

SB

303

SENATE COMMITTEE REPORT

5-11796

FURTHER FINANCE

2/22/88

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

Mr. President:

Resources \_\_\_\_\_ Committee considered SB 303 \_\_\_\_\_

establishing additional marine parks

and recommended

replace with Res CS for SB 303 (c) )  same title  
 or adopt \_\_\_\_\_ CS \_\_\_\_\_ )  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

*John Elwood*  
*Arthur Sturgis*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER RECOMMENDATIONS

*Do Not Pass*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*John Elwood Do Pass*  
Chairman signature and recommendation

Committee Backup attached

5-1179L  
Bradley  
4/19/88

Original sponsors: Josephson, Kerttula,  
Szymanski, et al.

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE BILL NO. 303 (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 relating to state marine parks."

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

8 \* Section 1. AS 41.21.304 is amended by adding new paragraphs to read:

9 (20) Boswell Bay Beaches

10 Township 17 South, Range 5 West, Copper River Meridian

11 Section 10

12 Section 15

13 Sections 19 - 22

14 (21) Canoe Passage

15 Township 15 South, Range 5 West, Copper River Meridian

16 Section 31: E1/2E1/2

17 Section 32

18 Township 16 South, Range 4 West, Copper River Meridian

19 Section 6: S1/2, S1/2N1/2

20 Township 16 South, Range 5 West, Copper River Meridian

21 Section 3: the land South and West of the mid-channel  
22 of Canoe Passage

23 Section 4: N1/2

24 Section 5: N1/2N1/2, SE1/4NE1/4

25 Section 10: N1/2NE1/4

26 Sections 11 - 12: N1/2N1/2

27 (22) Decision Point

28 Township 8 North, Range 6 East, Seward Meridian

29 Section 5: SW1/4SW1/4

1 Section 6: S1/2S1/2

2 Section 7: N1/2, N1/2S1/2

3 Section 8: W1/2NW1/4, NW1/4SW1/4

4 (23) Driftwood Bay

5 Township 3 South, Range 1 East, Seward Meridian

6 Section 14: SW1/4

7 Section 15

8 Section 16: E1/2E1/2

9 Section 21: NE1/4NE1/4

10 Section 22: N1/2

11 Section 23: NW1/4

12 (24) Entry Cove

13 Township 8 North, Range 6 East, Seward Meridian

14 Section 2: S1/2

15 Section 3: SE1/4, S1/2SW1/4

16 Sections 10 - 11: N1/2

17 (25) Granite Bay

18 Township 9 North, Range 8 East, Seward Meridian

19 Sections 4 - 6: S1/2

20 Sections 7 - 8

21 Section 9: N1/2, SW1/4

22 Section 17: W1/2W1/2

23 Section 18: E1/2, E1/2NW1/4

24 (26) Kayak Island

25 Township 22 South, Range 5 East, Copper River Meridian

26 Section 25

27 Section 36: N1/2, SW1/4, W1/2SE1/4

28 Township 22 South, Range 6 East, Copper River Meridian

29 Section 30: W1/2

1 Township 23 South, Range 5 East, Copper River Meridian

2 Section 1: N1/2NW1/4, SW1/4NW1/4

3 Section 2

4 Sections 10 - 11

5 (27) Jack Bay

6 Township 9 South, Range 7 West, Copper River Meridian

7 Section 31: S1/2SW1/4

8 Township 9 South, Range 8 West, Copper River Meridian

9 Section 35: SE1/4SE1/4

10 Section 36: S1/2S1/2

11 Township 10 South, Range 7 West, Copper River Meridian

12 Section 6: N1/2NW1/4

13 Township 10 South, Range 8 West, Copper River Meridian

14 Section 1

15 Section 2: N1/2, N1/2N1/2S1/2

16 Section 3: NE1/4NE1/4

17 Section 12: E1/2NE1/4, E1/2W1/2NE1/4

18 (28) Safety Cove

19 Township 2 South, Range 1 East, Seward Meridian

20 Section 23: S1/2

21 Section 24: SW1/4

22 Section 25: NW1/4

23 Section 26: N1/2

24 (29) Sandspit Point

25 Township 3 South, Range 1 East, Seward Meridian

26 Section 5: SW1/4, S1/2SE1/4

27 Section 8: N1/2

28 (30) Sunny Cove

29 Township 3 South, Range 1 East, Seward Meridian

Section 19

Section 20: W1/2W1/2

Township 3 South, Range 1 West, Seward Meridian

Section 24: E1/2E1/2

(31) Thumb Cove

Township 2 South, Range 1 East, Seward Meridian

Section 16: W1/2, W1/2NE1/4

Section 17: E1/2

\* Sec. 2. AS 41.21 is amended by adding a new section to read:

Sec. 41.21.308. LAND EXCLUDED. The state land described in AS 41.21.304 does not include land

(1) conveyed to a Native corporation under 43 U.S.C. 1601 - 162b (Alaska Native Claims Settlement Act); or

(2) the tide or submerged land of the state fronting on land conveyed to a Native corporation under 43 U.S.C. 1601 - 1628 to the mid-point of the channel or bay separating the private land from the upland within the state marine park.

# CITY OF SEWARD

P. O. BOX 167  
SEWARD, ALASKA 99664



- Main Office (907) 224-3331
- Police (907) 224-3338
- Harbor (907) 224-3138
- Fire (907) 224-3445
- Telecopier (907) 224-3248

April 14, 1988

The Honorable Joe Josephson  
Alaska State Senate  
P. O. Box V  
Juneau, AK 99811

Dear Senator Josephson:

At its regular meeting on Monday, April 11, 1988, the Seward City Council approved Resolution No. 88-036 in support of passage of Senate Bill 303, an act relating to State Marine Parks.

Enclosed is a copy of the above mentioned resolution for your information. Thank you.

Sincerely,

THE CITY OF SEWARD

*Patricia J. Jones*

Patricia J. Jones  
Administrative Secretary  
Office of the City Clerk

Enclosure

CITY OF SEWARD, ALASKA  
RESOLUTION NO. 88-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SEWARD, ALASKA, IN SUPPORT OF SB 303, AN ACT  
RELATING TO STATE MARINE PARKS

WHEREAS, the state of Alaska, Fifteenth Legislature, Second Session, is considering a bill entitled "An act relating to State Marine Parks" (SB 303); and

WHEREAS, the areas of Sunny Cove, Thumbs Cove and Fox Island Spit (known as Sand Spit Point) are part of this bill; and

WHEREAS, the areas are of scenic and recreational importance to boaters of Resurrection Bay; and

WHEREAS, these lands are becoming attractive visitor destinations for camping, fishing, picnicing, hiking and other outdoor recreational pursuits; and

WHEREAS, the lands proposed are currently titled to the state and require no purchase or financial burden to the state; and

WHEREAS, passage of the bill will benefit the local economy through the provision of transportation and support services; and

WHEREAS, opening these areas will enhance the boating opportunities in Resurrection Bay and make Seward an increasingly popular destination city;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, that:

Section 1. The city of Seward supports the passage of SB 303.

Section 2. Copies of this resolution shall be forwarded to Senators Coghill, Josephson, Kerttula, Szymanski, Sturgulewski and Rodey.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, this 11 day of April, 19 88.

THE CITY OF SEWARD, ALASKA

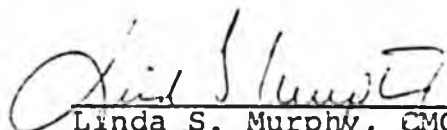
  
\_\_\_\_\_  
HARRY E. GIESELER, MAYOR

AYES: DUNHAM, GIESELER, HILTON, MEEHAN, NOLL, O'BRIEN & SIMUTIS  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

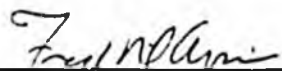
ATTEST:

APPROVED AS TO FORM:

HUGHES, THORSNESS, GANTZ,  
POWELL & BRUNDIN, Attorneys  
for the City of Seward, AK

  
\_\_\_\_\_  
Linda S. Murphy, CMC  
City Clerk

(City Seal)

  
\_\_\_\_\_  
Fred B. Arvidson  
City Attorney

# ALASKA STATE SENATE

JOE P. JOSEPHSON  
DISTRICT H ANCHORAGE  
3111 C STREET, SUITE 950  
ANCHORAGE, ALASKA 99503  
(907) 561-7611



WHILE IN JUNEAU  
P.O. BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4525

## SPONSOR STATEMENT ON CS SB 303 (C&RA)

### What does SB 303 do?

The bill would add twelve new units to the Marine Park System. These units in Prince William Sound and Resurrection Bay have been recommended for designation because of their frequent use by the public, the need for active management, and their exceptional recreational and natural values.

### How were these areas selected for designation?

Ten of these units are a part of the recommendations of the recently completed draft land management area plan for the Prince William Sound which was conducted by the Department of Natural Resources during 1986-88. DNR conducted public meetings in Whittier, Valdez, Cordova, Tatitlek, Chenega, Seward and Anchorage. Nearly 300 people either submitted written comments or attended the meetings.

The Department has also worked closely with nearby Native corporations, other State and Federal land managers, public interest groups as well as the general public. These efforts were to ensure that the location, boundaries, and management intent for the proposed park units were consistent with the needs of adjacent landowners and the recreation and tourism industry.

The draft PWS Area Plan also ensures that the proposed marine park units are consistent with the need for other resources.

Two park units are in Resurrection Bay, outside of the PWS planning area. The Department has considered these two areas and supports their inclusion into this bill. Senator Szymanski intends to offer a third Resurrection Bay unit (Sandspit Point) which the Department also supports.

### Who supports SB 303?

The Chugach Alaska Corporation, the adjacent Native regional corporation, supports the bill.

The Department of Natural Resources supports the designation of 12 of the 13 park units, which includes Senator Szymanski's amendment of Sandspit Point. They recommend that Glacier Island be deleted for the time being. The sponsor is willing to concur. The total acreage of the 12 units supported by the Department is 9,797 acres.

# 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 28, 1988

The Honorable Jack Coghill  
Chairman, Senate Resource Committee  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Coghill:

Subject: Senate Bill 303, An act relating to State Marine Parks.

Position: DNR supports the designation of 12 of the 13 parks in the bill. Designation of a state marine park at Glacier Island should be postponed pending development of nearby private land.

Background: The bill amends AS 41.21.304 by adding 13 new marine parks: ten within Prince William Sound and three in Resurrection Bay. Except for Glacier Island, the bill is consistent with the proposals that will be in the final Prince William Sound Area Plan, including changes based on public and agency testimony on the draft plan. The bill is also consistent with public testimony on that draft plan gathered over the last few months.

As a part of its recommendations for land management in Prince William Sound, the draft Prince William Sound Area Plan recommended the Legislature consider areas for designation as marine parks. Areas were recommended because of the frequent public use, the need for active management, and their exceptional public recreation values. The package of parks is designed to complement the remainder of the plan's land use recommendations and to provide areas for a variety of recreation experiences for the recreation and tourism industry in Prince William Sound. The department worked closely with adjacent Native corporations, state and federal agencies, public interest groups, and the general public to be sure that the location, boundaries, and management intent for the proposed parks was consistent with the needs of other resources, adjacent landowners, and those of the recreation and tourism industry.

The department recently finished public meetings on the draft plan, including the marine park recommendations. Seven public meetings were held: Whittier, Valdez, Cordova, Tatitlek, Cheneqa, Seward, and Anchorage. Almost 300 people either attended the meetings or submitted written comment. In general, public comment has been favorable on the marine parks recommendation in the draft plan. The majority of public comment supported designation of these areas. As a result of specific comments, three areas have been dropped and the acreage reduced. With the exception of Glacier Island, the areas in the current version of SB 303 will be in the final plan.

While the department believes that land at Glacier Island should be managed for public recreation, designation of the area as a marine park should be postponed. State-selected land at Glacier Island is near private land owned by Chugach Alaska Corporation and by Tatitlek Corporation. The corporations intend to develop their land for commercial recreation purposes. The department believes that state land at Glacier Island should be managed to support the private lands commercial development such as providing a water source, access, or hiking trails. The recreation emphasis on state lands should serve the portions of the recreation market that are not adequately served by the development on private land. For example, if private development includes a lodge, state land might be used for a fuel stop and campsites for the general public.

Because the type and amount of state facilities near Glacier Island should be determined considering the eventual development on private land, the exact role of state land is not yet clear. Within the next five years, that amount of type of private development should be apparent. By that time, the department should know what role state land should fill, and the facilities required for that role. At that time, it will be clear whether state park status is the most appropriate method for the state to achieve its management objectives.

The department is also in the process of developing its expertise at managing commercial recreation facilities on state park and general domain state land. As the department accumulates experience, it may become clear that certain regulations and permitting processes are more appropriate for certain types of development, and statute changes may give the department new tools for working with development of private land in the vicinity.

Senator Coghill

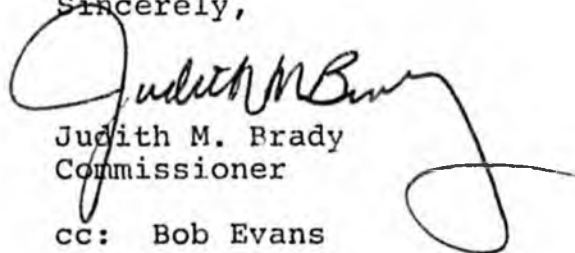
-3-

March 28, 1988

Three areas in the bill are outside the Prince William Sound planning area: Thumb Cove, Sunny Cove, and Sandspit Point. These areas have not received public review. Their designation, however, appears to be consistent with the land use needs in Resurrection Bay; it would allow the department to promote and accommodate public recreation in Resurrection Bay.

Recommendation: For those reasons, the department supports 12 of the 13 areas in SB 303 for designation as state marine parks: Entry Cove, Decision Point, Granite Bay, Jack Bay North, Canoe Passage, Boswell Bay Beaches, Kayak Island, Safety Cove, Driftwood Bay, Thumb Cove, Sunny Cove, and Sandspit Point. The department recommends the decision to designate Glacier Island as a state marine park be postponed pending development of nearby private land.

Sincerely,



Judith M. Brady  
Commissioner

cc: Bob Evans  
Rod Swope  
Senate Resources Members  
Sponsor

FISCAL NOTE

REQUEST:

Revision Date: 4/19/88  
Title: An act relating to State  
Marine Parks  
Sponsor: Senator Josephson et.al.  
Requestor: Senate Resources

Agency Affected: DNR  
BRU: Parks Management  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

While recognizing that active management is always desirable, the Division of Parks can passively manage the proposed units as the major focus of this legislation is aimed at protecting their scenic and recreation values.

Prepared by: Larry Ostrovsky Phone: 465-2400  
Division: Commissioner's Office Date: 4/19/88

Approved by Commissioner: Judith M. Brady Tom Hawkins Date: 4/19/88  
Agency: Department of Natural Resources

Distribution (by preparer):

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

# 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

February 17, 1988

TO: Senate Community and Regional Affairs Committee Members  
FROM: Senate C&RA Staff *MZ*  
RE: SB 303 "An Act establishing additional marine parks."

In 1983 the legislature passed legislation creating the Alaska Marine Parks system. Twelve parks were created, seven in the Prince William Sound Area and five in Southeast Alaska.

SB 303 creates twelve new parks in the Prince William Sound area. The boundaries of these parks have been designed to conform to the draft Prince William Sound Area Plan, though some minor adjustments may take place in the final version of the plan.

A Prince William Sound Area Plan map, with the parks marked in red pen, is included in your packet. The upland area of the parks is approximately 13,500 acres.

A copy of the enabling statute is included in your packet. The Department of Natural Resources will have a position paper and fiscal note available at the meeting.

Senator Josephson or his representative will be at the meeting to testify and a representative of the Division of Parks will testify by teleconference.

Original sponsors: Josephson, Kerttula,  
Szymanski, et al.

BOUNDARY CHANGES  
MADE IN C&RA

1 IN THE SENATE

BY THE COMMUNITY AND  
REGIONAL AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 303 (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 relating to state marine parks."

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

8 \* Section 1. AS 41.21.304 is amended by adding new paragraphs to read:

9

(20) Boswell Bay Beaches

10

Township 17 South, Range 5 West, Copper River Meridian

11

Section 10

12

Section 15

13

Sections 19 - 22

14

(21) Canoe Passage

15

Township 15 South, Range 5 West, Copper River Meridian

16

Section 31: E1/2E1/2

17

Section 32

18

Township 16 South, Range 4 West, Copper River Meridian

19

Section 6: S1/2, S1/2N1/2

20

Township 16 South, Range 5 West, Copper River Meridian

21

Section 3: the land South and West of the mid-channel

22

of Canoe Passage

23

Section 4: N1/2

24

Section 5: N1/2N1/2, SE1/4NE1/4

25

Section 10: N1/2NE1/4

26

Sections 11 - 12: N1/2N1/2

27

(22) Decision Point

28

Township 8 North, Range 6 East, Seward Meridian

29

Section 5: SW1/4SW1/4

1                   Section 6: S1/2S1/2

2                   Section 7: N1/2, N1/2S1/2

3                   Section 8: W1/2NW1/4, NW1/4SW1/4

4                   (23) Driftwood Bay

5                   Township 3 South, Range 1 East, Seward Meridian

6                   Section 14: SW1/4

7                   Section 15

8                   Section 16: E1/2E1/2

9                   Section 21: NE1/4NE1/4

10                  Section 22: N1/2

11                  Section 23: NW1/4

12                  (24) Entry Cove

13                  Township 8 North, Range 6 East, Seward Meridian

14                  Section 2: S1/2

15                  Section 3: SE1/4, S1/2SW1/4

16                  Sections 10 - 11: N1/2

17                  (25) Glacier Island

18                  Township 11 South, Range 11 West, Copper River Meridian

19                  Sections 14 - 17: S1/2

20                  Sections 20 - 21

21                  Section 22: N1/2, SW1/4, N1/2SE1/4

22                  Section 23: N1/2, SW1/4, N1/2SE1/4 excluding IC 637

23                  Section 27: NW1/4

24                  Section 28: N1/2N1/2, SE1/4NE1/4

25                  Section 29

26                  Section 32

27                  (26) Granite Bay

28                  Township 9 North, Range 8 East, Seward Meridian

29                  Sections 4 - 6: S1/2

WANTS TO  
DELETE

1                   Sections 7 - 8  
 2                   Section 9: N1/2, SW1/4  
 3                   Section 17: W1/2W1/2  
 4                   Section 18: E1/2, E1/2NW1/4  
 5           (27) Kayak Island  
 6                   Township 22 South, Range 5 East, Copper River Meridian  
 7                   Section 25  
 8                   Section 36: N1/2, SW1/4, W1/2SE1/4  
 9                   Township 22 South, Range 6 East, Copper River Meridian  
 10                  Section 30: W1/2  
 11                  Township 23 South, Range 5 East, Copper River Meridian  
 12                  Section 1: N1/2NW1/4, SW1/4NW1/4  
 13                  Section 2  
 14                  Sections 10 - 11  
 15           (28) Jack Bay  
 16                  Township 9 South, Range 7 West, Copper River Meridian  
 17                  Section 31: S1/2SW1/4  
 18                  Township 9 South, Range 8 West, Copper River Meridian  
 19                  Section 35: SE1/4SE1/4  
 20                  Section 36: S1/2S1/2  
 21                  Township 10 South, Range 7 West, Copper River Meridian  
 22                  Section 6: N1/2NW1/4  
 23                  Township 10 South, Range 8 West, Copper River Meridian  
 24                  Section 1  
 25                  Section 2: N1/2, N1/2N1/2S1/2  
 26                  Section 3: NE1/4NE1/4  
 27                  Section 12: E1/2NE1/4, E1/2W1/2NE1/4  
 28           (29) Safety Cove  
 29                  Township 2 South, Range 1 East, Seward Meridian

- 1                   Section 23: S1/2
- 2                   Section 24: SW1/4
- 3                   Section 25: NW1/4
- 4                   Section 26: N1/2
- 5           (30) Sunny Cove
- 6                   Township 3 South, Range 1 East, Seward Meridian
- 7                   Section 19
- 8                   Section 20: W1/2W1/2
- 9                   Township 3 South, Range 1 West, Seward Meridian
- 10                  Section 24: E1/2E1/2
- 11           (31) Thumb Cove
- 12                  Township 2 South, Range 1 East, Seward Meridian
- 13                  Section 16: W1/2, W1/2NE1/4
- 14                  Section 17: E1/2

15   \* Sec. 2. AS 41.21 is amended by adding a new section to read:

16           Sec. 41.21.308. LAND EXCLUDED. The state land described in

17   AS 41.21.304 does not include land

18           (1) conveyed to a Native corporation under 43 U.S.C.

19   1601 - 1628 (Alaska Native Claims Settlement Act); or

20           (2) the tide or submerged land of the state fronting on

21   land conveyed to a Native corporation under 43 U.S.C. 1601 - 1628 to

22   the mid-point of the channel or bay separating the private land from

23   the upland within the state marine park.

SANDSPIT POINT  
 (GEN. SEYMENSKI MONTS ADDED;  
 DNR SUPPORTS)



# Alaska State Legislature

Senator Mike Szymanski

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

Interim  
311 C Street  
Suite 150  
Anchorage, AK 99503  
(907) 276-6739

## M E M O R A N D U M

TO: Senator Jack Coghill  
Chairman, Senate Resources

FROM:  Senator Mike Szymanski

DATE: March 4, 1988

Subject: SB 303, establishing additional marine parks

When you take up SB 303 I hope you will consider an amendment to add an additional unit, the Sandspit Point Marine Park. This park unit would be near Seward and contain approximately 400 acres. It will provide outstanding recreational opportunities.

The amendment would be in the following form:

### AMENDMENT TO CSSB 303 (C&RA)

Page 4, line 15, add a new subsection:

(32) Sandspit Point

Township 3 South, Range 1 East, Seward Meridian

Section 5: SW1/4, S1/2SE1/4

Section 8: N1/2

Thanks for your consideration of this amendment.

Senate District E



March 4, 1988

Jack B Coghill, Senator  
Senate Room 30-C  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

Dear Senator Coghill:

This is to convey Chugach Alaska Corporation's (CAC) recommendation that CSSB No. 303 dated February 22, 1988 establishing new State Marine Parks in Prince William Sound be adopted. The bill reflects the consensus reached by the ADNR Area Plan team to expand the park system and further clarifies that neither ANCSA uplands nor adjacent submerged lands are included within park boundaries.

CAC looks forward to participating in the development of the Prince William Sound marine parks to enhance its recreation and tourism resources. Please do not hesitate contacting the corporation if we can be of further assistance in this matter.

Sincerely,

CHUGACH ALASKA CORPORATION

A handwritten signature in cursive script, appearing to read 'Michael H. Chittick'.

Michael H. Chittick  
President

cc: Senator Joseph Josephson  
Senator Jalmar Kerttula  
Senator Mike Szymanski  
Representative Bette Cato

**Sec. 41.21.165. Regulations.** The department shall consult with Department of Fish and Game and the management council before adoption of regulations governing the public use of the park. The Department of Fish and Game shall consult with the department and the management council before adoption of regulations governing fish and wildlife management in the park. No regulations may be adopted by either department without prior review at public hearings. (§ 1 ch 86 SLA 1978)

Revisor's notes. — Formerly AS 41.20.480(d). Renumbered in 1983.

**Sec. 41.21.166. Fish and wildlife breeding areas.** The fish and wildlife habitat breeding areas in the Wood-Tikchik State Park shall be managed to sustain the fish and wildlife resources of the park in perpetuity. (§ 1 ch 86 SLA 1978)

Revisor's notes. — Formerly AS 41.20.480(e). Renumbered in 1983.

**Sec. 41.21.167. Incompatible uses.** (a) The land and water areas described in AS 41.21.161 are not open to mineral entry under AS 38.05.135 — 38.05.280.

(b) The regulations adopted under AS 41.21.165 shall recognize that the current practice of traditional subsistence and recreational activities includes the use of small outboard motors and snow machines. Reasonable access by aircraft for recreational purposes shall be permitted.

(c) Development and operation of a hydroelectric site at Lake Elva or Grant Lake is not considered an incompatible use.

(d) Development and operation of campsites on or adjacent to major spawning and breeding areas are incompatible uses unless it can be shown by a preponderance of evidence that the fishery and wildlife habitat and breeding areas will not be adversely affected to a significant degree by the development and operation. (§ 1 ch 86 SLA 1978)

Revisor's notes. — Formerly AS 41.20.490. Renumbered in 1983.

**Article 3. Alaska Marine Parks.**

<b>Section</b>	<b>Section</b>
300. Declaration of purpose	304. Designated land and water
302. Designation of management responsibility	306. Compatibility of uses

Legislative history reports. — For relating to ch. 64, SLA 1983, see 1983 adoption of House Intent statements House Journal, pp. 2061 and 2063.

**Sec. 41.21.300. Declaration of purpose.** (a) The purpose of AS 41.21.300 — 41.21.306 is to establish, subject to valid existing rights, the state-owned or acquired land and water described in AS 41.21.304 as marine park units of the Alaska state park system. The primary purposes in establishing the land and water areas described in AS 41.21.304 as marine park units of the Alaska state park system are to

- (1) maintain natural, cultural, and scenic values;
  - (2) maintain fish and wildlife resources and lawful existing uses of these resources;
  - (3) promote and support recreation and tourism in the state.
- (b) The land and water described in AS 41.21.304 is dedicated as special purpose sites under art. VIII, sec. 7 of the state constitution. (§ 1 ch 64 SLA 1983)

Revisor's notes. — Enacted as AS 41.20.530. Renumbered in 1983.

**Sec. 41.21.302. Designation of management responsibility.** (a) The state land and water described in AS 41.21.304 is assigned to the Department of Natural Resources for control, maintenance, and development consistent with the purposes and provisions of AS 41.21.300 — 41.21.306.

(b) The Department of Fish and Game is responsible for the management of fish and game resources on the state land and water described in AS 41.21.304 consistent with the purposes of AS 41.21.300 — 41.21.306. The Department of Fish and Game shall give written notice to and consult with the Department of Natural Resources before adoption of regulations governing fish and game management in a marine park unit of the Alaska state park system.

(c) The Department of Natural Resources shall develop a management plan for each marine park unit of the Alaska state park system to determine the specific purposes and uses for the unit. The commissioner of natural resources shall give written notice and consult with the Department of Fish and Game, proximately located municipalities of the state, proximately located private landowners, the United States Forest Service, organizations concerned with conservation, recreation, and tourism, and other interested parties during the preparation of a management plan for a marine park unit of the Alaska state park system.

(d) The commissioner of natural resources may not restrict the exercise of fishing, hunting, or trapping rights permitted under law or under a regulation of the Board of Fisheries or the Board of Game within a marine park unit of the Alaska state park system.

(e) The commissioner of natural resources shall allow the development of aquaculture facilities within a marine park unit of the Alaska state park system under terms and conditions that ensure that the development is compatible with AS 41.21.300 — 41.21.306.

(f) The commissioner of natural resources may enter into a cooperative agreement for

(1) the management of a marine park unit of the Alaska state park system with a federal agency, a municipality of the state, or a proximately located private landowner for a purpose stated under AS 41.21.020(7); or

(2) the management of proximately located federal, municipal, or private land as part of a marine park unit of the Alaska state park system.

(g) In the management of a marine park unit of the Alaska state park system the commissioner of natural resources shall consult and cooperate with a Native corporation that owns an historical or cultural site granted under 43 U.S.C. 1613(h)(1) (sec. 14(h)(1) of the Alaska Native Claims Settlement Act) and that is proximately located to a marine park unit of the Alaska state park system. In the management of a marine park unit of the Alaska state park system the commissioner of natural resources shall address the potential conflicts with the cultural and historical values of land granted to a Native corporation under 43 U.S.C. 1613(h)(1) (sec. 14(h)(1) of the Alaska Native Claims Settlement Act) and shall provide for appropriate protection to these values.

(h) Nothing in AS 41.21.300 — 41.21.306 precludes the use of or access to privately owned land or mineral claims and leases. The commissioner of natural resources shall permit adequate and feasible access across state land within a marine park unit of the Alaska state park system to and from private land within or outside a unit. In the granting of such access the commissioner of natural resources may adopt reasonable regulations to protect the natural and other values of the marine park unit lands and water. (§ 1 ch 64 SLA 1983)

Revisor's notes. — Enacted as AS 41.20.532. Renumbered in 1983.

**Sec. 41.21.304. Designated land and water.** The state-owned land and water and that land and water acquired by the state in the future lying within the following described parcels is designated as marine park units of the Alaska state park system:

(1) Bettles Bay

Township 10 North, Range 6 East, Seward Meridian

Section 12: S½ SW¼, SW¼ SE¼

Section 13: NW¼, W½ NE¼, N½ SW¼, NW¼ SE¼

Section 14: N½ SE¼, S½ NE¼, NE¼ NE¼

(2) Oliver Inlet

Township 43 South, Range 68 East, Copper River Meridian

Section 28: SW¼

Section 32: E½ E½

Section 33: NW¼, W½ SW¼

(3) Sawmill Bay

Township 9 South, Range 9 West, Copper River Meridian

Section 22: E½ SE¼, SW¼ SE¼

Section 23: SW¼, S½ NW¼, NE¼ NW¼, W½ NE¼

Section 26: W½

Section 27: E½, S½ SW¼

Section 28: E½ SE¼

Section 33: NE¼ NE¼

Section 34: N½, SE¼, N½ SW¼, SE¼ SW¼

Section 35: W½

Township 10 South, Range 9 West, Copper River Meridian

Section 3: N½ NE¼

(4) Shoup Bay

Township 8 South, Range 7 West, Copper River Meridian

Section 30: W½ W½

Section 31: W½ W½

Township 8 South, Range 8 West, Copper River Meridian

Section 25: All

Section 26: All

Section 27: E½

Section 34: E½

Section 35: All

Section 36: All

Township 9 South, Range 8 West, Copper River Meridian

Section 1: N½ NW¼

Section 2: N½

Section 3: All

(5) South Esther Island

Township 8 North, Range 8 East, Seward Meridian

Section 3: W½, W½ SE¼, SW¼ NE¼

Section 4: E½ E½, SW¼ SE¼

Section 5: E½ SW¼, SW¼ SW¼, SE¼ NW¼

Section 6: E½ SW¼, S½ SE¼, NW¼ SE¼

Section 7: N½ NE¼, SE¼ NE¼

Section 8: E½, NW¼, N½ SW¼, SE¼ SW¼

Section 9: All

- Section 10: N $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 16: N $\frac{1}{2}$   
 Section 17: NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$   
 Township 9 North, Range 8 East, Seward Meridian  
 Section 33: SW $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$
- (6) Surprise Cove  
 Township 8 North, Range 6 East, Seward Meridian  
 Section 21: SE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$   
 Section 22: SE $\frac{1}{4}$ , S $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 23: W $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 26: W $\frac{1}{2}$  W $\frac{1}{2}$   
 Section 27: All  
 Section 28: S $\frac{1}{2}$ , NE $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$   
 Section 29: SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 34: N $\frac{1}{2}$  N $\frac{1}{2}$   
 Section 35: NW $\frac{1}{4}$  NW $\frac{1}{4}$
- (7) Chilkat Islands  
 Township 32 South, Range 60 East, Copper River Meridian  
 Section 22: SE $\frac{1}{4}$   
 Section 23: All  
 Section 26: All  
 Section 27: All  
 Section 34: All  
 Section 35: All  
 Township 33 South, Range 61 East, Copper River Meridian  
 Section 4: All  
 Section 5: All  
 Section 8: All  
 Section 9: All  
 Section 16: All
- (8) Ziegler Cove  
 Township 9 North, Range 6 East, Seward Meridian  
 Section 25: SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$   
 Section 26: E $\frac{1}{2}$   
 Section 36: N $\frac{1}{2}$  N $\frac{1}{2}$
- (9) Horseshoe Bay  
 Township 1 South, Range 9 East, Seward Meridian  
 Section 32: SE $\frac{1}{4}$   
 Township 2 South, Range 9 East, Seward Meridian  
 Section 4: S $\frac{1}{2}$  SW $\frac{1}{4}$  excluding amended Iron Mountain Lode No. 2 and Iron Mountain Lode  
 Section 5: All  
 Section 8: N $\frac{1}{2}$  excluding Iron Mountain Lode No. 11 and Iron Mountain Lode No. 10  
 Section 9: NW $\frac{1}{4}$  NW $\frac{1}{4}$  excluding amended Iron Mountain Lode No. 2 and Iron Mountain Lode

- (10) Sullivan Island  
 Township 34 South, Range 60 East, Copper River Meridian  
 Section 12: SE $\frac{1}{4}$   
 Township 34 South, Range 61 East, Copper River Meridian  
 Section 7: All  
 Section 18: All  
 Section 19: All  
 Section 30: All
- (11) Shelter Island  
 Township 39 South, Range 64 East, Copper River Meridian  
 Section 29: All  
 Section 31: All  
 Section 32: All  
 Section 33: All
- (12) Saint James Bay  
 Township 37, Range 62 East, