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SENATE COMMITTEE REPORT

FURTHER

3/18/88

DATE TURNED INTO OFFICE 3/23/88

Mr. President:

Finance Committee considered SB 468

Ernie Haugen Public Use Area; efd

and recommended

[ ] replace with \_\_\_\_\_ CS \_\_\_\_\_ )  same title  
[  ] or adopt \_\_\_\_\_ CS SB 468 1 Rec ) [ ] new title

[ ] attached amendment(s) and

[  ] do pass

[ ] do not pass

[ ] no recommendation

[ ] individual recommendations

[ ] further referral to \_\_\_\_\_

[ ] letter of intent adopted \_\_\_\_\_

Committee [  ] attached or [ ] adopted fiscal note(s)  
[  ] new [ ] updated or [ ] previous  
[  ] zero [ ] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*[Handwritten signatures: Don Frye, Rick Halford]*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Rick Halford do pass*  
Chairman signature and recommendation

[ ] Committee Backup attached

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: Establishing Ernie Haugen  
Public Use Area  
Sponsor: Jones, et al  
Requestor: Senate Finance Committee

Agency Affected: Dept. of Natural Resource  
BRU: Land and Water Management

Components: \_\_\_\_\_

**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						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

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

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

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

**ANALYSIS : (Attach a separate page if necessary)**

Since there is no specified timeframe for completion of the management plan, the division shall undertake the project as its workload permits.

Prepared by: *Rick Halford*  
Division: Senator Rick Halford, Co-chairman  
Senate Finance Committee

Phone: 465-4958  
Date: 3/23/88

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

Date: \_\_\_\_\_

**Distribution (by preparer):**

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

Original sponsors: Jones, Kelly,  
Halford, et al.

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 468 (Resources)  
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 Ernie Haugen Public Use  
7 Area; 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 Sec. 41.23.150. PURPOSE. The purpose of AS 41.23.150 - 41.23.-  
11 180 is to establish the area described in AS 41.23.180 as the Ernie  
12 Haugen Public Use Area. The Ernie Haugen Public Use Area is estab-  
13 lished to

14 (1) protect and maintain fish and wildlife habitat so that  
15 traditional public uses may continue;

16 (2) perpetuate and enhance public enjoyment of fishing,  
17 hunting, trapping, viewing, and photography;

18 (3) perpetuate and enhance general public recreation in a  
19 quality environment; and

20 (4) allow additional public uses of the area, including  
21 personal use wood cutting, when determined compatible with the pur-  
22 poses specified in (1) - (3) of this section.

23 Sec. 41.23.160. MANAGEMENT. (a) Management of the surface and  
24 subsurface estate of the Ernie Haugen Public Use Area is the respon-  
25 sibility of the Department of Natural Resources. After adequate  
26 public hearings the commissioner may designate incompatible uses and  
27 shall adopt and may revise a management plan for the Ernie Haugen  
28 Public Use Area. With regard to the management of land within the  
29 public use area described in AS 41.23.180(a), the commissioner shall

1 consult with the Department of Fish and Game in the adoption and  
2 revision of the management plan.

3 (b) The state may not acquire by eminent domain privately owned  
4 land within or abutting state-owned land described in AS 41.23.180 but  
5 may acquire privately owned land by purchase, exchange, donation, or  
6 otherwise for inclusion in the Ernie Haugen Public Use Area.

7 (c) The commissioner may not manage the Ernie Haugen Public Use  
8 Area as a unit of the state park system.

9 Sec. 41.23.170. COMPATIBILITY OF USES. (a) Except as provided  
10 in this section, the commissioner may prohibit or restrict incom-  
11 patible uses under the management plan adopted under AS 41.23.160  
12 within the state-owned land described in AS 41.23.180.

13 (b) The commissioner shall allow traditional access to or  
14 through the Ernie Haugen Public Use Area by motorized or nonmotorized  
15 means of transportation to private land, interests in private land,  
16 and for lawful sport and subsistence hunting, fishing, trapping, and  
17 recreational purposes in a manner that is compatible with purposes  
18 specified in AS 41.23.150(1) - (3).

19 (c) If the commissioner determines that a use is incompatible  
20 with one or more other uses in a portion of the Ernie Haugen Public  
21 Use Area, the commissioner shall state in the management plan adopted  
22 or revised under AS 41.23.160

- 23 (1) each determination of incompatibility;  
24 (2) the specific area where the incompatibility is de-  
25 termined to exist;  
26 (3) the time within which the incompatibility is determined  
27 to exist; and  
28 (4) the reasons for each determination of incompatibility.

29 Sec. 41.23.180. ERNIE HAUGEN PUBLIC USE AREA. (a) The state-

1 owned land above the mean low water line and land above the mean low  
2 water line acquired by the state in the future lying within the par-  
3 cels described in this subsection are designated as the Ernie Haugen  
4 Public Use Area:

5 Township 61 South, Range 82 East, Copper River Meridian

6 Section 28: that portion in the W1/2W1/2,  
7 SW1/4SE1/4NW1/4, W1/2E1/2SW1/4 that is south  
8 of the right-of-way of the Mitkof Highway

9 Section 29: that portion south of the right-of-way  
10 of the Mitkof Highway

11 Section 30: that portion south of the right-of-way  
12 of the Mitkof Highway

13 Section 31: that portion south of the right-of-way  
14 of the Mitkof Highway

15 Section 32: N1/2NW1/4

16 (b) Subject to valid existing rights, the land described in (a)  
17 of this section is designated as a special purpose area under  
18 art. VIII, sec. 7, Constitution of the State of Alaska.

19 (c) Subject to a finding of public need by the Department of  
20 Natural Resources, the development of transportation facilities in-  
21 cluding roads, expansion of the existing boat launching ramp and  
22 related parking, highways, and ferry terminals by the Department of  
23 Transportation and Public Facilities and electric power transmission  
24 facilities and other public utilities within the land described in (a)  
25 of this section is consistent with the purposes of AS 41.23.150 -  
26 41.23.180.

27 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 468 (Res)  
PUBLISH DATE: \_\_\_\_\_

4/29/88  
H(FIN)  
F

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act establishing the Ernie Haugen Public Use Area.  
Sponsor: Senators Jones, Kelly, et al  
Requestor: House Resources Committee

Agency Affected: Natural Resources  
BRU: Land and Water Management  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		30.0	15.0	5.0	5.0	5.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		30.0	15.0	5.0	5.0	5.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND		30.0	15.0	5.0	5.0	5.0
FEDERAL FUNDS						
OTHER						
TOTAL		30.0	15.0	5.0	5.0	5.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

*by SFC 3/23/88*

Prepared by: Janet Burleson Phone: 465-3400  
Division: Land and Water Management Date: 4/25/88

Approved by Commissioner: [Signature] Date: 4-26-88  
Agency: Natural Resources

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

RECEIVED

APR 27 1988

Page 2 of 2  
Analysis  
SB 468

	<u>FY 89</u>	<u>FY 90</u>	<u>Beyond</u>
<u>300 Contractual</u>	30.0	15.0	5.0

FY 89 - Design and Implement

FY 90 - Implement

FY 91 and beyond - Operate and Maintain

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Establishing Ernie Haugan Public Use Area  
Sponsor: Jones, Kelly, Halford, et.al  
Requestor: Senate C&RA

Agency Affected: Natural Resources  
BRU: Land and Water Management

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		30.0	15.0	5.0	5.0	5.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
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TOTAL OPERATING		30.0	15.0	5.0	5.0	5.0

CAPITAL						
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FEDERAL FUNDS						
OTHER						
TOTAL		30.0	15.0	5.0	5.0	5.0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

*new*

Prepared by: Janet Bureson  
Division: Land and Water Management

Phone: 465-3400  
Date: 2/23/88

Approved by Commissioner: Tom Hawkins  
Agency: Natural Resources

Date: 2.23.88

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

	<u>89</u>	<u>90</u>	Beyond
<u>300 Contractual</u>	30.0	15.0	5.0
Contract for Plan	Design & Implement	Implement	Operate & Maintain

# 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

February 23, 1988

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

Dear Senator Sturgulewski:

Subject: SB 468 establishing the Ernie Haugen Public Use Area.

Position: The Department supports this bill. However, there is a concern regarding the implementation of the plan and the operation and maintenance of the site as a public use area.

Fiscal note provides for immediate contract with a private design firm to develop a land use/development plan for the area. The second year the fiscal note provides for plan implementation - signs, trails, facilities, and maintenance. The third year and beyond provides for site operation and maintenance.

Background: This area was identified as important to the local community during the University Settlement proceedings and was therefore left out of the transfer.

Recommendation: The Department recommends the following language changes:

Page 2, line 5 insert the word "donation" after exchange;

Page 2, line 13 insert the words "or through" after access to;

Page 3, line 22 insert the words "and other public utilities" after facilities.

Page 3, line 20 insert after roads "expansion of the existing boat launching ramp and related parking"

Page 3, line 6 delete "W1/2" and replace with "W1/2W1/2, SW1/4SE1/4NW1/4, W1/2/SW1/4". This will delete the overlap with the University Settlement.

Senator Sturgulewski

- 2 -

February 23, 1988

Page 3, line 14, add "containing 940 acres more or less"

Please let me know if you need further information.

Sincerely,

*Tom Hawkins*  
Judith M. Brady  
Commissioner

cc: Committee members

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: SB 468  
PUBLISH DATE: \_\_\_\_\_

2/24/88  
S(CLEA)  
then Res  
No Sec  
referral

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Establishing Ernie Haugan Public Use Area  
Sponsor: Jones, Kelly, Halford, et.al  
Requestor: Senate C&RA

Agency Affected: Natural Resources  
BRU: Land and Water Management

Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

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---------	--	--	--	--	--	--

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OTHER						
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POSITIONS:

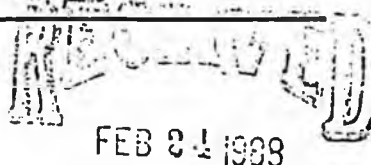
FULL-TIME		-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Janet Burlison Phone: 465-3400  
Division: Land and Water Management Date: 2/23/88

Approved by Commissioner: Tom Hawkins Date: 2.23.88  
Agency: Natural Resources

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



LEGISLATIVE FINANCE

SB 468

new

	<u>89</u>	<u>90</u>	Beyond
<u>300 Contractual</u>	30.0	15.0	5.0
Contract for Plan	Design & Implement	Implement	Operate & Maintain

# STATE OF ALASKA

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February 23, 1988

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*Tom Hawkins*  
for Judith M. Brady  
Commissioner

cc: Committee members

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: SB 468 (C&RA)  
PUBLISH DATE: 2/16/88

3/8/88  
5(RIS)  
FK

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act Establishing the  
Ernie Haugen Public Use Area  
Sponsor: Jones, et al.  
Requestor: \_\_\_\_\_

Agency Affected: ADF&G  
BRU: Habitat  
Components: \_\_\_\_\_

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		-0-				
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Bruce H. Baker  
Bruce Baker, Acting Director  
Division: Habitat  
Phone: 465-4105  
Date: 3/3/88  
Approved by Commissioner: Orin Wellensworth  
Agency: Fish and Game  
Date: 3.4.88

Distribution (by preparer):

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

RECEIVED  
MAR 8 1988  
LEGISLATIVE FINANCE

58 468



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
**BILL ANALYSIS**

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB 468 (C&RA)	SPONSOR Jones, et al.
SHORT TITLE OF BILL An Act establishing the Ernie Haugen Public Use Area			
DEPARTMENT POSITION Support			
PREPARED BY Bruce Baker, Acting Director	DATE 3/3/88	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 3/4/88

**SUMMARY**

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL City of Petersburg (?)	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The purpose of this creation of the Ernie Haugen Public Use Area is to protect the shoreline habitat and public access between the Mitkof Highway and the shoreline on the south end of Mitkof Island.

ANALYSIS OF BILL/PROGRAM EFFECTS

1. Establishes the Ernie Haugen Public Use Area.
2. Protects fish and wildlife habitat and maintains public access.
3. Provides for development of a management plan for the area by DNR with consultation with this department.
4. Precludes the area from being managed as part of the state park system.
5. Provides for hunting, fishing, trapping, viewing and photography.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Introduced: 2/16/88  
Referred: Community and Regional  
Affairs and Resources

*Sje* 3/18/88  
5-1364L

1 IN THE SENATE

BY JONES, KELLY, HALFORD,  
STURGULEWSKI, ABOOD AND ELIASON

2

SENATE BILL NO. 468

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 Ernie Haugen Public Use  
7 Area; 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:

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11 180 is to establish the area described in AS 41.23.180 as the Ernie  
12 Haugen Public Use Area. The Ernie Haugen Public Use Area is estab-  
13 lished to

14 (1) protect and maintain fish and wildlife habitat so that  
15 traditional public uses may continue;

16 (2) perpetuate and enhance public enjoyment of fishing,  
17 hunting, trapping, viewing, and photography;

18 (3) perpetuate and enhance general public recreation in a  
19 quality environment; and

20 (4) allow additional public uses of the area, including  
21 personal use wood cutting, when determined compatible with the pur-  
22 poses specified in (1) - (3) of this section.

23 Sec. 41.23.160. MANAGEMENT. (a) Management of the surface and  
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28 Public Use Area. With regard to the management of land within the  
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1 consult with the Department of Fish and Game in the adoption and  
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18 (c) Subject to a finding of public need by the Department of  
19 Natural Resources, the development of transportation facilities in-  
20 cluding roads, highways, and ferry terminals by the Department of  
21 Transportation and Public Facilities and electric power transmission  
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24 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

Original sponsors: Jones, Kelly,  
Halford, et al.

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2 CS FOR SENATE BILL NO. 468 (C&RA)  
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4 FIFTEENTH LEGISLATURE - SECOND SESSION  
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20 (4) allow additional public uses of the area, including  
21 personal use wood cutting, when determined compatible with the pur-  
22 poses specified in (1) - (3) of this section.  
23 Sec. 41.23.160. MANAGEMENT. (a) Management of the surface and  
24 subsurface estate of the Ernie Haugen Public Use Area is the respon-  
25 sibility of the Department of Natural Resources. After adequate  
26 public hearings the commissioner may designate incompatible uses and  
27 shall adopt and may revise a management plan for the Ernie Haugen  
28 Public Use Area. With regard to the management of land within the  
29 public use area described in AS 41.23.180(a), the commissioner shall

1 consult with the Department of Fish and Game in the adoption and  
2 revision of the management plan.

3 (b) The state may not acquire by eminent domain privately owned  
4 land within or abutting state-owned land described in AS 41.23.180 but  
5 may acquire privately owned land by purchase, exchange, donation, or  
6 otherwise for inclusion in the Ernie Haugen Public Use Area.

7 (c) The commissioner may not manage the Ernie Haugen Public Use  
8 Area as a unit of the state park system.

9 Sec. 41.23.170. COMPATIBILITY OF USES. (a) Except as provided  
10 in this section, the commissioner may prohibit or restrict incom-  
11 patible uses under the management plan adopted under AS 41.23.160  
12 within the state-owned land and water described in AS 41.23.180.

13 (b) The commissioner shall allow traditional access to or  
14 through the Ernie Haugen Public Use Area by motorized or nonmotorized  
15 means of transportation to private land, interests in private land,  
16 and for lawful sport and subsistence hunting, fishing, trapping, and  
17 recreational purposes in a manner that is compatible with purposes  
18 specified in AS 41.23.150(1) - (3).

19 (c) If the commissioner determines that a use is incompatible  
20 with one or more other uses in a portion of the Ernie Haugen Public  
21 Use Area, the commissioner shall state in the management plan adopted  
22 or revised under AS 41.23.160

23 (1) each determination of incompatibility;

24 (2) the specific area where the incompatibility is de-  
25 termined to exist;

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

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

29 Sec. 41.23.180. ERNIE HAUGEN PUBLIC USE AREA. (a) The state-

1 owned land and water and land and water acquired by the state in the  
2 future, including shore, tide, and submerged land, lying within the  
3 parcels described in this subsection are designated as the Ernie  
4 Haugen Public Use Area:

5 Township 61 South, Range 82 East, Copper River Meridian  
6 Section 28: that portion in the W1/2W1/2,  
7 SW1/4SE1/4NW1/4, W1/2E1/2SW1/4 that is south  
8 of the right-of-way of the Mitkof Highway  
9 Section 29: that portion south of the right-of-way  
10 of the Mitkof Highway  
11 Section 30: that portion south of the right-of-way  
12 of the Mitkof Highway  
13 Section 31: that portion south of the right-of-way  
14 of the Mitkof Highway  
15 Section 32: N1/2NW1/4

16 (b) Subject to valid existing rights, the land and water de-  
17 scribed in (a) of this section are designated as a special purpose  
18 area under art. VIII, sec. 7, of the Alaska Constitution.

19 (c) Subject to a finding of public need by the Department of  
20 Natural Resources, the development of transportation facilities in-  
21 cluding roads, expansion of the existing boat launching ramp and  
22 related parking, highways, and ferry terminals by the Department of  
23 Transportation and Public Facilities and electric power transmission  
24 facilities and other public utilities within the land and water de-  
25 scribed in (a) of this section is consistent with the purposes of  
26 AS 41.23.150 - 41.23.180.

27 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

# ALASKA STATE LEGISLATURE


Home Address  
3813 Denali Street  
Ketchikan, AK 99901  
907-225-9082

While in Juneau  
P.O. Box V  
Juneau, AK 99811  
907-465-3743

Senator Lloyd Jones

## MEMORANDUM

TO: Senator Rick Halford, Co-Chairman  
Members, Senate Finance Committee

FROM: Senator Lloyd Jones 

DATE: March 22, 1988

SUBJECT: Resources Committee Substitute for SB 468,  
establishing the Ernie Haugen Public Use Area

This legislation has a two fold purpose; to honor a great public servant of Alaska and to ensure a traditional public recreation area continues to serve the residents of Petersburg and Wrangell as well as other Alaskans. The proposed Ernie Haugen public use area can be reached by driving south twenty-seven miles from Petersburg on the Mitkof Highway. (See attached map.)

The resources committee substitute, with which I concur, substantially reduces the acreage from the original measure. Concerns were expressed by members of the Senate C&RA Committee that the areas below mean low water, in the original bill, should be excluded to ensure traditional fishing and navigation activities are not impeded.

The intent for the public use area is to ensure historic and traditional activities are not impeded, and to remove any discretionary authority from DNR to sell, transfer, or reclassify the land lying within its boundaries. It is also intended the area be managed under the existing funds within DNR's budget.

I can think of no greater honor to bestow upon Ernie Haugen. Ernie served Petersburg and Wrangell in the legislature for a period of twenty-two years. He is an individual who has been unwaivering in his support for the development of Alaska's natural resources, and as such, it is appropriate that we honor his service.

Page 2,  
Ernie Haugen  
March 22, 1988

The lands included in the proposed public use area have been used by the people of Petersburg and Wrangell for the past two decades as a picnicking, camping, and woodcutting area. It has also served as a staging area for loading and unloading boats and barges for pleasure and commercial uses. The Ernie Haugen Public Use Area would encompass those areas which have been traditionally used for the pleasure of the two communities.

The description of the area is as follows; from the west, the area known as Green's Camp along the south side of the Mitkof Highway, including Crescent Beach/Banana Point along the highway to Wilson Cove. The total acreage would be 420, with approximately 330 in uplands and 90 in tidelands more or less.

Also in the measure is language which provides for power and transportation easements should they become necessary. The purpose of this language is to allow for a potential ferry terminal and necessary roads as well as for compatible utility development should it become advisable.

I have included for your information letters that were addressed to the Department of Natural Resources by area residents expressing the desire for a protective classification for the area. The underlined portions of the letters express the residents concerns. Given past and existing use, I think the public use classification best fits the area being considered.

Attached are maps showing the location of the proposed public use area.

May 5, 1987

Department of Natural Resources  
400 Willoughby Avenue, #400  
Juneau, Alaska 99801

Attn: Judith Brady

Dear Ms. Brady:

Today I was shown a petition which requests that: the land you propose to sell to the University of Alaska, 2,649 acres on the south end of Mitkof Island, be withdrawn from the list of lands made available for selection by the University of Alaska.

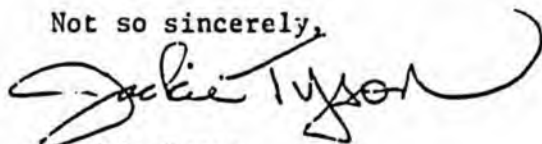
How can you so blatantly allow the sale of the best recreational area the citizens of this town have? In the summer, whenever we're fortunate enough to have a sunny day, those who have cars make the long drive to Banana Point, Crescent Beach or Green's Camp to roast hot dogs and marshmallows, to beachcomb, and to swim and waterski. You are giving away one of the few places for public sale an area which we all use and love.

Why in the world when you set out these land sales don't you take things into better consideration? If you want to sell land out there, at least you should reserve the land the public uses and save it for the good of all. If it's yours to dispose of... What is the sales price anyway? Why do you have to sell it all? If you must make a sale there, why not limit the land sold to only that on the upland side of the road?

You selected this for a recreational area around 4 years ago. What has happened???? I'm furious and so are a lot of people down here.

I would like you to respond to these questions and let me know just how it was determined to sell this prime piece of property. What are the trade-offs? This is absolute bull.

Not so sincerely,



Jackie Tyson  
Box 587  
Petersburg, Ak 99833

P.S. Petitions are being circulated throughout the town.

May 11, 1987

Judith Brady, Commissioner  
Department of Natural Resources  
Pouch M  
Juneau, AK 99811

Dear Commissioner:

The citizens of Petersburg are very concerned over the inclusion of 2,649 acres on the south end of Mitkof Island in the list of lands available for selection by the University. We would like to see this area withdrawn and preserved for public use. There are only five places available to this community, and tourists, for recreational purposes. Three of the five recreation areas we enjoy are included in that 2,649 acres. It seems rather ironic that these parcels which were originally selected from the Tongass National Forest for inclusion in the State park system would then be turned around and sold for private use. Somehow it just doesn't add up.

The south end of this island is highly used by sport fishermen, commercial fishermen, hunters, boy scouts, girl scouts, families, different organizations have picnics at the recreation areas, and some people collect logs for firewood that have drifted up on the beaches. The impacts would be tremendous on the people of this community as well as on the land itself and the beaches when landowners try to get their various fill and construction permits. Of course, we can't forget the deer population which is now coming alive again. There have been numerous deer spotted along the roadside out there. There was also a moose spotted, which unfortunately was hit by a car. I understand Fish and Game anticipates reopening deer hunting on this island after being closed for almost 20 years. Disposing of the upper portions of this area will mean permanent closure to hunting for Petersburg residents which would have been open for hunting purposes.

I think it is a real shame that people were so uninformed about all this. There was not enough publicity to make people aware of what is being proposed. The vague description of the areas selected was very poor. There were no maps sent to show people the impact of the selection. After the informal hearing that was held here in town (which was poorly publicized) we decided to start a petition to inform people about what is going on and to let you know we oppose the selection of South Mitkof Island for the land settlement. After getting the enclosed petition typed up, and starting to spread the word, I was amazed how many people had no idea what it was even about. They were outraged that with something this major, which would impact

the whole community, was not made more public, besides the idea of taking away our recreation areas. People were also upset at the idea of decisions being made by the University to sell our recreation area for private use to generate revenue which will in turn not benefit the majority of our community. We will be the ones deprived of recreational areas on a small island which does not have an over abundance of them. The land selected in the Anchorage area doesn't even amount to a drop in the bucket compared to the over 4,600 acres to be taken from the Petersburg area. We were not even involved in the original transfer of the land between the University and the Municipality valued at approximately \$25,000,000. It seems rather unfair that the Anchorage area has approximately 1 acre and the Wasilla area approximately 2 acres compared to the 4,670 acres the Petersburg area is supposed to give up. Somehow I think the deck was loaded when this hand was dealt out.

We live on a small island and there are only two beaches that you can drive to on our highway system. One is just about 2 miles or so from town called Sandy Beach. It's a small beach but pretty nice if you don't mind not having much sun and getting the cold wind off the glacier when you are there trying to picnic. The only other beach you can drive to is Crescent Beach which has the unfortunate location of being in the middle of the proposed land settlement pool. It is the nicest beach to picnic at as it is on the southern end of the island which gets more sunshine and which the temperatures are always warmer than in town. It is also small and farther away from town, but is well worth the drive.

The enclosed petition was started the afternoon of Thursday, May 7th and collected Monday morning, May 11th. In that short amount of time we collected 391 signatures. Petersburg has a population of about 3,000 people and at least 1,500 adults. In just 3 days we collected signatures from over one-fourth of the adults in our community. If given more time for the petition we could have easily gathered signatures from practically every adult in town. Of all the many many people I showed the petition to, not one of them said they would not sign. I am sending a copy of the petition to you to show you that we are very much against the inclusion of this land in the proposed land selection.

I am also enclosing copies of three public opinion messages and a letter from a 9 year old girl written in regards to this land selection. You should also have received a letter from a concerned citizen of our community. The boy scouts in our community were also going to send a telegram(s) to

Judith Brady, Commissioner

Page 3

voice their concern in this matter. Please take time to read these letters and messages as this is something we want you to know that we do not take lightly.

Sincerely yours,

*Teresa Stolpe*

Teresa Stolpe  
Concerned Petersburg Citizen

cc: Governor Cowper  
Senator Jones  
Representatives: Sund  
Taylor  
D. Daigger, DNR  
C. Nash, University of Anchorage

# ALASKA STATE LEGISLATURE

Home Address  
3813 Denali Street  
Ketchikan, AK 99901  
907-225-9082



While in Juneau  
P.O. Box V  
Juneau, AK 99811  
907-465-3743

Senator Lloyd Jones

June 24, 1987

Judy Brady, Commissioner  
Department of Natural Resources  
Box  
Juneau, Alaska 99811

Dear Commissioner Brady:

I am writing regarding the proposed state land transfers to the the University of Alaska near Petersburg. I want to know the department's response to the legislative intent for Thomas Bay which I and Senator Duncan was placed into your budget. I am also concerned about the sale of parcels on south Mitkof Island near Petersburg. You are now probably aware of the strong public sentiment in Petersburg to the proposed land transfers.

The areas on south Mitkof Island proposed for transfer to the University of Alaska have been historically used as recreation areas by the residents of Petersburg and to some degree the residents of Wrangell. In fact this is often a meeting area for the relatives and friends of the communities of Petersburg and Wrangell.

As a former Petersburg resident who has utilized that area with my friends and family I am concerned that the Department is making a bad public policy decision. I understand that the Department needs land to settle with the University of Alaska. However, I am concerned that the Department is proceeding without considering other options.

To my knowledge the Department did not determine if there was a possible legislative solution. It seems that this land trade is being rushed. It also appears that southeast Alaska is being asked to pay for some bad decisions made in southcentral Alaska. It appears that some hasty and uninformed decisions are being made which unfairly affect my constituents.

I encourage the Department to consider other options such as making future state land grants from the federal government in all parts of Alaska available to the University.

Page 2,  
DNR-Petersburg

June 24, 1987

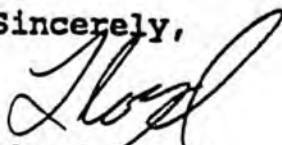
To take away state land which has been historically used as prime recreation land by generations of Alaskans seems unwise. Has DNR considered that these areas have had this historic recreational use? I wonder if DNR would take similar action against popular and prime state recreation near the major population areas of the state, or would some form of compromise be worked out?

The Senate and the House placed two separate intent language statements in the DNR budget which makes clear that the Thomas Bay lands were not to be considered in land exchange between the University and DNR. Had there been sufficient information and the opportunity there would be similar intent for south Mitkof Island.

I urge you to reconsider the Departments proposed actions on state land near Petersburg. I would also suggest that the Department consider other options such as future land selections that may be forthcoming from the federal government. I will be happy to assist DNR in finding a possible solution to this problem.

I look forward to hearing a response from the department regarding this letter.

Sincerely,



Lloyd Jones

July 7, 1987

Richard LeFebvre  
Department of Natural Resources  
Division of WLM  
P.O. Box 107005  
Anchorage, Alaska 99510-7005

Dear Mr. LeFebvre:

Enclosed you will find the copy of the petition that was circulated in Petersburg and sent to your Juneau office via DHL to [redacted] by Brady, Commissioner and signed for by Lori Notestine, and also sent to your Anchorage office via Alaska Airlines Goldstreak to Denny Daigler on May 12. I'm really glad that I called to inquire about the statement made in your letter to me saying that you'd received a petition with 51 signatures as it seemed you hadn't received our petition which had 391 signatures. Now as it has turned out, no one in your offices has any record of this petition at all. It just makes me wonder that if you lost a document of this nature, what else has been misplaced.

In my letter when it was stated that the Commissioner would not accept our petition, we were told that sending it to Juneau wouldn't meet the deadline requirements and that it had to go to Anchorage. Since we'd only heard about South Mitkof Island the week before the deadline, we were operating under a lot of pressure to have this in before it was too late. We had already sent one DHL to Juneau. This means we had to send the packet to Ketchikan via Wrangell Air Service which cost \$10 and then it went from Ketchikan to Juneau via DHL which cost another \$14. Then we had to turn around and make another copy and goldstreak that one to Anchorage which cost \$15. It doesn't make things easy having the jet go through to the north once a day and to the south once a day. I never realized how far away Anchorage and Juneau were till we went through this operation. You can imagine how shocked we are to find that neither of your offices has a copy of this document.

As I mentioned in a phone conversation with you day before yesterday, a map of S.E. Alaska, and the rest of the State, with the areas affected in a highlighted color with instructions to contact a specific local office written somewhere on the map would be a simple way that people would know what areas of the State were being considered in this land transfer. This is the sort of thing that would stand out at the post office or at the city office window or a place of like nature. The maps sent to me are pathetic to say the least. A sample is enclosed. At least with a broader, more general map, a person would be able to target the areas of concern and investigate more deeply using your maps as a second step going on from there to something like a topographic map.

The 'emergency' hearing in Petersburg was called to address the concerns of the moose hunters. The Mitkof Island lands were barely mentioned. The subject of that meeting was Thomas Bay basically, and hardly anyone was aware of the proposed transfer at the end of Mitkof Island. The emergency meeting, being called on short order, was not well advertised, and wasn't

- On your agenda at all until the moose hunters raised such a stink that someone had to come down.

I have been informed that written statements by individuals holds more weight than a petition, and that is quite understandable. I just want you to know that I personally pounded the streets of this town and got 100 signatures on my own, and I'd be more than happy to go through the list of names and give you their comments. I had considered taking a tape recorder around to get some of the comments. Of course there were some that weren't fit for many people to hear. I'm sure everyone would be glad to say it again. The kids' comments were quite special.

Andy Pekovich asked me whether there were any areas we'd be willing to give up out there. His suggestion that the State keep from Banana Pt. to Wilson Creek Recreation Area is such a ridiculously small concession. The Sumner Strait Recreation Area known as Green's Camp is used all the time and is on the other end of the proposed land transfer from Banana Point. I didn't have the map in front of me at the time, so I just want to let you know that from the Banana Point Boat Launching Ramp to the Sumner Strait Recreation Area is the land we all use and dearly enjoy. We are adamantly against any of it being sold into private ownership. If people are allowed to build there, the result would be the destruction of the natural beauty of the area. We already have enough poaching in this area, and we don't want to see the bears, deer, eagles, and other creatures killed or frightened away. It is one of the pleasures to drive there and see bears and marten and other critters running along the road. We don't want to see it littered with abandoned vehicles and tacky residences. We want it to stay like it is.

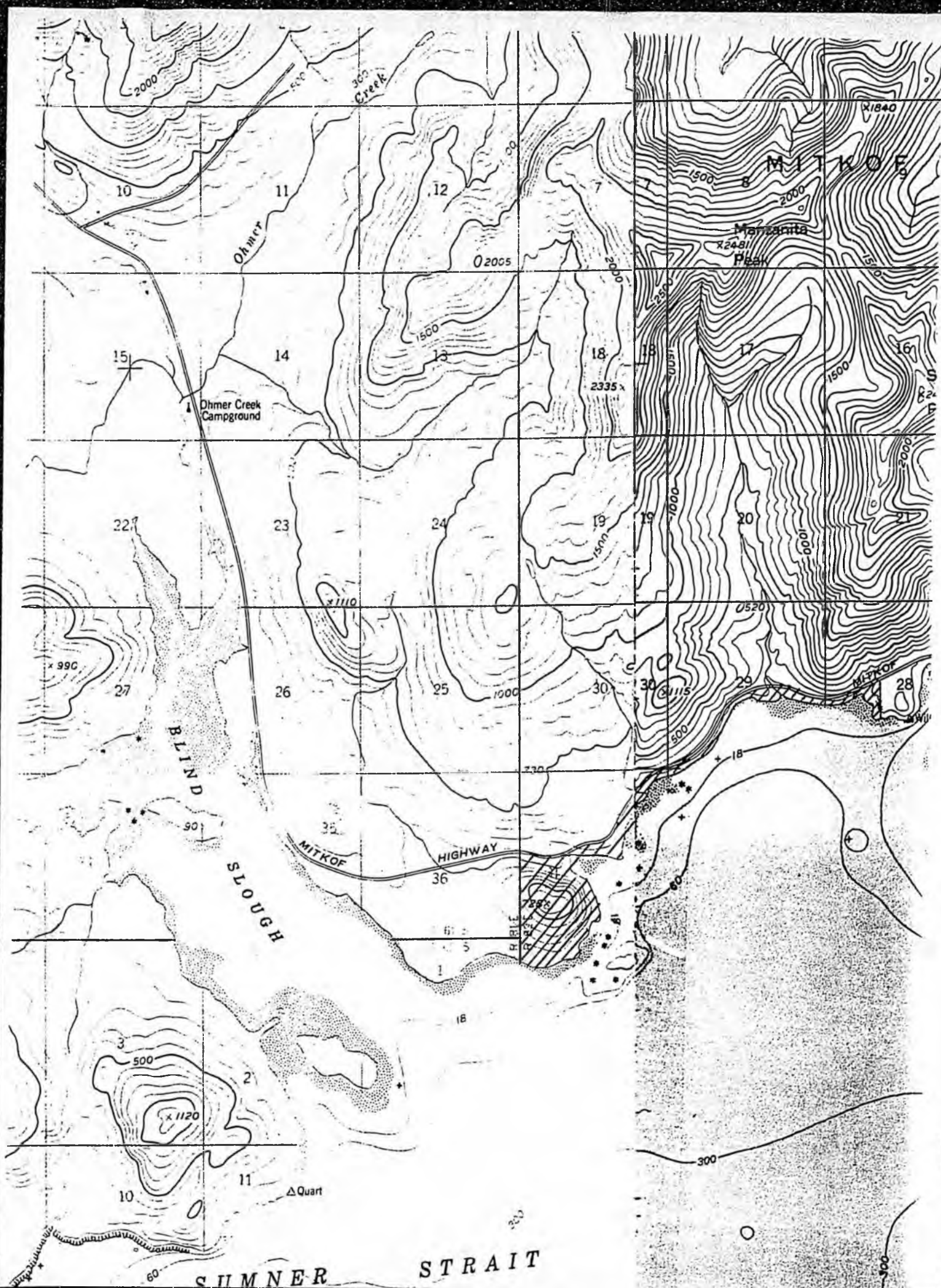
Sincerely,

*S. A. Tyson*

Jackie Tyson

cc: Governor Cowper  
Rep. John Sund  
Rep. Robin Taylor





10

11

12

7

MITKOF

Manzanita Peak  
x2481

Dhmer

2005

15

14

13

18

17

16

Dhmer Creek  
Campground

2335 x

22

23

24

19

20

21

x 990

27

26

25

30

30

28

BLIND  
SLOUGH

MITKOF  
HIGHWAY

36

788 x

3

2

18

10

11

Δ Quart

SUMNER STRAIT

SENATE COMMITTEE REPORT

FURTHER FINANCE

2/29/88

DATE TURNED INTO OFFICE \_\_\_\_\_

Mr. President:

Resources \_\_\_\_\_ Committee considered SB 468 \_\_\_\_\_

Ernie Haugen Public Use Area; efd

and recommended

replace with report CS SB 468 (res.)  same title  
 or adopt \_\_\_\_\_ CS \_\_\_\_\_  new title

attached amendment(s) and *and do pass*

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

letter of intent adopted \_\_\_\_\_

Committee  attached or  adopted fiscal note(s)

new  updated or  previous  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*DeGlosser*  
*Arthur Stensrud*  
*Paul F. Bluff*  
*Jim Duncan*  
*Paul Frick*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[Signature]*  
Chairman signature and recommendation

Committee Backup attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2/18/88 5-DAY NOTICE  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: RESOURCES  
FINANCE

\*\*FISCAL NOTE(S) ATTACHED yes \*\*  
IN ACCORDANCE WITH AS 24.081035  
(see below)

2/16/88 DATE TURNED INTO OFFICE \_\_\_\_\_  
Mr. President:

C&RA Committee considered SB 468

*establishing the Eric Haugen Public Use Area*

and recommended:

- replace with CS for SB 468 (C&RA)  same title
- attached amendment(s) and and majority do pass  new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to FN
- letter of intent adopted and attached

\*\* Committee  attached or  adopted fiscal note(s)  
 zero  fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

*1 Mike Szymanski - "A great bill" 2*

*1 Rick Halford*

*1 Tom Kelly*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*No Rec*

*Don't Pass*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Artis Stupelinski Do Pass  
Chairman signature and recommendation

Committee Backup Attached