

SB

407

Alaska State Legislature

ARLISS STURGULEWSKI, Chairman
TIM KELLY, Vice Chairman
RICK HALFORD
MIKE SZYMANSKI
FRED ZHAROFF



P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4989

Senate Community and Regional Affairs Committee

C.D.
DNK
DFD

March 29, 1988

TO: Senate Community and Regional Affairs Committee Members

FROM: Senate C&RA Staff

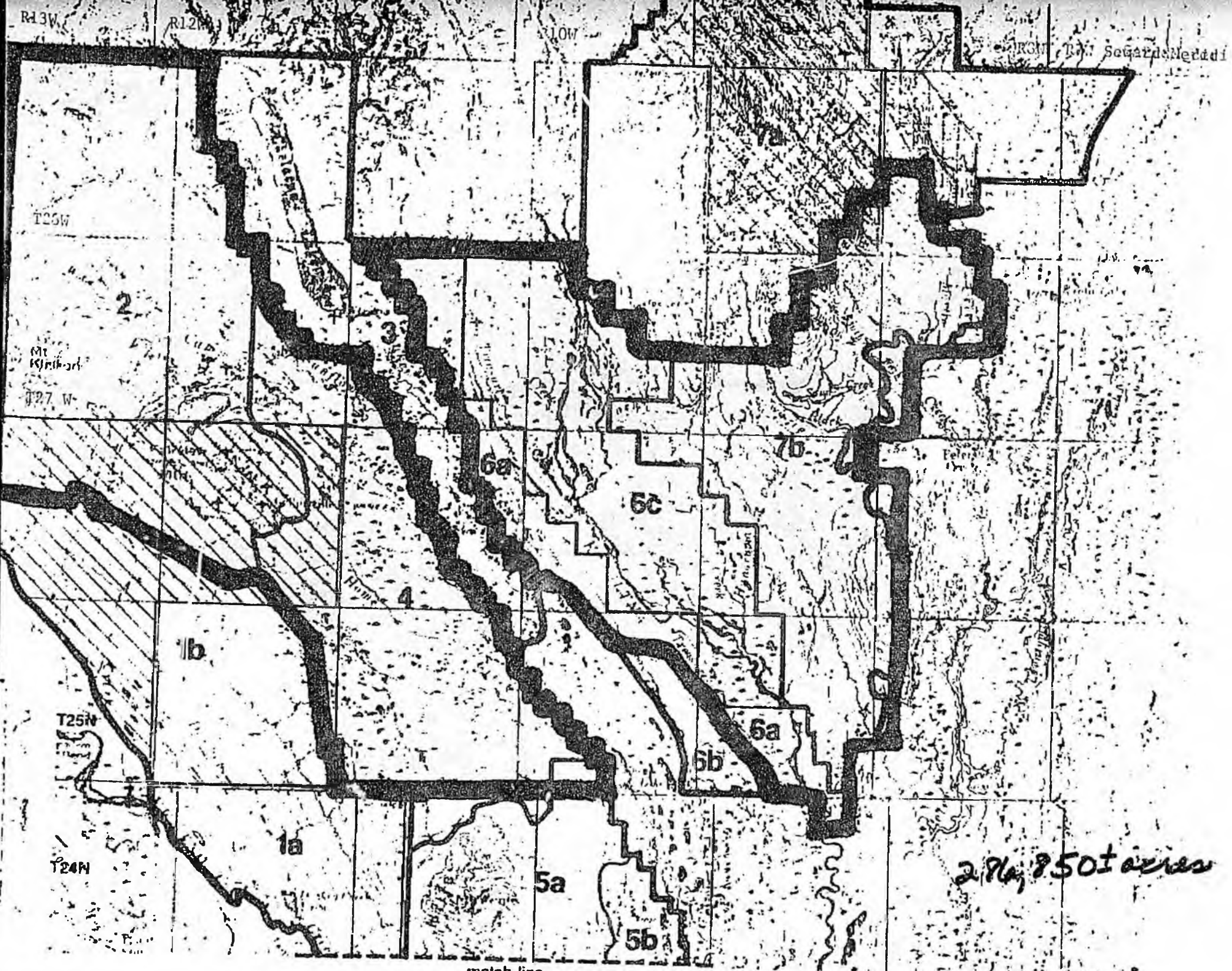
RE: CS for SB 407 (C&RA) - "An Act establishing the Chelatna Public Use Area."

Attached is a new CS with the four changes the committee discussed last week. The departments of Fish and Game and Natural Resources have agreed on revised boundaries and those boundaries are reflected in the CS. A map which shows the new boundaries is attached.

A section of temporary law has added to specify that until the management plan is adopted, the mineral estate will be managed in accordance with the Susitna Area Plan.

The words "described in AS 41.23.230" have been inserted in page 2, section (d), to clarify that the state can only acquire inholdings for inclusion in the area.

A July 1, 1988 effective date has been added. These changes are marked on the CS.



296,850± acres

match line

RGM B. Seward Merdidi

R13W

R12W

10W

T25W

2

T27W

Mr. K. Smith

6a

6c

7b

1b

4

T25N

6a

6b

T24N

1a

5a

5b

5-1516L -
Bradley
3/29/88

Original sponsors: Kerttula and Szymanski

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 407 ()
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Chelatna Public Use Area;
7 and providing for an effective date."

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

9 * Section 1. AS 41.23 is amended by adding new sections to read:

10 ARTICLE 3. CHELATNA PUBLIC USE AREA.

11 Sec. 41.23.200. PURPOSE. The purpose of AS 41.23.200 - 41.23.-
12 230 is to establish the area described in AS 41.23.230 as the Chelatna
13 Public Use Area. The Chelatna Public Use Area is established to

14 (1) protect and maintain fish and wildlife habitat, partic-
15 ularly moose calving and wintering-over areas, trumpeter swan nesting
16 areas, and other habitats important to furbearers, black and brown
17 bear, and resident and anadromous fish so that traditional public uses
18 of fish and wildlife populations may continue;

19 (2) perpetuate and enhance public enjoyment of fish and
20 wildlife and their habitat including fishing, hunting, trapping,
21 viewing, and photography;

22 (3) perpetuate and enhance general public recreation in a
23 quality environment;

24 (4) perpetuate and enhance additional public uses described
25 in the Susitna Area Plan;

26 (5) allow additional public uses of the area in a manner
27 compatible with the purposes specified in (1) - (4) of this section.

