

SB

426

DNR - oil + gas

1 IN THE SENATE

BY FISCHER

2

SENATE BILL NO. 426

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 Redoubt Bay Critical Habitat

7

Area; and providing for an effective date."

8

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

9

* Section 1. PURPOSE. The Redoubt Bay Critical Habitat Area is estab-
lished to ensure the protection and enhancement of fish and wildlife habi-
tat and populations, especially Tule geese; the continuation of fish and
wildlife harvest; and public use and enjoyment of the area in a high qual-
ity environment.

14

* Sec. 2. AS 16.20 is amended by adding a new section to read:

15

Sec. 16.20.610. REDOUBT BAY CRITICAL HABITAT AREA. (a) The

16

state owned land and water contained in the following described par-

17

cels are designated as the Redoubt Bay Critical Habitat Area:

18

(1) Township 6 North, Range 15 West, Seward Meridian

19

Sections 4 - 9

20

Section 18

21

(2) Township 6 North, Range 16 West, Seward Meridian

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Sections 1 - 18

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Sections 20 - 24

24

(3) Township 6 North, Range 17 West, Seward Meridian

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Sections 1 - 6

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Sections 10 - 12

27

(4) Township 7 North, Range 14 West, Seward Meridian

28

Section 5: S1/2

29

Sections 6 - 8

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

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Sections 19 - 36

(14) Township 9 North, Range 17 West, Seward Meridian

Sections 21 - 36

(b) Notwithstanding AS 16.20.500 and the establishment of the Redoubt Bay Critical Habitat Area under (a) of this section, egress and ingress to and from private property within the Redoubt Bay Critical Habitat Area shall be permitted through access corridors established through agreement between the department and the private property owners involved.

(c) The state may not acquire by eminent domain privately owned land within Redoubt Bay Critical Habitat Area but may acquire privately owned ^{within} land by purchase, exchange, or otherwise for inclusion in the Redoubt Bay Critical Habitat Area.

* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Dept. of Fish and Game
Title: Redoubt Bay Critical Habitat BRU: Habitat
Area _____
Sponsor: Senator Fischer Components: _____
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
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 H. Baker, Acting Director Phone: 465-4105
Division: Habitat Date: 2/26/88
Approved by Commissioner: [Signature] Date: 3-1-88
Agency: Department of Fish and Game

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

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 9, 1988

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

Dear Senator Sturgulewski:


Subject: Senate Bill 426, "An Act Establishing Redoubt Bay
Critical Habitat Area."

Background: Senate Bill 426 creates a critical habitat area
at Redoubt Bay.

Position: The Department of Natural Resources does not
oppose this legislation with changes that have been
submitted to the committee. These changes reduce the
offshore area to low mean waterline and also recognize
present and future oil and gas development and potential in
the area. While the Department of Fish and Game advises
that there is little distinction between a refuge and
critical habitat area with respect to oil and gas
development, there may be distinctions, for example, with
respect to private land which is included within critical
habitat areas but not refuges.

The Department of Natural Resources looks forward to working
with committee staff and the sponsor as this bill
progresses.

Sincerely,


Judith M. Brady
Commissioner

cc: Committee Members
Senator Fischer
Rod Swope
Bob Evans



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER CSSB426	SPONSOR Fischer
SHORT TITLE OF BILL Redoubt Bay Critical Habitat Area			
DEPARTMENT POSITION Support			
PREPARED BY Bruce Baker, Hab. Actg. Dir.	DATE 3/10/88	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 3/10/88

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL Southcentral recreational hunters and fishermen Commercial fishermen
ORGANIZATIONAL SUPPORT FOR BILL Kenai Peninsula hunters & fishermen (see attached list)	ORGANIZATIONAL OPPOSITION TO BILL None known

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The purpose of establishing Redoubt Bay Critical Habitat Area is to provide:

1. Protection and enhancement for fish and wildlife habitat.
2. Conservation of fish and wildlife.
3. Continued opportunity for hunting, fishing and trapping.
4. Public use and enjoyment of the area.

ANALYSIS OF BILL/PROGRAM EFFECTS

1. Establishes Redoubt Bay Critical Habitat Area.
2. Identifies the purpose for which the area is established.
3. Ensures continued access to private inholdings.
4. Provides for acquisition of private property from willing sellers.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Organizational Support for Redoubt Bay Critical Habitat Area

Kenai-Soldotna Fish and Game Advisory Committee
Central Peninsula Fish and Game Advisory Committee
Cooper Landing Fish and Game Advisory Committee
Homer Fish and Game Advisory Committee
Cook Inlet Aquaculture Association
Kenai Peninsula Chapter Audubon Society
Kenai Trappers Association

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Redoubt Bay Critical Habitat
Area
Sponsor: Senator Fischer
Requestor: _____

Agency Affected: Dept. of Fish and Game
BRU: Habitat
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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SUPPLIES		0				
EQUIPMENT		0				
LAND & STRUCTURES		0				
GRANTS, CLAIMS		0				
MISCELLANEOUS		0				
TOTAL OPERATING		0				

CAPITAL		0				
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REVENUE		0				
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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 H. Baker, Acting Director
Division: Habitat

Phone: 465-4105
Date: 3/10/88

Approved by Commissioner: [Signature]
Agency: Department of Fish and Game

Date: 3/10/88

Distribution (by preparer):

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



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB426	SPONSOR Fischer
SHORT TITLE OF BILL Redoubt Bay Critical Habitat Area			
DEPARTMENT POSITION Support			
PREPARED BY <i>Bruce H. Baker</i> Bruce Baker, Hab. Actg. Dir.	DATE 2/26/88	COMMISSIONER'S SIGNATURE <i>Conrad Selensworth</i>	DATE 3-1-88

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Central Peninsula Fish and Game Advisory Committee
Cooper Landing Fish and Game Advisory Committee
Homer Fish and Game Advisory Committee
Cook Inlet Aquaculture Association
Kenai Peninsula Chapter Audubon Society
Kenai Trappers Association

Please draft CS for
3/10/88 committee meeting
Thanks,
M/F

1 IN THE SENATE

BY FISCHER

CS for SENATE BILL NO. 426 (C+RA)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - SECOND SESSION

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~~Sections 4 - 9~~

20

~~Section 18~~

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¹(2) Township 6 North, Range 16 West, Seward Meridian

22

Sections 1 - ¹²18

23

Sections 14 - 18

Sections 20 - ²⁴22a

24

²(3) Township 6 North, Range 17 West, Seward Meridian

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Sections 1 - 6

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Sections 10 - 12

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³(4) Township 7 North, Range 14 West, Seward Meridian

28

Section 5: S1/2

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Sections 6 - 8

1		Section 18
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16		Section 3: W1/2
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18		Section 12: N1/2
19		Sections 13 - 36
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23		Sections 20 - 29
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25	⁰ (11)	Township 8 North, Range 13 West, Seward Meridian
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27	¹ (12)	Township 9 North, Range 15 West, Seward Meridian
28		Sections 29 - 30
29	² (13)	Township 9 North, Range 16 West, Seward Meridian

1 Sections 19 - 36
2 (1³/₄) Township 9 North, Range 17 West, Seward Meridian
3 Sections 21 - 36

4 (b) Notwithstanding AS 16.20.500 and the establishment of the
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6 and ingress to and from private property within the Redoubt Bay Crit-
7 ical Habitat Area shall be permitted through access corridors estab-
8 lished through agreement between the department and the private prop-
9 erty owners involved.

10 (c) The state may not acquire by eminent domain privately owned
11 land within Redoubt Bay Critical Habitat Area but may acquire
12 privately owned land within Redoubt Bay Critical Habitat Area
13 in the Redoubt Bay Critical Habitat Area.

14 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

Add the following subsection:

(d) Entry upon the Redoubt Bay Critical Habitat Area for purposes of exploration and development of oil and gas resources shall be permitted when compatible with the purposes for which the critical habitat area was established; however, all existing leases shall be valid and continue in full force and effect according to their terms.

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

February 19, 1988

The Honorable Paul Fischer
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

ALASKA DEPT. OF
FISH & GAME

FEB 23 1988

REGION II
HABITAT DIVISION

Dear Senator Fischer:

Last November you requested Department of Fish and Game (ADF&G) staff to prepare background information regarding the proposed Redoubt Bay State Critical Habitat Area. As I understand, your request was prompted by resolutions which you received from several fish and game advisory committees on the Kenai Peninsula. The enclosed material is in response to your request.

The ADF&G would strongly support legislation to create a critical habitat area in Redoubt Bay, and we offer our assistance in this regard. An administration sponsored bill which would have created a Redoubt Bay State Game Refuge in 1982 did not pass, primarily because the issue of private cabin ownership was unresolved at that time. The cabin issue has since been resolved by regulations of the Department of Natural Resources which have guaranteed continued use of cabins located on remote state lands.

Department staff on the Kenai Peninsula have been in contact with advisory committees regarding their desire to create a critical habitat for Redoubt Bay. Three other local groups have joined the four advisory committees in supporting this land classification, and we have received a copy of their joint endorsement and letter of intent which was recently sent to you and other Kenai Peninsula legislators. I am certain that many other local, regional, statewide and national groups and individuals would also endorse critical habitat legislation for Redoubt Bay.

The legal description of the critical habitat area reflects boundaries depicted on the enclosed map, and these boundaries are those supported in the letter of intent sent to you by local residents. There are also important wildlife resources located in the southern portion of Redoubt Bay in the drainages of Jack and Cannery Creeks, but they are not encompassed by the map boundary. Land ownership in this area is complex, and the authors of the joint letter of intent have chosen not to include the southern area at this time. We can provide information about this area and discuss it further if you wish.

February 19, 1988

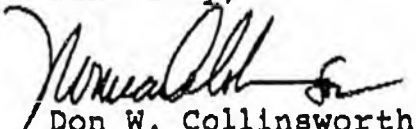
Members of the public and other potential affected interests would undoubtedly have questions about how ADF&G--as the principal resource manager for a critical habitat--would regulate the area, and how people who use Redoubt Bay would be affected. If you or other legislators choose to introduce the bill, we could prepare a comprehensive list of probable questions and our answers, and make them widely available. The letter of intent provides considerable guidance in this regard, and ADF&G can support the stated intent.

The following ADF&G staff are knowledgeable about the enclosed material and are prepared to assist you and your staff in this matter:

Jim Faro, Area Game Biologist, Soldotna	262-9369
Dan Timm, Game Regional Supervisor, Anchorage	344-0541
Greg Bos, Game Regional Management Coord., Anchorage	344-0541
Tom Rothe, Waterfowl Coordinator, Anchorage	344-0541
Debby Clausen, Habitat Special Areas Coord., Anchorage	344-0541
Lance Trasky, Habitat Regional Supervisor, Anchorage	344-0541
Roland Shanks, Special Assistant to the Commissioner, Juneau	465-4100

I am sending copies of this letter to Representatives Navarre and Swackhammer because they also received a copy of the joint letter of intent. Thank you for your interest in this matter.

Sincerely,



Don W. Collinsworth
Commissioner

Enclosures

cc w/enclosures:

Representative Navarre
Representative Swackhammer
Greg Bos, Regional Management Coordinator, Game Division
Debby Clausen, Special Areas Coordinator, Habitat Division
Jim Faro, Area Game Biologist
Lew Pamplin, Director, Game Division
Ken Parker, Director, Commercial Fisheries Division
Tom Rothe, Waterfowl Coordinator, Game Division
Roland Shanks, Special Assistant to the Commissioner
Dan Timm, Regional Supervisor, Game Division
Lance Trasky, Regional Supervisor, Habitat Division
Advisory Committee Chairmen: Kenai/Soldotna, Homer, Central
Peninsula, Cooper Landing
Cook Inlet Aquaculture Association
Kenai Trappers Association
Kenai Chapter Audubon Society

Proposed Redoubt Bay Critical Habitat Area
Background Information

Location: The proposed Redoubt Bay Critical Habitat Area is located approximately 40 miles southwest of Anchorage, on the west side of Cook Inlet, beginning south and west of Trading Bay and extending to the Drift River.

Area Description: The proposed Redoubt Bay Critical Habitat Area is a large expanse of low lying wetlands bordered by Trading Bay and Kustatan River on the north and the Drift River on the south. Several drainages flow through the area, including Montana Bill Creek, Seal River, Big River and Bachatna Creek. The wetlands area extends west to the foot of the Alaska Range.

Vegetation consists primarily of wetland plant communities increasing in complexity as they extend inland from the coastal zone. Drier sites are unevenly distributed throughout the lowlands, and are occupied by communities of mixed deciduous forest with occasional isolated stands of white spruce.

Justification: Redoubt Bay wetlands are especially critical to the successful nesting and molting of tule white-fronted geese and are also used by thousands of mallards, pintails, wigeons, and other waterfowl.

Upper Cook Inlet supports the world's only known nesting, brood rearing, and molting areas for tule white-fronted geese (Anser albifrons gambelli), a subspecies whose entire population is currently estimated to be between four and five thousand birds. Redoubt Bay is the primary nesting and molting area for this subspecies, supporting the largest known concentration of tule geese in Cook Inlet, and thus the world. Habitats within the proposed Redoubt Bay Critical Habitat Area are essential to the successful nesting, brood rearing, and annual feather molt of this subspecies.

Small populations are especially susceptible to any environmental change or disturbance that alters habitat or modifies behavior. Environmental change or disturbance can affect nest initiation, hatching success or brood survival. These factors can also affect adult survival during the flightless molting period by increasing susceptibility to predation or eliminating feeding areas or feeding time, thus reducing nutrient uptake.

Tule white-fronted geese arrive in Cook Inlet by mid-April and usually depart for the California wintering grounds by early September. Because of population declines in the white-fronted goose population and special concern for the tule goose, sport harvest activities for white-fronted geese have been curtailed in California.

The cackling Canada goose (Branta canadensis minima), a subspecies of Canada goose which nests on the Yukon-Kuskokwim Delta in western Alaska, uses upper Cook Inlet coastal wetlands exclusively during spring migration. Approximately one-third of the cackling Canada geese staging in Cook Inlet utilize the Redoubt Bay flats. The population has experienced dramatic declines in recent years. From 1965 to 1984 the population dropped from over 350,000 to about 30,000. The population has begun to recover, and in 1987 numbered between 60-80,000.

Snow geese (Chen caerulescens) migrating through Cook Inlet nest on Wrangel Island off the coast of Siberia, where the population has ranged from about 40,000 to 100,000 birds since 1970. A large proportion of, if not the entire population, may pass through Cook Inlet in the spring. Even more than with Canada geese, Cook Inlet coastal marsh vegetation provides nutrients that replenish lipid reserves that snow geese require for successful nesting in the arctic.

Tundra swans (Cygnus columbianus) and trumpeter swans (C. buccinator) are commonly observed migrants in Redoubt Bay. Large numbers of swans occur in upper Cook Inlet from 25 April to 10 May, with at least 580 observed in Redoubt Bay on 2 May 1985. The majority of swans using Redoubt Bay are tundra swans, headed for nesting areas in the Yukon-Kuskokwim Delta and Alaska Peninsula. However, areas along the Big and Kustatan rivers within the proposed Critical Habitat Area provide some of the best trumpeter swan habitat within upper Cook Inlet, supporting a dozen nesting pairs and their young, over 30 non-nesting pairs, and over 50 single swans or swans in flocks.

Large numbers of two other subspecies of Canada geese, the Taverner's Canada goose (B. c. Taverneri) and the lesser Canada goose (B. c. parvipes) use Redoubt Bay as a feeding and resting area during spring and fall migration.

Large, undisturbed resting and feeding areas along the migration route are a key element to ensure the continued recovery and maintenance of high population levels of all arctic nesting species. Arctic nesting geese depend heavily upon stored energy reserves (lipids) for egg production and incubation. Accumulation of reserves along the migration

path is essential, so that upon arrival on the spring nesting grounds, nesting can be initiated before new food supplies become abundant. Redoubt Bay is part of a complex of coastal wetlands in upper Cook Inlet that provide a critical link in the migration route of birds wintering as far south as Mexico and Central America and nesting in eastern Russia and throughout Alaska. These wetlands provide a resting area and food sources to replenish energy reserves necessary to complete migration to the breeding grounds and for successful reproduction. Habitat within the proposed Critical Habitat Area is thus extremely important to the successful migration and nesting of a large portion of the cackling Canada goose population as well as other arctic nesting species.

The proposed Redoubt Bay Critical Habitat Area attracts and supports large numbers of other waterfowl during spring and fall migration and for nesting. Numerous birds remain to nest in available habitat. Redoubt Bay has the largest number of breeding ducks of any of the Cook Inlet coastal marshes according to ADF&G surveys conducted from 1976 to 1978. In 1977, the highest year, a total of 19,215 breeding ducks were estimated to occur in Redoubt Bay.

In addition to tule geese, Redoubt Bay wetlands are particularly important to other species of geese and swans as a feeding and resting area during spring migration to western and interior nesting areas. Peak use by geese and swans in Cook Inlet intertidal wetlands exceeds 100,000 birds during spring migration between 18 April and 10 May.

Redoubt Bay, as with other Cook Inlet marshes, also serves as staging areas for drake and nonbreeding ducks and non- or failed-breeding geese prior to migrating to molting areas in late June or early July.

The moose population in Redoubt Bay numbers approximately 300 animals. Important riparian moose winter habitat is found primarily along the Big, Drift, and Kustatan rivers.

Brown bears are abundant and during mid to late summer bears are frequently observed along intertidal drainages on the outer flats. Black bears are also abundant, but usually remain farther inland. Furbearers including coyote, fox, wolf, mink, otter, marten, muskrat, wolverine, weasel, lynx and beaver are present. Harbor seals haul out at the mouths of streams.

Five species of salmon spawn in the area's streams and lakes, although sockeye, coho, and pink salmon are the most abundant.

Land Status: The proposed critical habitat area encompasses approximately 183,640 acres and is composed primarily of state land. It is located within the Kenai Peninsula Borough and six sections have been identified as Municipal Selections by the borough. Two private inholdings totalling approximately 10 acres are present within the proposed area. There are no mental health lands within the area. Critical habitat area status would affect only state lands within the area boundaries.

Current Uses: Redoubt Bay is accessible by boat or plane, and has long been an important hunting, fishing and trapping area. Waterfowl hunters annually spend approximately 1,000 hunter-days harvesting over 500 ducks and several hundred geese. This use qualifies Redoubt Bay as one of the top ten waterfowl hunting areas in the state.

Moose hunting is also a popular activity. In 1984, 126 hunters spent 624 hunter-days and harvested 55 moose. The 1983 through 1986 average harvest from Redoubt Bay drainages is slightly lower, with 88 hunters harvesting 35 moose in 502 hunter-days.

Fly-in sport fishing on the Big River lakes and Kustatan River is also popular. In 1986, more than 2,700 angler-days were spent fishing the Kustatan River with a harvest of over 3,200 silver salmon.

Cook Inlet Aquaculture Corporation has been involved in salmon enhancement activities in the Big River Lakes area since 1981. A water control structure is in place, and additional fish-pass facilities are planned.

Commercial salmon fishing activities include a drift gillnet fishery offshore, and a set gillnet fishery onshore. There are over 40 cabins in the Redoubt Bay area, used mostly by waterfowl and moose hunters and setnet fishermen.

Other Natural Resources: The proposed Redoubt Bay Critical Habitat Area has been explored extensively for oil and gas. Although several leases exist in the area, numerous wells drilled to date indicate that little commercial potential exists for oil and gas development. An oil pipeline (Cook Inlet Pipeline Company) crosses the lowlands from West Foreland to the Drift River terminal where tankers are loaded offshore. There are no known mining claims or mineral leases in the area. Commercial timber values are low in the area due to the limited amount of forested lands. The area is of generally low suitability for grazing or agriculture due to the saturated soils. There are no large areas of land suitable for settlement, however there is one private residence at Bachatna Creek and one at Big River

Lakes. Additionally, ADNR/DLWM disposed of some remote settlement parcels at Cannery Creek, adjacent to the southern boundary of the area.

The critical habitat area would be managed similarly to other state Critical Habitat Areas regarding current and future uses. Future activities would be allowed, in a manner consistent with the purpose for which the critical habitat area was established.

Legal Description: The state-owned land and water contained in the following described parcels are proposed as the Redoubt Bay Critical Habitat Area:

- (1) Township 6 North, Range 15 West, Seward Meridian
Sections 4-9
Section 18
- (2) Township 6 North, Range 16 West, Seward Meridian
Sections 1-18
Sections 20-24
- (3) Township 6 North, Range 17 West, Seward Meridian
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Section 8; E1/2
Sections 9-17
Sections 19-27
Section 30
Sections 34-36

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Sections 1-17
Sections 20-29
Sections 32-36
- (11) Township 8 North, Range 18 West, Seward Meridian
Sections 1-12
- (12) Township 9 North, Range 15 West, Seward Meridian
Sections 29-30
- (13) Township 9 North, Range 16 West, Seward Meridian
Sections 19-36
- (14) Township 9 North, Range 17 West, Seward Meridian
Sections 21-36

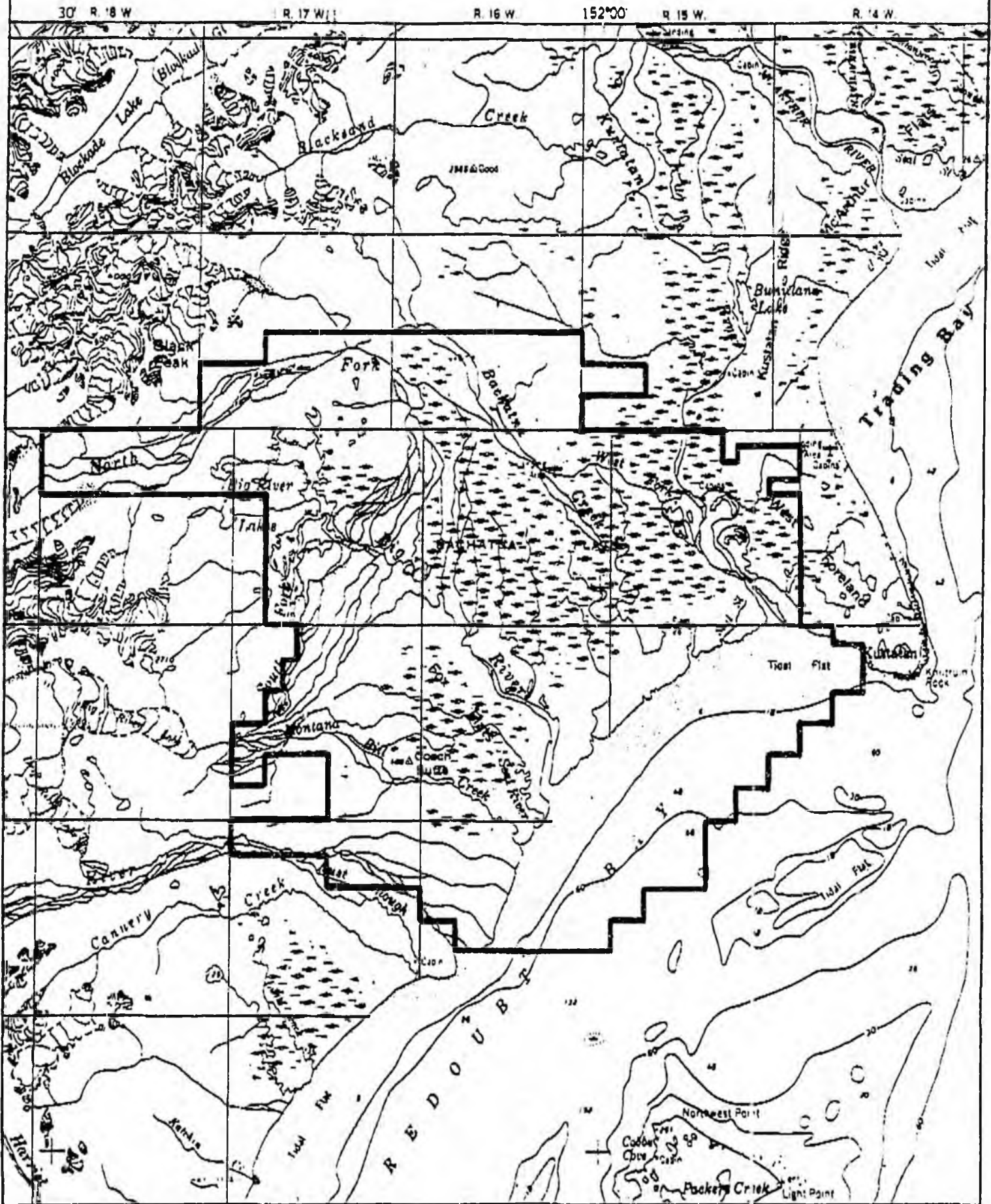
Support and Opposition: The Kenai-Soldotna, Homer, Ninilchik, Central Peninsula, and Cooper Landing Fish and Game Advisory Committees have passed resolutions supporting the creation of the Redoubt Bay Critical Habitat Area. The Department of Fish and Game, the Kenai Chapter of Audobon Society, Kenai Trappers' Association, Cook Inlet Aquaculture Association, and the Alaska Waterfowl Association have also supported special area designation for the Redoubt Bay area.

Opposition to proposed legislation in 1982, which would have designated the area as a state game refuge, came from some Kenai Peninsula residents concerned about the effect of special area designation on recreational cabin use. Since then, that issue has been resolved under regulations for private use cabins adopted by the Alaska Department of Natural Resources in 1983. Under the personal use cabin program, cabin owners were afforded the opportunity to

DRAFT 2/88

obtain state land use permits, or in the case of commercial
setnet fishermen, apply for a commercial lease.

(Proposed) Redoubt Bay Critical Habitat Area



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 1, 1988

TO: Senate Community and Regional Affairs Committee Members

FROM: Senate C&RA Staff

RE: SB 426 - "An Act establishing Redoubt Bay Critical Habitat Area."

SB 426 will create the Redoubt Bay Critical Habitat Area, approximately 40 miles southwest of Anchorage, on the west side of Cook Inlet. A map is included in the packet.

This bill has zero fiscal notes from the Departments of Fish and Game and Natural Resources. A letter from Fish and Game to Senator Fischer describing the wildlife and other natural resource values in the area is in the packet together with additional information.

Representatives from the Departments of Fish and Game and Natural Resources will be at the meeting as well as the sponsor, Senator Fischer, or his delegate.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Redoubt Bay Critical Habitat Area
Sponsor: Senator Fischer
Requestor: Senate Comm and Reg Affairs

Agency Affected: DNR
BRU: Oil and Gas, Mining, Land and Water
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		0	0	0	0	0
---------	--	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Janet Burleson
Division: Land and Water Management
Approved by Commissioner: [Signature]
Agency: Department of Natural Resources

Phone: 465-3400
Date: March 1, 1988
Date: 3/1/88

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

Alaska State Legislature

Senator Paul Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9427 W
262-9203 H



State Senate

While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3791

MEMORANDUM

TO: Senator Arliss Sturgulewski, Chair
Senate Community & Regional Affairs Committee

FROM: Senator Paul Fischer *PF.*

SUBJECT: Senate Bill 426
(establishing Redoubt Bay Critical Habitat Area)

DATE: February 26, 1988

Your staff recently contacted my office and asked if the above referenced bill was ready for hearing. It is and I am advised that you have scheduled the bill before the Senate Community & Regional Affairs Committee on Tuesday, March 1.

I am in receipt of a letter from the Department of Fish and Game in support of this legislation and have attached a copy for your files. Additionally, I have included a map of the proposed area, as well as, a position paper from the representative users of the Redoubt Bay area.

Thank you for scheduling a hearing on this legislation in such a timely manner.

PAF/sgn

Attachments

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX 3-2000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-4100

February 19, 1988

The Honorable Paul Fischer
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Senator Fischer:

Last November you requested Department of Fish and Game (ADF&G) staff to prepare background information regarding the proposed Redoubt Bay State Critical Habitat Area. As I understand, your request was prompted by resolutions which you received from several fish and game advisory committees on the Kenai Peninsula. The enclosed material is in response to your request.

The ADF&G would strongly support legislation to create a critical habitat area in Redoubt Bay, and we offer our assistance in this regard. An administration sponsored bill which would have created a Redoubt Bay State Game Refuge in 1982 did not pass, primarily because the issue of private cabin ownership was unresolved at that time. The cabin issue has since been resolved by regulations of the Department of Natural Resources which have guaranteed continued use of cabins located on remote state lands.

Department staff on the Kenai Peninsula have been in contact with advisory committees regarding their desire to create a critical habitat for Redoubt Bay. Three other local groups have joined the four advisory committees in supporting this land classification, and we have received a copy of their joint endorsement and letter of intent which was recently sent to you and other Kenai Peninsula legislators. I am certain that many other local, regional, statewide and national groups and individuals would also endorse critical habitat legislation for Redoubt Bay.

The legal description of the critical habitat area reflects boundaries depicted on the enclosed map, and these boundaries are those supported in the letter of intent sent to you by local residents. There are also important wildlife resources located in the southern portion of Redoubt Bay in the drainages of Jack and Cannery Creeks, but they are not encompassed by the map boundary. Land ownership in this area is complex, and the authors of the joint letter of intent have chosen not to include the southern area at this time. We can provide information about this area and discuss it further if you wish.

February 19, 1988

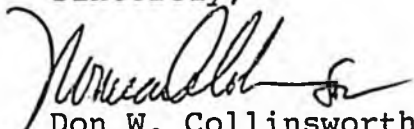
Members of the public and other potential affected interests would undoubtedly have questions about how ADF&G--as the principal resource manager for a critical habitat--would regulate the area, and how people who use Redoubt Bay would be affected. If you or other legislators choose to introduce the bill, we could prepare a comprehensive list of probable questions and our answers, and make them widely available. The letter of intent provides considerable guidance in this regard, and ADF&G can support the stated intent.

The following ADF&G staff are knowledgeable about the enclosed material and are prepared to assist you and your staff in this matter:

Jim Faro, Area Game Biologist, Soldotna	262-9369
Dan Timm, Game Regional Supervisor, Anchorage	344-0541
Greg Bos, Game Regional Management Coord., Anchorage	344-0541
Tom Rothe, Waterfowl Coordinator, Anchorage	344-0541
Debby Clausen, Habitat Special Areas Coord., Anchorage	344-0541
Lance Trasky, Habitat Regional Supervisor, Anchorage	344-0541
Roland Shanks, Special Assistant to the Commissioner, Juneau	465-4100

I am sending copies of this letter to Representatives Navarre and Swackhammer because they also received a copy of the joint letter of intent. Thank you for your interest in this matter.

Sincerely,



Don W. Collinsworth
Commissioner

Enclosures

cc w/enclosures:

Representative Navarre
Representative Swackhammer
Greg Bos, Regional Management Coordinator, Game Division
Debby Clausen, Special Areas Coordinator, Habitat Division
Jim Faro, Area Game Biologist
Lew Pamplin, Director, Game Division
Ken Parker, Director, Commercial Fisheries Division
Tom Rothe, Waterfowl Coordinator, Game Division
Roland Shanks, Special Assistant to the Commissioner
Dan Timm, Regional Supervisor, Game Division
Lance Trasky, Regional Supervisor, Habitat Division
Advisory Committee Chairmen: Kenai/Soldotna, Homer, Central
Peninsula, Cooper Landing
Cook Inlet Aquaculture Association
Kenai Trappers Association
Kenai Chapter Audubon Society

Proposed Redoubt Bay Critical Habitat Area
Background Information

Location: The proposed Redoubt Bay Critical Habitat Area is located approximately 40 miles southwest of Anchorage, on the west side of Cook Inlet, beginning south and west of Trading Bay and extending to the Drift River.

Area Description: The proposed Redoubt Bay Critical Habitat Area is a large expanse of low lying wetlands bordered by Trading Bay and Kustatan River on the north and the Drift River on the south. Several drainages flow through the area, including Montana Bill Creek, Seal River, Big River and Bachatna Creek. The wetlands area extends west to the foot of the Alaska Range.

Vegetation consists primarily of wetland plant communities increasing in complexity as they extend inland from the coastal zone. Drier sites are unevenly distributed throughout the lowlands, and are occupied by communities of mixed deciduous forest with occasional isolated stands of white spruce.

Justification: Redoubt Bay wetlands are especially critical to the successful nesting and molting of tule white-fronted geese and are also used by thousands of mallards, pintails, wigeons, and other waterfowl.

Upper Cook Inlet supports the world's only known nesting, brood rearing, and molting areas for tule white-fronted geese (Anser albifrons gambelli), a subspecies whose entire population is currently estimated to be between four and five thousand birds. Redoubt Bay is the primary nesting and molting area for this subspecies, supporting the largest known concentration of tule geese in Cook Inlet, and thus the world. Habitats within the proposed Redoubt Bay Critical Habitat Area are essential to the successful nesting, brood rearing, and annual feather molt of this subspecies.

Small populations are especially susceptible to any environmental change or disturbance that alters habitat or modifies behavior. Environmental change or disturbance can affect nest initiation, hatching success or brood survival. These factors can also affect adult survival during the flightless molting period by increasing susceptibility to predation or eliminating feeding areas or feeding time, thus reducing nutrient uptake.

Tule white-fronted geese arrive in Cook Inlet by mid-April and usually depart for the California wintering grounds by early September. Because of population declines in the white-fronted goose population and special concern for the tule goose, sport harvest activities for white-fronted geese have been curtailed in California.

The cackling Canada goose (Branta canadensis minima), a subspecies of Canada goose which nests on the Yukon-Kuskokwim Delta in western Alaska, uses upper Cook Inlet coastal wetlands exclusively during spring migration. Approximately one-third of the cackling Canada geese staging in Cook Inlet utilize the Redoubt Bay flats. The population has experienced dramatic declines in recent years. From 1965 to 1984 the population dropped from over 350,000 to about 30,000. The population has begun to recover, and in 1987 numbered between 60-80,000.

Snow geese (Chen caerulescens) migrating through Cook Inlet nest on Wrangel Island off the coast of Siberia, where the population has ranged from about 40,000 to 100,000 birds since 1970. A large proportion of, if not the entire population, may pass through Cook Inlet in the spring. Even more than with Canada geese, Cook Inlet coastal marsh vegetation provides nutrients that replenish lipid reserves that snow geese require for successful nesting in the arctic.

Tundra swans (Cygnus columbianus) and trumpeter swans (C. buccinator) are commonly observed migrants in Redoubt Bay. Large numbers of swans occur in upper Cook Inlet from 25 April to 10 May, with at least 580 observed in Redoubt Bay on 2 May 1985. The majority of swans using Redoubt Bay are tundra swans, headed for nesting areas in the Yukon-Kuskokwim Delta and Alaska Peninsula. However, areas along the Big and Kustatan rivers within the proposed Critical Habitat Area provide some of the best trumpeter swan habitat within upper Cook Inlet, supporting a dozen nesting pairs and their young, over 30 non-nesting pairs, and over 50 single swans or swans in flocks.

Large numbers of two other subspecies of Canada geese, the Taverner's Canada goose (B. c. Taverneri) and the lesser Canada goose (B. c. parvipes) use Redoubt Bay as a feeding and resting area during spring and fall migration.

Large, undisturbed resting and feeding areas along the migration route are a key element to ensure the continued recovery and maintenance of high population levels of all arctic nesting species. Arctic nesting geese depend heavily upon stored energy reserves (lipids) for egg production and incubation. Accumulation of reserves along the migration

path is essential, so that upon arrival on the spring nesting grounds, nesting can be initiated before new food supplies become abundant. Redoubt Bay is part of a complex of coastal wetlands in upper Cook Inlet that provide a critical link in the migration route of birds wintering as far south as Mexico and Central America and nesting in eastern Russia and throughout Alaska. These wetlands provide a resting area and food sources to replenish energy reserves necessary to complete migration to the breeding grounds and for successful reproduction. Habitat within the proposed Critical Habitat Area is thus extremely important to the successful migration and nesting of a large portion of the cackling Canada goose population as well as other arctic nesting species.

The proposed Redoubt Bay Critical Habitat Area attracts and supports large numbers of other waterfowl during spring and fall migration and for nesting. Numerous birds remain to nest in available habitat. Redoubt Bay has the largest number of breeding ducks of any of the Cook Inlet coastal marshes according to ADF&G surveys conducted from 1976 to 1978. In 1977, the highest year, a total of 19,215 breeding ducks were estimated to occur in Redoubt Bay.

In addition to tule geese, Redoubt Bay wetlands are particularly important to other species of geese and swans as a feeding and resting area during spring migration to western and interior nesting areas. Peak use by geese and swans in Cook Inlet intertidal wetlands exceeds 100,000 birds during spring migration between 18 April and 10 May.

Redoubt Bay, as with other Cook Inlet marshes, also serves as staging areas for drake and nonbreeding ducks and non- or failed-breeding geese prior to migrating to molting areas in late June or early July.

The moose population in Redoubt Bay numbers approximately 300 animals. Important riparian moose winter habitat is found primarily along the Big, Drift, and Kustatan rivers.

Brown bears are abundant and during mid to late summer bears are frequently observed along intertidal drainages on the outer flats. Black bears are also abundant, but usually remain farther inland. Furbearers including coyote, fox, wolf, mink, otter, marten, muskrat, wolverine, weasel, lynx and beaver are present. Harbor seals haul out at the mouths of streams.

Five species of salmon spawn in the area's streams and lakes, although sockeye, coho, and pink salmon are the most abundant.

Land Status: The proposed critical habitat area encompasses approximately 183,640 acres and is composed primarily of state land. It is located within the Kenai Peninsula Borough and six sections have been identified as Municipal Selections by the borough. Two private inholdings totalling approximately 10 acres are present within the proposed area. There are no mental health lands within the area. Critical habitat area status would affect only state lands within the area boundaries.

Current Uses: Redoubt Bay is accessible by boat or plane, and has long been an important hunting, fishing and trapping area. Waterfowl hunters annually spend approximately 1,000 hunter-days harvesting over 500 ducks and several hundred geese. This use qualifies Redoubt Bay as one of the top ten waterfowl hunting areas in the state.

Moose hunting is also a popular activity. In 1984, 126 hunters spent 621 hunter-days and harvested 55 moose. The 1983 through 1986 average harvest from Redoubt Bay drainages is slightly lower, with 88 hunters harvesting 35 moose in 502 hunter-days.

Fly-in sport fishing on the Big River lakes and Kustatan River is also popular. In 1986, more than 2,700 angler-days were spent fishing the Kustatan River with a harvest of over 3,200 silver salmon.

Cook Inlet Aquaculture Corporation has been involved in salmon enhancement activities in the Big River Lakes area since 1981. A water control structure is in place, and additional fish-pass facilities are planned.

Commercial salmon fishing activities include a drift gillnet fishery offshore, and a set gillnet fishery onshore. There are over 40 cabins in the Redoubt Bay area, used mostly by waterfowl and moose hunters and setnet fishermen.

Other Natural Resources: The proposed Redoubt Bay Critical Habitat Area has been explored extensively for oil and gas. Although several leases exist in the area, numerous wells drilled to date indicate that little commercial potential exists for oil and gas development. An oil pipeline (Cook Inlet Pipeline Company) crosses the lowlands from West Foreland to the Drift River terminal where tankers are loaded offshore. There are no known mining claims or mineral leases in the area. Commercial timber values are low in the area due to the limited amount of forested lands. The area is of generally low suitability for grazing or agriculture due to the saturated soils. There are no large areas of land suitable for settlement, however: there is one private residence at Bachatna Creek and one at Big River

Lakes. Additionally, ADNR/DLWM disposed of some remote settlement parcels at Cannery Creek, adjacent to the southern boundary of the area.

The critical habitat area would be managed similarly to other state Critical Habitat Areas regarding current and future uses. Future activities would be allowed, in a manner consistent with the purpose for which the critical habitat area was established.

Legal Description: The state-owned land and water contained in the following described parcels are proposed as the Redoubt Bay Critical Habitat Area:

- (1) Township 6 North, Range 15 West, Seward Meridian
Sections 4-9
Section 18
- (2) Township 6 North, Range 16 West, Seward Meridian
Sections 1-18
Sections 20-24
- (3) Township 6 North, Range 17 West, Seward Meridian
Sections 1-6
Sections 10-12
- (4) Township 7 North, Range 14 West, Seward Meridian
Section 5: S1/2
Sections 6-8
Section 18
- (5) Township 7 North, Range 15 West, Seward Meridian
Sections 1-24
Sections 26-34
- (6) Township 7 North, Range 16 West, Seward Meridian
Sections 1-36
- (7) Township 7 North, Range 17 West, Seward Meridian
Sections 1-4
Section 8: E1/2
Sections 9-17
Sections 19-27
Section 30
Sections 34-36

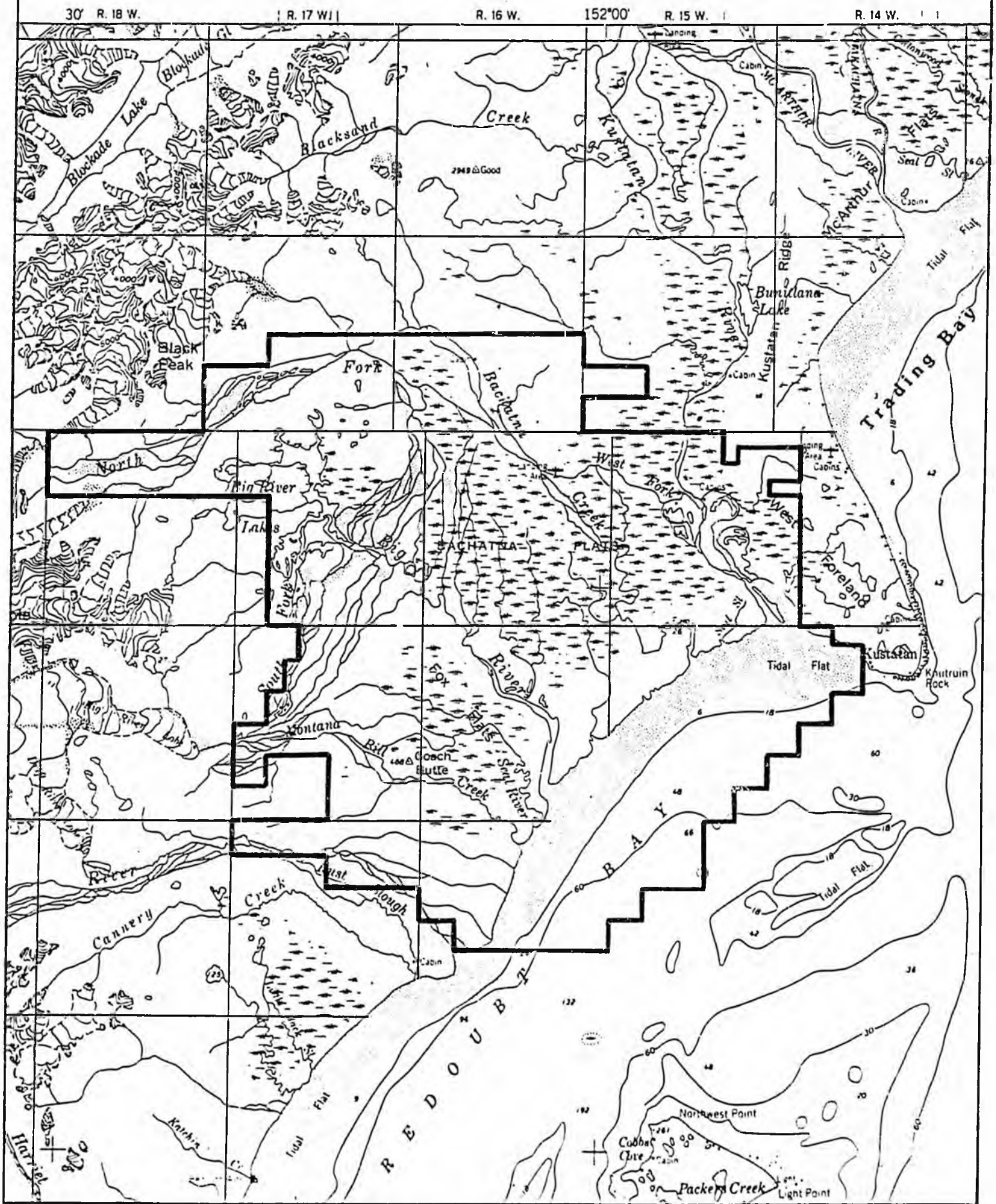
- (8) Township 8 North, Range 15 West, Seward Meridian
 Section 1: S1/2
 Section 2: S1/2
 Section 3: W1/2
 Sections 4-11
 Section 12: N1/2
 Sections 13-36
- (9) Township 8 North, Range 16 West, Seward Meridian
 Sections 1-36
- (10) Township 8 North, Range 17 West, Seward Meridian
 Sections 1-17
 Sections 20-29
 Sections 32-36
- (11) Township 8 North, Range 18 West, Seward Meridian
 Sections 1-12
- (12) Township 9 North, Range 15 West, Seward Meridian
 Sections 29-30
- (13) Township 9 North, Range 16 West, Seward Meridian
 Sections 19-36
- (14) Township 9 North, Range 17 West, Seward Meridian
 Sections 21-36

Support and Opposition: The Kenai-Soldotna, Homer, Ninilchik, Central Peninsula, and Cooper Landing Fish and Game Advisory Committees have passed resolutions supporting the creation of the Redoubt Bay Critical Habitat Area. The Department of Fish and Game, the Kenai Chapter of Audobon Society, Kenai Trappers' Association, Cook Inlet Aquaculture Association, and the Alaska Waterfowl Association have also supported special area designation for the Redoubt Bay area.

Opposition to proposed legislation in 1982, which would have designated the area as a state game refuge, came from some Kenai Peninsula residents concerned about the effect of special area designation on recreational cabin use. Since then, that issue has been resolved under regulations for private use cabins adopted by the Alaska Department of Natural Resources in 1983. Under the personal use cabin program, cabin owners were afforded the opportunity to

obtain state land use permits, or in the case of commercial setnet fishermen, apply for a commercial lease.

(Proposed) Redoubt Bay Critical Habitat Area



February 8, 1988

Dear Honorable Member of the Alaska Legislature:

TOTAL ACRES
183,000 ✓

We the undersigned representing users of the Redoubt Bay area, urge you to introduce the enclosed legislation to create the Redoubt Bay Critical Habitat Area.

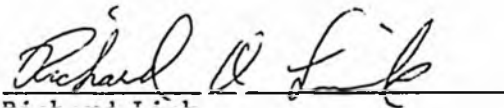
Redoubt Bay has critical nesting and rearing habitat for the tule goose and is also important to many other resident and migratory species of fish and wildlife (e.g. moose, brown bear, black bear, beaver, river otter, wolverine, wolf, coyote, waterfowl, five species of Pacific salmon, rainbow trout, and Dolly Varden). It has vital spring migratory feeding habitat for lesser snow geese, cackling Canada geese, and Pacific white-front geese as well as swans, ducks and shorebirds. The area provides nesting and rearing habitat for many species of waterfowl and upland birds. Redoubt Bay's ability to provide for many human activities, including commercial and sports fishing, hunting, trapping and other outdoor uses, is enhanced by its proximity to communities in the Anchorage area and the Kenai Peninsula. During the 1986 commercial season, fishermen harvested over 36,500 Redoubt salmon and additional stocks were taken by the drift fishery before the salmon returned to the immediate area. Additionally, ongoing salmon enhancement programs may provide increased abundance for greater harvest in the future. The Alaska Department of Fish and Game estimated that on the Kustatan River drainages alone that year, there were 2,740 angler days sport fishing and over 3200 silver salmon taken. Twenty three moose, 7 brown bears, and 11 black bears were taken by hunters. The area ranked fifth in

waterfowl harvest from the Cook Inlet region. Recreational use is presently limited to persons with access to light aircraft or boats capable of safely crossing Cook Inlet. It is our intent in proposing the creation of the Redoubt Bay Critical Habitat Area that the legislation: 1) protect the nesting and rearing habitat of the tule goose; 2) protect and encourage enhancement of fish and wildlife habitat; 3) recognize the high public value of its fish and game populations; 4) guarantee the perpetuation of hunting, fishing, and trapping activities in accordance with harvest regulations as established by the Boards of Fisheries and Game; 5) guarantee historical and customary access to private lands and facilities; and 6) perpetuate nonconsumptive uses. It is our intent that the following human uses will continue without further agency authorization unless otherwise provided by law or found to be incompatible with the purpose for which the Critical Habitat Area is established:

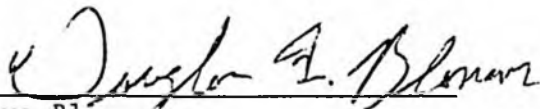
1. Hiking and backpacking, cross-country skiing, snowmachining, boating, landing of aircraft and camping (to include campfires); and
2. commercial and sport fishing, hunting, and trapping including the continued use of existing cabins to support these activities; and
3. other related uses that are temporary in duration and have no foreseeable adverse effect on vegetation, drainage, soil stability, fish, game or their habitat.

Uses of the area that impact fish and wildlife populations, habitats, or established human uses may be permitted if the losses can be minimized and mitigated. When the compatibility of use is questioned, the Department of Fish and Game will conduct specific fact finding efforts, including public meetings, prior to making a final determination.


It is also the objective of this group that this letter of intent be incorporated as part of the legislative record during the establishment of the Redoubt Bay Critical Habitat Area.



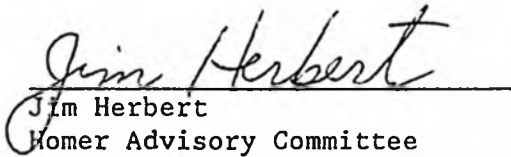
Richard Link
Chairman
Kenai-Soldotna Advisory Committee
P.O. Box 3178
Soldotna, AK 99669
Phone: 262-7490 -



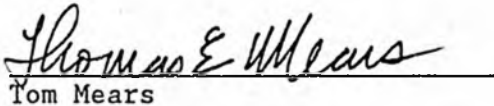
Doug Blossom
Central Peninsula Advisory Committee
Box 3
Ninilchik, AK 99639
Phone: 567-3951



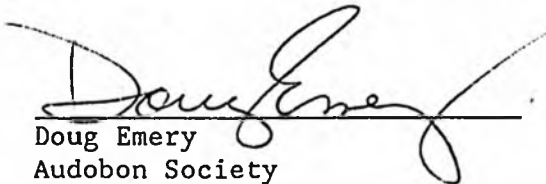
Mark Wilson
Cooper Landing Advisory Committee
Box 550
Cooper Landing, AK 99577
Phone: 595-1260



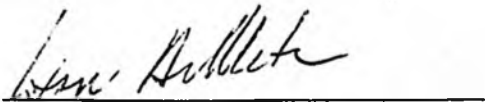
Jim Herbert
Homer Advisory Committee
Box 1587
Homer, AK 99603
Phone: 235-6382



Tom Mears
Executive Director
Cook Inlet Aquaculture Assoc.
HC2, Box 849
Soldotna, AK 99669
Phone: 283-5761



Doug Emery
Audobon Society
Kenai Peninsula Chapter
Box 3371
Soldotna, AK 99669
Phone: 283-5182



Leon A. Metz
Kenai Trappers Association
10819 Spur Highway, #233
Kenai, AK 99611
Phone: 262-1932

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Community & Regional Affairs
 Title: "An act amending notice requirements
.municipal assistance program.." BRU: Municipal Assistance
 Sponsor: Jones Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL						
---------	--	--	--	--	--	--

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Jim Plisman, Deputy Director Phone: 465-4750
 Division: Municipal & Regional Assistance Date: 3/10/88
 Approved by Commissioner: [Signature] Date: 3-10-88
 Agency: Community & Regional Affairs

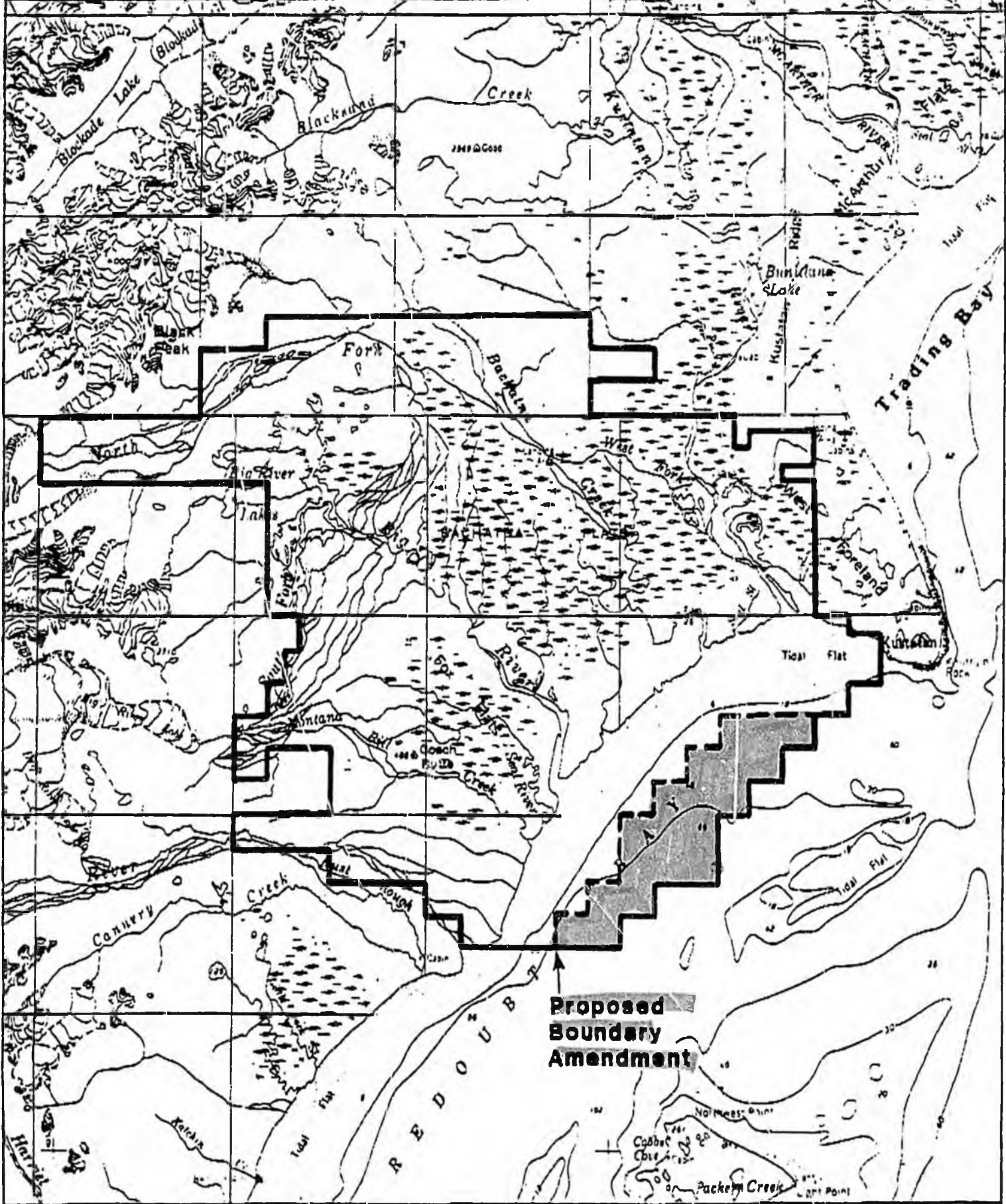
Distribution (by preparer):

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

(Proposed) Redoubt Bay Critical Habitat Area

30' R. 8 W. R. 17 W. R. 16 W. 152°00' R. 15 W. R. 14 W

T1D
T1A
T1B
T1C
T1D
T1E



**Proposed
Boundary
Amendment**

5-1924B ✓
Bradley
3/10/88

Original sponsor: Fischer

1 IN THE SENATE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 426 (C&RA)

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 Redoubt Bay Critical Habitat
7 Area; and providing for an effective date."

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

9 * Section 1. PURPOSE. The Redoubt Bay Critical Habitat Area is estab-
10 lished to ensure the protection and enhancement of fish and wildlife habi-
11 tat and populations, especially Tule geese; the continuation of fish and
12 wildlife harvest; and public use and enjoyment of the area in a high qual-
13 ity environment.

14 * Sec. 2. AS 16.20 is amended by adding a new section to read:

15 Sec. 16.20.610. REDOUBT BAY CRITICAL HABITAT AREA. (a) The
16 state owned land and water contained in the following described par-
17 cels are designated as the Redoubt Bay Critical Habitat Area:

- 18 (1) Township 6 North, Range 16 West, Seward Meridian
- 19 Sections 1 - 12
- 20 Sections 14 - 18
- 21 Sections 20 - 22
- 22 (2) Township 6 North, Range 17 West, Seward Meridian
- 23 Sections 1 - 6
- 24 Sections 10 - 12
- 25 (3) Township 7 North, Range 14 West, Seward Meridian
- 26 Section 5: S1/2
- 27 Sections 6 - 8
- 28 Section 18
- 29 (4) Township 7 North, Range 15 West, Seward Meridian

*Boundary
Adjustments
as indicated
on map*

1 Sections 1 - 21

2 Sections 29 - 31

3 (5) Township 7 North, Range 16 West, Seward Meridian

4 (6) Township 7 North, Range 17 West, Seward Meridian

5 Sections 1 - 4

6 Section 8: E1/2

7 Sections 9 - 17

8 Sections 19 - 27

9 Section 30

10 Sections 34 - 36

11 (7) Township 8 North, Range 15 West, Seward Meridian

12 Section 1: S1/2

13 Section 2: S1/2

14 Section 3: W1/2

15 Sections 4 - 11

16 Section 12: N1/2

17 Sections 13 - 36

18 (8) Township 8 North, Range 16 West, Seward Meridian

19 (9) Township 8 North, Range 17 West, Seward Meridian

20 Sections 1 - 17

21 Sections 20 - 29

22 Sections 32 - 36

23 (10) Township 8 North, Range 18 West, Seward Meridian

24 Sections 1 - 12

25 (11) Township 9 North, Range 15 West, Seward Meridian

26 Sections 29 - 30

27 (12) Township 9 North, Range 16 West, Seward Meridian

28 Sections 19 - 36

29 (13) Township 9 North, Range 17 West, Seward Meridian

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Sections 21 - 36

(b) Notwithstanding AS 16.20.500 and the establishment of the Redoubt Bay Critical Habitat Area under (a) of this section, egress and ingress to and from private property within the Redoubt Bay Critical Habitat Area shall be permitted through access corridors established through agreement between the ^{state} department and the private property owners involved.

(c) The state may not acquire by eminent domain privately owned land within the Redoubt Bay Critical Habitat Area but may acquire privately owned land ~~within the Redoubt Bay Critical Habitat Area~~ by purchase, exchange, or otherwise for inclusion in the Redoubt Bay Critical Habitat Area.

(d) The department shall permit entry within the Redoubt Bay Critical Habitat Area for the exploration and development of oil and gas resources when compatible with the purposes for which the critical habitat area was established. An oil and gas lease of state land within the critical habitat area is valid and continues in full force according to its terms.

* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).