as Potter's Point State Game Refuge, but the 1971 law that created it only loosely defines the boundaries.

Szymanski's bill would establish the Anchorage Coastal Wildlife Refuge out of 32,000 acres of land, including the present refuge and additional offshore acreage. It would stretch from the south end of Potter Marsh north to Point Woronzof.

If the bill passes out of Sturgulewski's committee, it moves to the Senate Resources Committee, chaired by conservative Republican Sen. Jack Coghill of Nenana.

Szymanski said Coghill and Brady are bound to hold similar philosophical views on the bill. Brady managed former Gov. Walter Hickel's 1986 campaign for governor and Coghill is one of Hickel's staunchest political allies.

"Resources is our next problem," Szymanski said.