28 Sec. 41.23.210. MANAGEMENT. (a) Management of the surface and
29 subsurface estate of the Chelatna Public Use Area is the

1 responsibility of the Department of Natural Resources. After adequate
2 public hearings the commissioner shall adopt and may revise a manage-
3 ment plan for the Chelatna Public Use Area with the participation and
4 concurrence of the commissioner of fish and game.

5 (b) The Department of Fish and Game is responsible for the
6 management of fish and game resources and public use of fish and
7 wildlife in the Chelatna Public Use Area consistent with the purposes
8 of AS 41.23.200.

9 (c) The Chelatna Public Use Area shall be open to mineral entry
10 under AS 38.05.185 - 38.05.275 except as provided in the management
11 plan adopted under (a) of this section, and the commissioner may adopt
12 regulations to achieve the purposes specified in AS 41.23.200. Each
13 valid existing right or permit shall remain valid and continue in full
14 force and effect according to its terms. Exploration, development,
15 and extraction of subsurface resources shall be allowed in a manner
16 that is compatible with the purposes specified in AS 41.23.200(1) -
17 (4).

18 (d) The commissioner may not acquire by eminent domain privately
19 owned land within or abutting state-owned land described in AS 41.23.-
20 230 but may acquire privately owned land described in AS 41.23.230 by
21 purchase, exchange, or otherwise for inclusion in the Chelatna Public
22 Use Area.

23 (e) The commissioner may not manage the Chelatna Public Use Area
24 as a unit of the state park system.

25 Sec. 41.23.220. COMPATIBILITY OF USES. (a) Except as provided
26 in this section, the commissioner may prohibit or restrict incompati-
27 ble uses under the management plan adopted under AS 41.23.210 within
28 the state-owned land and water described in AS 41.23.230.

29 (b) Nothing in AS 41.23.200 - 41.23.230 prohibits the Department

1 of Fish and Game from engaging in rehabilitation, enhancement, and
2 development of fish and wildlife habitat within an area described in
3 AS 41.23.230.

4 (c) Except as provided in this section, the commissioner may not
5 restrict lawful sport and subsistence fishing, hunting, or trapping
6 rights allowed under a regulation of the Board of Fisheries or the
7 Board of Game within the Chelatna Public Use Area.

8 (d) The commissioner shall allow traditional access to the
9 Chelatna Public Use Area by motorized or nonmotorized means of trans-
10 portation to private land, interests in private land, and for lawful
11 sport and subsistence hunting, fishing, trapping, and recreational
12 purposes in a manner that is compatible with purposes specified in
13 AS 41.23.200(1) - (4). The commissioner and the commissioner of fish
14 and game shall jointly develop guidelines for traditional access and
15 include the guidelines in the management plan adopted under AS 41.23.-
16 210.

17 (e) The commissioner may not transfer land within the Chelatna
18 Public Use Area into private property under AS 38.

19 (f) The Department of Public Safety and the Department of Fish
20 and Game shall have necessary access for fish and game management,
21 research, and enforcement purposes.

22 (g) If the commissioner determines that a use is incompatible
23 with one or more other uses in a portion of the Chelatna Public Use
24 Area, the commissioner shall state in the management plan adopted or
25 revised under AS 41.23.210

26 (1) each determination of incompatibility;

27 (2) the specific area where the incompatibility is deter-
28 mined to exist;

29 (3) the time within which the incompatibility is determined

to exist; and

(4) the reasons for each determination of incompatibility.

Sec. 41.23.230. CHELATNA PUBLIC USE AREA. The vacant and unappropriated state-owned land and water and the state land and water acquired in the future that lie within the boundaries described in this section are designated as the Chelatna Public Use Area, are reserved for all uses compatible with their primary function as public use land, and are assigned to the Department of Natural Resources for control and management:

New Boundaries

- (1) Township 24 North, Range 9 West, Seward Meridian
 Section 2
 Section 3: E1/2, excluding USS 3891
- (2) Township 25 North, Range 8 West, Seward Meridian
 Sections 6 - 7
 Sections 18 - 19
- (3) Township 25 North, Range 9 West, Seward Meridian
 Sections 1 - 18
 Section 19: W1/2NE1/4, NE1/4SE1/4
 Sections 20 - 28
 Section 29: NE1/4
 Sections 33 - 36
- (4) Township 25 North, Range 10 West, Seward Meridian
 Sections 1 - 2
 Section 3: N1/2, N1/2S1/2
 Section 4: NE1/4
 Section 12: E1/2, N1/2NW1/4
 Section 18: W1/2
 Section 19
 Section 20: SW1/4

- 1 Section 28: SW1/4
2 Sections 29 - 33
3 (5) Township 25 North, Range 11 West, Seward Meridian
4 Sections 2 - 36
5 (6) Township 25 North, Range 12 West, Seward Meridian
6 Section 1
7 Section 2: NE1/4
8 Section 12: E1/2
9 Section 13: E1/2
10 Section 24: E1/2
11 Section 25: NE1/4
12 (7) Township 26 North, Range 8 West, Seward Meridian
13 Section 18: S1/2SW1/4
14 Section 19: W1/2
15 Sections 30 - 31
16 (8) Township 26 North, Range 9 West, Seward Meridian
17 Section 2: N1/2, SW1/4
18 Sections 3 - 11
19 Section 12: S1/2NE1/4, NW1/4NE1/4, S1/2, NW1/4
20 Sections 13 - 36
21 (9) Township 26 North, Range 10 West, Seward Meridian
22 Sections 1 - 28
23 Section 29: N1/2, N1/2S1/2, S1/2SE1/4
24 Section 30
25 Section 33: E1/2, NW1/4, E1/2SW1/4
26 Sections 34 - 36
27 (10) Township 26 North, Range 11 West, Seward Meridian
28 Sections 1 - 2
Sections 5 - 8

1 Section 9: W1/2

2 Sections 11 - 13

3 Section 14: E1/2

4 Sections 16 - 21

5 Section 22: SW1/4, W1/2NW1/4

6 Section 24

7 Section 25: NE1/4

8 Section 27: SE1/4, W1/2

9 Sections 28 - 34

10 Section 35: S1/2, NW1/4

11 (11) Township 26 North, Range 12 West, Seward Meridian

12 Sections 1 - 29

13 Section 30: N1/2

14 Section 32: NE1/4

15 Section 33: N1/2

16 Sections 34 - 36

17 (12) Township 26 North, Range 13 West, Seward Meridian

18 Sections 1 - 14

19 Section 15: N1/2, SE1/4

20 Section 16: N1/2, SW1/4

21 Section 17

22 Section 18: NE1/4

23 Section 22: NE1/4

24 Section 23: N1/2

25 Section 24: N1/2

26 (13) Township 27 North, Range 8 West, Seward Meridian

27 Sections 3 - 10

28 Sections 15 - 21

29 Sections 28 - 33

- 1 (14) Township 27 North, Range 9 West, Seward Meridian
2 Sections 1 - 2
3 Section 3: S1/2
4 Sections 10 - 15
5 Section 16: E1/2
6 Section 19: excluding U.S.M.S. 2299
7 Sections 20 - 29
8 Section 30: excluding U.S.M.S. 2299
9 Sections 31 - 36
- 10 (15) Township 27 North, Range 10 West, Seward Meridian
11 Sections 5 - 9
12 Sections 15 - 24
13 Section 25: excluding U.S.M.S. 2299
14 Sections 26 - 36
- 15 (16) Township 27 North, Range 11 West, Seward Meridian
16 Sections 1 - 3
17 Section 4: excluding USS 5832
18 Section 5
19 Section 6: N1/2, SE1/4
20 Section 8: N1/2, SE1/4
21 Sections 9 - 16
22 Section 19: SW1/4
23 Section 21: N1/2, SE1/4
24 Sections 22 - 27
25 Section 30: SE1/4, W1/2
26 Section 31
27 Section 32: E1/2
28 Section 34: E1/2
29 Sections 35 - 36

- 1 (17) Township 27 North, Range 12 West, Seward Meridian
2 Sections 4 - 9
3 Section 10
4 Section 15: SE1/4, W1/2
5 Sections 16 - 22
6 Section 23: S1/2, NW1/4
7 Section 24: S1/2
8 Sections 25 - 36
- 9 (18) Township 27 North, Range 13 West, Seward Meridian
10 Sections 1 - 10
11 Section 11: N1/2, SW1/4
12 Section 12: N1/2, SE1/4
13 Section 13: S1/2
14 Section 15: SE1/4, W1/2
15 Sections 16 - 36
- 16 (19) Township 28 North, Range 8 West, Seward Meridian
17 Section 19
18 Section 20: excluding USS 4664
19 Section 29: excluding USS 4664
20 Sections 30 - 34
- 21 (20) Township 28 North, Range 9 West, Seward Meridian
22 Section 25
23 Sections 35 - 36
- 24 (21) Township 28 North, Range 12 West, Seward Meridian
25 Sections 6 - 7
26 Sections 18 - 20
27 Section 28: W1/2W1/2
28 Sections 29 - 32
29 Section 33: W1/2W1/2

1 (22) Township 28 North, Range 13 West, Seward Meridian
2 Sections 1 - 36: excluding USS 5356

3 * Sec. 2. Notwithstanding AS 41.23.210(c), as enacted in sec. 1 of this
4 Act, until the adoption of a management plan for the Chelatna Public Use
5 Area, the mineral estate within the Chelatna Public Use Area shall be
6 managed under the provisions of the Susitna Area Plan in existence on
7 July 1, 1988.

8 * Sec. 3. This Act takes effect July 1, 1988.
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Alaska State Legislature

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P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4989

Senate Community and Regional Affairs Committee

March 22, 1988

TO: Senate Community and Regional Affairs Committee Members

FROM: Senate C&RA Staff *MZ*

RE: CS for SB 407 (C&RA) - "An Act establishing the Chelatna Public Use Area."

This bill has been the subject of debate between the departments of Fish and Game and Natural Resources. Fish and Game would like the area to be larger, DNR would like it to be smaller.

The departments have now agreed to agree and will be submitting a joint proposal for a revised boundary later this week. The departments agree on the text in the CS before the committee.

Two additional changes need to be made to the text. An effective date needs to be added and on page 2, line 17, the words "inside the Chelatna Public Use Area" need to be inserted to clarify that the state can only acquire inholdings for inclusion in the area.

A position paper and fiscal note from DNR, a description of the area from Fish and Game, a letter of support, and a map of the area is included in this packet.

*DNR p 2 line 8 -
consistent w/ S plan -*

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400

March 22, 1988

The Honorable Arliss Sturgulewski
Chair, Community and Regional
Affairs Committee
P.O. Box V
Juneau, Alaska 99802

Dear Senator Sturgulewski:

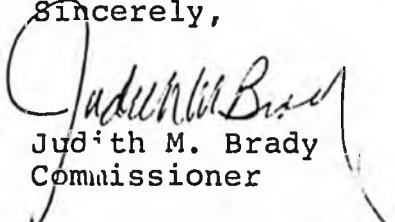
Subject: Senate Bill 407 establishing the Chelatna Public Use Area.

Position: The department supports this bill with boundary adjustments to make it consistent with the Susitna Area Plan. We are working with the Department of Fish and Game to provide joint recommendations to make the bill consistent with the Susitna Area Plan adopted by the Commissioner and completed with the cooperation of other state agencies.

Background: On April 24, 1985, the Commissioner of Natural Resources adopted the Susitna Area Plan which provides policy for state lands within the planning area. The proposed Chelatna Public Use Area falls within the boundary of this Plan. Other agencies were involved in the planning process and supported its adoption. The Susitna Area Plan provides for legislative designation of areas to be managed for specific uses or retained in public ownership. My staff is working with ADF&G to refine the legal description of the proposed area to make this legislation consistent with the Plan.

Thank you for this opportunity to comment.

Sincerely,


Judith M. Brady
Commissioner

cc: Members of the Committee
Bill Sponsors
Rod Swope
Bob Evans
Meg Hayes

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Chelatna Public Use Area

Agency Affected: Natural Resources
BRU: Land and Water Management

Sponsor: Sen. Kertulla and Szymanski
Requestor: Senate Comm. & Regional Affairs

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
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The required management plan will be completed on a time available basis in consideration with other planning projects.

Prepared by: Janet Burleson
Division: Land and Water Management

Phone: 465-3400
Date: 3/22/88

Approved by Commissioner: [Signature]
Agency: Natural Resources

Date: _____

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

March 18, 1988

Senator Sturgulewski
Community and Regional Affairs
Pouch V
Juneau, AK 99811

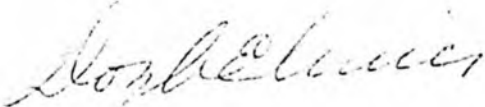
Dear Senator Sturgulewski:

Regarding Senate Bill 407, Chelatna Public Use Area.

This is a great Bill. It would provide for future generations enjoyment of the Alaska outdoors without costing the State large operating expenses such as parks. This is a critical moose, grizzly and swan habitat area. Also it contains many salmon spawning streams. The area is above 1,000' elevation and really does not have harvestable timber. In all of Unit 16B there is very little land set aside for public use.

I feel that the people would benefit greatly from this Bill now and in the future.

Respectfully,



Doyle E. Currier

Proposed Peters Hills/Sunflower Basin Public Use Area
Background Information

Location: The proposed area is located approximately 10 miles west of Talkeetna, and about 120 miles north northwest of Anchorage in the upper Susitna River Basin. The proposed area includes a major portion of the northern part of Game Management Subunit 16A, as well as a smaller portion of the northern part of Subunit 16B. The Petersville road extends through the NW portion of the proposed area. The northern and western boundaries are adjacent to Denali State Park and Denali National Park/Preserve.

Area Description: The proposed area includes approximately 898,560 acres, and covers broad forested lowlands with abundant lakes and wetlands. Portions of the south slope of the Alaska Range are included, as well as the Peters Hills and Yenlo Hills area.

The proposed area includes the upstream portions of two large rivers, the Yentna and Kahiltna, as well as several smaller important drainages, Lake Creek, Peters Creek, Kroto; Creek and Moose Creek. Numerous minor drainages and wetlands are also included. These drainages flow predominately in a south-southeast direction into the Susitna River.

Vegetation is quite diverse, with the majority of the area covered by stands of mixed deciduous forest. Stands of white spruce cover some areas along Peters Creek near the southern boundary, as well as other locations scattered throughout the area. Extensive wetlands occur in the area, representing areas of low relief with poor drainage, as well as important streamside riparian areas.

Justification: The area encompassed by the proposed special area boundaries, includes some of the most heavily utilized recreational lands in the entire Susitna Basin. More people use these lands for more activities than any other road accessible area in Southcentral Alaska.

In 1985, the DNR finalized the Susitna Area Plan (SAP) for use as a guideline in development of the area. The proposed area contains all or portions of 3 SAP planning units identified in that plan: Sunflower Basin, Petersville Road, and Susitna Lowlands. Preferred primary and secondary land uses were designated for smaller management units within these planning units. The majority of these management units included within the proposed area have wildlife habitat or public recreation as their primary designated use.

The SAP also identified several areas meriting legislative consideration for special management designation. One of these areas was called the Peters Hills-Peters Creek Area and is included in the eastern half of the proposed area (see map C6).

This area is one of the most popular moose hunting areas in the region. It sustains more than twice the hunting effort of any other comparable harvest area in the Susitna planning area. The popularity stems from the relatively dense moose populations present, as well as the extensive road and trail system available. Highway and all-terrain vehicles provide access to remote areas over an extensive trail system that extends to the Kahiltna River.

Harvest Figures: Moose harvest information for the proposed area is presented below, for the years 1984-86. This information is derived from returned harvest reports for statistical areas encompassed by the proposed boundaries. No estimate is available for unreported harvest, therefore these numbers represent minimum use figures. Reported use is relatively high and indicates substantial interest in moose hunting within the proposed area.

	Hunters	Hunter Days	Harvest
1984	1069	5539	343
1985	718	4010	143
1986	710	3706	212
Average	832	4418	233

Moose populations in the proposed area are healthy, with some drainages having very high seasonal densities. For example, pre-rut concentrations of 30+ moose have been observed in the vicinity of Black Creek and near Bunco and Swan Lakes. Winter concentrations can also be quite large, but are limited in distribution because of dependence on adequate winter range. For example, an area near the base of the Kahiltna Glacier had over 160 moose present during a 1984 census, for a density of about 14 moose/sq. mile.

Additionally, the SAP also identified several areas for special designation to protect trumpeter swan habitat. Two of these areas, upper Kahiltna River and upper Yentna River, are included in the proposed area. These two areas provide important nesting and rearing habitat for trumpeter swans. As many as 48 nesting pairs have been observed in these areas, with a total number of over 175 swans.

There is evidence that swans have already been displaced from former nesting areas by human activity in the Susitna basin. By dedicating some wetland areas for trumpeter swan habitat we can provide for the continued nesting and rearing of swans near a large population center such as Anchorage.

Three stream corridors within the proposed area have also been identified as areas meriting special attention, and have been included in the Recreational Rivers Corridor legislation. They are Lake Creek, Kroto Creek and Moose Creek.

Kroto Creek is part of the Deshka River which is the most important drainage in the entire area for public recreation and riparian habitat. Public use of this system is the highest of any stream in the Susitna Planning Area. In 1986, over 16,000 anglers fished almost 30,000 man-days on this system. Lake Creek is the second most important river in the area for public use and habitat values. High recreation values occur on this river because of the extensive use by fishermen, and rafting groups. Over 4,500 anglers fished over 15,600 man-days on this system in 1986. Moose Creek also receives intensive public recreational use and provides highly valuable riparian habitat including moose winter range and salmon spawning areas.

Recreational fishing occurs in all major streams within the area, with some streams receiving very intensive use. Thousands of man-days are spent fishing for king, coho, pink, chum and sockeye salmon. Additional effort is spent fishing for resident fish species, such as rainbow trout, grayling and Dolly Varden.

Further public use of the proposed area is extensive, and includes hunting for black and brown bear and small game species such as hares, grouse and ptarmigan. Commercial and recreational trapping also occurs for marten, lynx, beaver, mink, coyote, fox, wolf and wolverine.

Current Uses: As previously stated, this area receives some of the highest recreational use activity of any area in Southcentral Alaska. Hunting, fishing, river rafting, and sightseeing provide tremendous recreational opportunity for residents and nonresidents. In addition, winter activities of trapping, cross-country skiing, snowmobiling and dog mushing provide further recreational use.

Extensive mining activity has occurred in the past in the northern portion of the proposed area. Current activity there is low, and is expected to remain at low levels. Mineral potential in most other areas is unknown, but is believed to be relatively low. The Peters Hills forestry unit is contained within the proposed boundaries. The DNR/DOF has proposed to include this area in a large timber sale scheduled for 1988. The original intent, developed during SAP negotiations, was for this area to be enhanced for moose winter range utilizing forestry practices. The forestry potential in the northern portion of this unit is very limited, and therefore, minimizes the possibility of significant vegetative enhancement. However, small-scale harvest activity such as house logs, or private fuel wood sales should be allowed.

Land Status: Numerous private land inholdings are present in the area from OTE programs, remote settlement and other DNR disposal programs. Many of these are centered in remote disposal areas near the upper Yentna River, between Kroto Creek and Moose Creek, and near Amber Lake. Additional private land is located along the Petersville Road, at Chelatna Lake and in the small communities of Peters Creek and Petersville. Matanuska-Susitna Borough land is present in the area, however exact locations are unknown.

5-1516B

Bradley
3/10/88

Original sponsors: Kerttula and Szymanski

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2 CS FOR SENATE BILL NO. 407 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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18 (2) perpetuate and enhance public enjoyment of fish and
19 wildlife and their habitat including fishing, hunting, trapping,
20 viewing, and photography;

21 (3) perpetuate and enhance general public recreation in a
22 quality environment;

23 (4) perpetuate and enhance additional public uses described
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25 (5) allow additional public uses of the area in a manner
26 compatible with the purposes specified in (1) - (4) of this section.

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14 is compatible with the purposes specified in AS 41.23.200(1) - (4).

15 (d) The state may not acquire by eminent domain privately owned
16 land within or abutting state-owned land described in AS 41.23.230 but
17 may acquire privately owned land by purchase, exchange, or otherwise
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28 AS 41.23.230.

29 (c) Except as provided in this section, the commissioner may not

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2 rights allowed under a regulation of the Board of Fisheries or the
3 Board of Game within the Chelatna Public Use Area.

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5 Chelatna Public Use Area by motorized or nonmotorized means of trans-
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13 (e) The commissioner may not transfer land within the Chelatna
14 Public Use Area into private property under AS 38.

15 (f) The Department of Public Safety and the Department of Fish
16 and Game shall have necessary access for fish and game management,
17 research, and enforcement purposes.

18 (g) If the commissioner determines that a use is incompatible
19 with one or more other uses in a portion of the Chelatna Public Use
20 Area, the commissioner shall state in the management plan adopted or
21 revised under AS 41.23.210

22 (1) each determination of incompatibility;

23 (2) the specific area where the incompatibility is deter-
24 mined to exist;

25 (3) the time within which the incompatibility is determined
26 to exist; and

27 (4) the reasons for each determination of incompatibility.

28 Sec. 41.23.230. CHELATNA PUBLIC USE AREA. The vacant and unap-
29 propriated state-owned land and water and the state land and water

1 acquired in the future that lie within the boundaries described in
2 this section are designated as the Chelatna Public Use Area, are
3 reserved for all uses compatible with their primary function as public
4 use land, and are assigned to the Department of Natural Resources for
5 control and management:

6 (1) Township 23 North, Range 10 West, Seward Meridian

7 Section 4: W1/2NW1/4

8 Section 5: NE1/4, N1/2NW1/4

9 Section 6: W1/2

10 Section 7: W1/2, SW1/4SE1/4

11 Section 18: N1/2NW1/4, S1/2SW1/4

12 Section 19: W1/2

13 (2) Township 23 North, Range 11 West, Seward Meridian

14 Sections 1 - 4

15 Sections 9 - 12

16 Section 13: N1/2N1/2, S1/2S1/2, S1/2NW1/4, N1/2SW1/4

17 Sections 14 - 16

18 Sections 22 - 24

19 Section 25: N1/2, SW1/4

20 Sections 26 - 27

21 Section 35

22 Section 36: NW1/4

23 (3) Township 24 North, Range 9 West, Seward Meridian

24 Section 2

25 Section 3: E1/2

26 (4) Township 24 North, Range 10 West, Seward Meridian

27 Section 4: W1/2

28 Sections 5 - 9

29 Sections 17 - 20

1 Section 21: SW1/4

2 Section 28: W1/2

3 Sections 29 - 32

4 Section 33: W1/2W1/2

5 (5) Township 24 North, Range 11 West, Seward Meridian

6 Sections 1 - 4

7 Sections 9 - 16

8 Sections 21 - 28

9 Sections 33 - 36

10 (6) Township 25 North, Range 9 West, Seward Meridian

11 Section 3: S1/2S1/2

12 Sections 4 - 9

13 Sections 16 - 21

14 Section 22: W1/2, W1/2E1/2

15 Sections 27 - 34

16 Section 35: W1/2

17 (7) Township 25 North, Range 10 West, Seward Meridian

18 Sections 1 - 2

19 Section 3: N1/2, N1/2S1/2

20 Section 4: NE1/4

21 Section 6

22 Section 10: NE1/4, E1/2SE1/4

23 Sections 11 - 13

24 Section 14: N1/2, SE1/4

25 Section 18: W1/2

26 Section 19

27 Section 20: SW1/4

28 Section 23: E1/2NE1/4

29 Section 24

- 1 Section 25: E1/2
- 2 Section 28: SW1/4
- 3 Sections 29 - 33
- 4 Section 36: E1/2
- 5 (8) Township 25 North, Range 11 West, Seward Meridian
- 6 (9) Township 25 North, Range 12 West, Seward Meridian
- 7 Section 1
- 8 Section 2: NE1/4
- 9 Section 12: E1/2
- 10 Section 13: E1/2
- 11 Section 24: E1/2
- 12 Section 25: NE1/4
- 13 (10) Township 26 North, Range 9 West, Seward Meridian
- 14 Sections 18 - 20
- 15 Sections 29 - 32
- 16 (11) Township 26 North, Range 10 West, Seward Meridian
- 17 Sections 3 - 28
- 18 Section 29: N1/2, N1/2S1/2, S1/2SE1/4
- 19 Sections 30 - 31
- 20 Section 33: E1/2, NW1/4, E1/2SW1/4
- 21 Sections 34 - 36
- 22 (12) Township 26 North, Range 11 West, Seward Meridian
- 23 (13) Township 26 North, Range 12 West, Seward Meridian
- 24 Sections 1 - 29
- 25 Section 30: N1/2
- 26 Section 32: NE1/4
- 27 Section 33: N1/2
- 28 Sections 34 - 36
- 29 (14) Township 26 North, Range 13 West, Seward Meridian

1 Sections 1 - 14

2 Section 15: N1/2, SE1/4

3 Section 16: N1/2, SW1/4

4 Section 17

5 Section 18: NE1/4

6 Section 22: NE1/4

7 Section 23: N1/2

8 Section 24: N1/2, NE1/4

9 (15) Township 27 North, Range 10 West, Seward Meridian

10 Sections 5 - 9

11 Sections 15 - 23

12 Sections 26 - 33

13 (16) Township 27 North, Range 11 West, Seward Meridian

14 Sections 1 - 3

15 Section 4: excluding USS 5832

16 Sections 5 - 31

17 Section 32: E1/2

18 Sections 33 - 36

19 (17) Township 27 North, Range 12 West, Seward Meridian

20 Sections 1 - 3: excluding USS 4692

21 Sections 4 - 10

22 Sections 11 - 14: excluding USS 5736, USS 4571,

23 USS 3928, USS 3245, and USS 5210

24 Sections 15 - 26

25 Sections 27 - 28: excluding USS 5183

26 Sections 29 - 36

27 (18) Township 27 North, Range 13 West, Seward Meridian

28 Sections 1 - 10

29 Section 11: N1/2, SW1/4

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Section 12: N1/2, SE1/4

Section 13: W1/2

Section 15: SE1/4

Sections 16 - 36

(19) Township 28 North, Range 12 West, Seward Meridian

Sections 1 - 7

Sections 8 - 17: excluding USS 4856

Sections 18 - 20

Sections 21 - 27: excluding USS 4808 and USS 5498

Sections 28 - 33

Sections 34 - 36: excluding USS 4726

(20) Township 28 North, Range 13 West, Seward Meridian

Sections 1 - 36: excluding USS 5356

Effective Date
Advis - 708
want 300,000

LAND USE DESIGNATIONS

Designations in CAPITAL LETTERS are primary designations, those in lower case letters are secondary designations. Areas shown with stars * are proposed for legislative or administrative designation. Statements in *italics* indicate whether areas are open or closed to mineral location and coal leasing; all areas are available for oil and gas leasing.

MGT. UNIT 1 – YENTNA RIVER LAND SALES

- 1a SETTLEMENT (past remote parcel offering); forestry, public recreation, wildlife habitat; *Closed*
- 1b SETTLEMENT; forestry, public recreation, wildlife habitat; *Closed Prior to Disposal*

MGT. UNIT 2 – FAIRVIEW MOUNTAINS

- 2 MINERALS, WILDLIFE HABITAT, public recreation; *Open*

MGT. UNIT 3 – CHELATNA LAKE/LAKE CREEK

- *3 PUBLIC REC., WATER RESOURCES, WILDLIFE HAB.; forestry; *Closed*

MGT. UNIT 4 – WETLANDS

- 4 WATER RESOURCES, WILDLIFE HAB.; remote cabins; *Open Except Along Selected Streams*

MGT. UNIT 5 – YENLO HILLS

- 5a WILDLIFE HABITAT, public recreation; *Open Except Along Selected Streams*
- 5b PUBLIC REC., SETTLEMENT, WILDLIFE HABITAT; forestry; *Open Except Along Selected Streams & Settlement Area Closed Prior to Disposal*





MGT. UNIT 6 – KAHILTNA RIVER

- 6a WATER RESOURCES, WILDLIFE HABITAT, forestry; *Open*
- 6b SETTLEMENT; forestry, wildlife hab.; *Closed Prior to Disposal*
- *6c WATER RESOURCES, WILDLIFE HAB.; forestry, public rec.; *Open*

MGT. UNIT 7 – PETERS HILLS

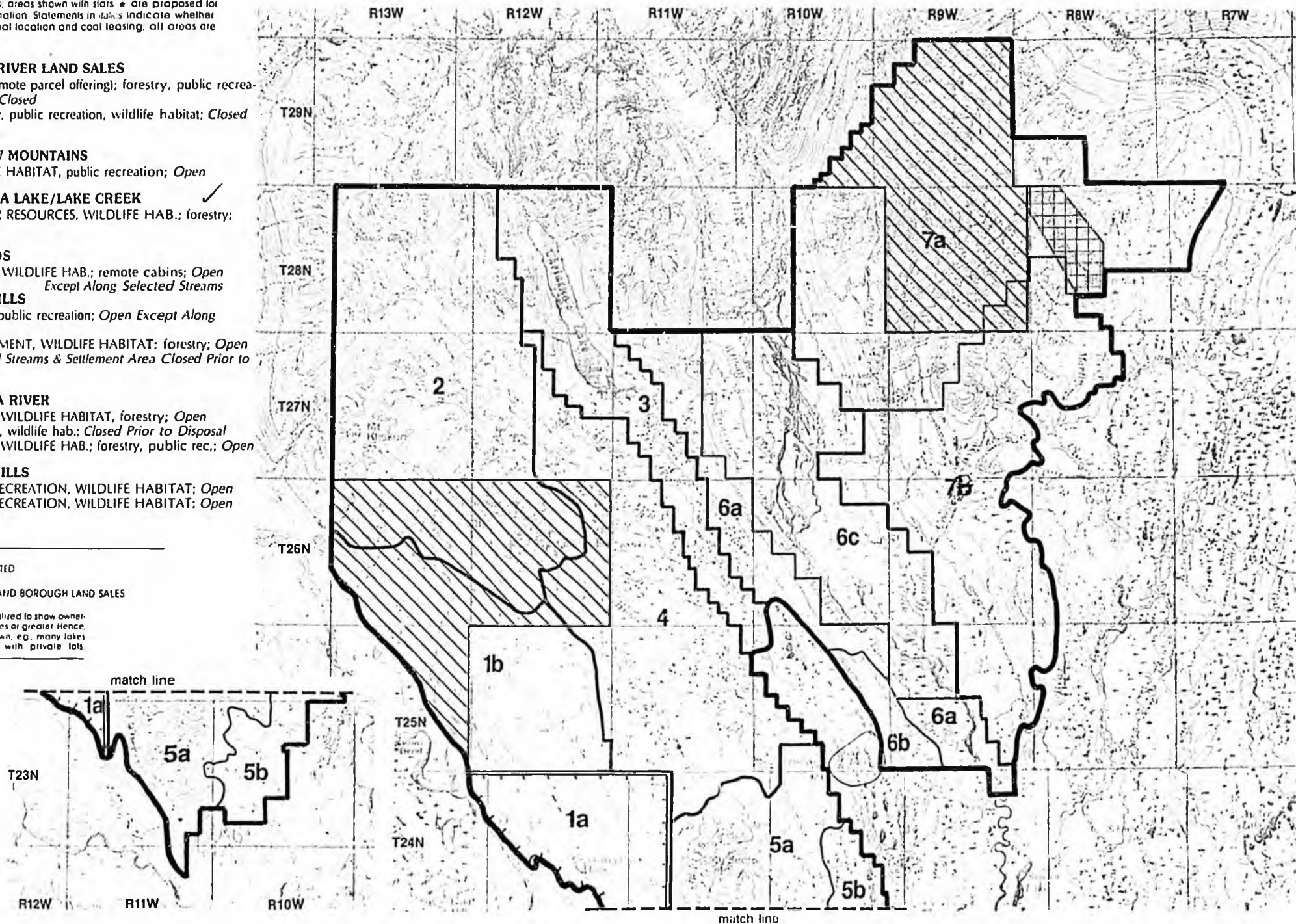
- 7a MINERALS, PUBLIC RECREATION, WILDLIFE HABITAT; *Open*
- *7b FORESTRY, PUBLIC RECREATION, WILDLIFE HABITAT; *Open*

LAND STATUS

-  FEDERAL
-  STATE SELECTED
-  STATE
-  PAST STATE AND BOROUGH LAND SALES

NOTE: This information has been generalized to show ownership in blocks of approximately 320 acres or greater. Hence, many isolated private lots are not shown, e.g., many lakes which appear public are fringed with private lots.

SUNFLOWER BASIN



Map Scale 1:250,000
 U.S.G.S. Quads:
 Talkeetna

PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: BOBBIE MOSES
TITLE:
ADDRESS: P.O. BOX 772006
CITY: EAGLE RIVER, ALASKA ZIP: 99577
PHONE: 562-5904
BILL NO: SB 407
SUBJECT: CHELATNA PUBLIC USE AREA ESTABLISHED
MESSAGE: PLEASE SUPPORT SB 407 CREATING THE CHELATNA PUBLIC USE AREA. THIS
VALUABLE AREA CLOSE TO ANCHORAGE SHOULD BE PROTECTED FROM FURTHER
SETTLEMENT OR DEVELOPMENT.

POMID: 03104038
DATE: 03/22/88
TIME: 10:40:38
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

HALFORD
KELLY
SZYMANSKI
ZHAROFF
BINKLEY
DUNCAN
FISCHER
HENSLEY
UEHLING
COGHILL
ELIASON
FANNING

March 20, 1988

To Co Sponsor of Senate Bill # 426

Arliss Sturgulewski Paul Ficher

The Tule geese nesting and rearing area is a small area centered around the last few miles of Big River as shown on the attached map. The purpose of Senate Bill 426 is apparently to safeguard this area.

I work for Cook Inlet Pipeline Co. and have for the past 16 years and have hunted fished and trapped in this area for as many years. I along with the rest of the employees at Drift River Terminal are very much aware of, and concerned about the well being of Tule geese.

Our pipeline runs several miles inland and paralel with the shore line. The pipe line is on a cleared right of way that has pipeline markers on it with additional pipeline markers at all stream crossings. The pipeline right of way is visible both in summer and winter. We are required by Federal Dept. of Transportation (D.O.T.) regulations to fly and inspect the pipeline weekly. We have continuing ongoing maintenance on the pipeline which requires sand bagging any washouts to stop erosion, clearing of brush on right of way, taking cathodic protection readings along the pipe line and visual and manual operation of block valves as required by D.O.T. regs.

To have this pipeline unnecessarily included in a critical habitat area may make it necessary for the pipeline company to be continually obtaining special permits in order to do its day to day maintenance.

I think the Federal Government has locked up enough of Alaska and if an area has to be redesignated, then the area should be kept as small as possible. In this case an area from Drift River to Bachatna Creek (Johnsons Slough) and from the shore line at mean high water to CookInlet Pipeline right of way should be more than adequate as indicated on enclosed map.

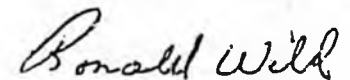
I fish in the Kustatan Sub district, adjacent to the proposed critical habitat area. My wife, my son and myself each have a shore fishery lease between high and low water on the flats between Drift River and Montana Bill Creek.

I have a cabin two miles upstream on Montana Bill Creek which I have to move this summer due to the concern the A.D.F.&G. have about boat travel on Montana Bill Creek during the months of June and July disturbing the Tule geese. As stated earlier I have spent a great deal of time in this area and am very much aware and concerned with the Tule geese.

I have a three wheeler at my cabin but used it only to travel from my cabin to my neighbors cabin, which is less than one-half mile away. Both cabins are located on the S.W. $\frac{1}{4}$ of Sec 33 T 7N Rg 16W, which is one and a half to two miles from the beach and outside of the nesting area. There is the possibility of other people who either unknowingly or not caring may use ATVS in this area. So I think the use of ATVS should be restricted or prohibited in the nesting and rearing area.

Sincerely

Ronald Wild



cc: K. Fanning
S. Cotton
R. Halford
T. Kelly
R. Phillips



BIG

BACHATNA

FLATS

RIVER

Tule Gease
nesting Area

Tidal Flat

Suggested critical
Habitat Area
From mean High water
To Pipe Line Right of way

Cook Inlet R.P.B.

Soul River

B
A
Y

B
T

From The Last Frontier

Ron & Sharon Wild
S R 1, Box 3505
Jayhawk Drive
Chugiak, AK 99567



Arliss Sturgulewski

P.O. Box ✓

Juneau

AK, 99811

PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: DONALD BURR
TITLE:
ADDRESS: 2062 CRATAEGUS
CITY: ANCHORAGE ZIP: 99508
PHONE: 277-2703
BILL NO: SB 407

SUBJECT: CHELATNA PUBLIC USE AREA ESTABLISHED
MESSAGE: I AM A LAND OWNER ON CHELATNA LAKE. THIS IS A PERSONAL USE BILL FOR THE BENEFIT OF DOYLE CURRIER TO ENABLE A ROAD FROM CAMP CREEK AIR STRIP TO CHELATNA AND TO OTHERWISE SUPPORT QUESTIONABLE GOLD CLAIMS ON CHELATNA SHORES. BILL DOES NOT CREATE ANY BENEFIT TO THE PUBLIC AND SHOULD BE KILLED.

POMID: 03141639
DATE: 04/13/88
TIME: 14:16:39
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

ADAMS	BARNES	ABOOD
BOUCHER	BOYER	BINKLEY
BROWN	CATO	COGHILL
COLLINS	COTTEN	DUNCAN
DAVIDSON	DAVIS	ELIASON
DONLEY	ELLIS	FAHRENKAMP
FRANK	FURNACE	FAIKS
GOLL	GRUENBERG	FANNING
GRUSSENDORF	HANLEY	FISCHER
HERRMANN	HOFFMAN	HALFORD
HUDSON	KOPONEN	ENSLEY
LARSON	MARTIN	JONES
MENARD	MILLER	JOSEPHSON
NAVARRE	PEARCE	KELLY
PETTYJOHN	PHILLIPS	KERTTULA
POURCHOT	RIEGER	RODEY
SHULTZ	SPRINGER	SZYMAHSKI
SUND	SWACKHAMMER	UEHLING
TAYLOR	ULMER	ZHAROF,
WALLIS	ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: FRANK WOODFIELD
TITLE:
ADDRESS: 3913 BRENTWOOD CIRCLE
CITY: ANCHORAGE ZIP: 99502
PHONE: 243-4673
BILL NO: SB 426
SUBJECT: REDOUBT BAY CRITICAL HABITAT AREA
MESSAGE: I WOULD LIKE TO ASK YOUR SUPPORT ON THIS BILL.

POMID: 03091751
DATE: 04/14/88
TIME: 09:17:51
LIONAME: ANCHORAGE LIO

COPIES: SENATORS

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

Alaska State Legislature

ARLISS STURGULEWSKI, Chairman
TIM KELLY, Vice Chairman
RICK HALFORD
MIKE SZYMANSKI
FRED ZHAROFF



P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4989

Senate Community and Regional Affairs Committee

March 29, 1988

TO: Senate Community and Regional Affairs Committee Members

FROM: Senate C&RA Staff

RE: CS for SB 407 (C&RA) - "An Act establishing the Chelatna Public Use Area."

Attached is a new CS with the four changes the committee discussed last week. The departments of Fish and Game and Natural Resources have agreed on revised boundaries and those boundaries are reflected in the CS. A map which shows the new boundaries is attached.

A section of temporary law has added to specify that until the management plan is adopted, the mineral estate will be managed in accordance with the Susitna Area Plan.

The words "described in AS 41.23.230" have been inserted in page 2, section (d), to clarify that the state can only acquire inholdings for inclusion in the area.

A July 1, 1988 effective date has been added. These changes are marked on the CS.

PUBLIC OPINION MESSAGE

DEAR: SENATOR STURGULEWSKI

NAME: SHARON POWERS

TITLE:

ADDRESS: 6600 WESWAY

CITY: ANCHORAGE

ZIP: 99518

PHONE: 563-4188

BILL NO:

SUBJECT: WILDLIFE AREAS

MESSAGE: PLEASE SUPPORT SB 407 MAJOR SWAN BREEDING AND WILDLIFE AREA. LARGEST REMAINING AREA LIKE IT. NEED THIS SESSION. PLEASE ADVISE ON PROGRESS THROUGH COMMITTEE. THANK YOU FOR JOHN BERGGERN

POMID: 03092059

DATE: 03/16/88

TIME: 09:20:59

LIONAME: ANCHORAGE LIO

COPIES: SENATORS

SZYMANSKI

KERTTULA

FAIKS

KELLY

HALFORD

ZHAROFF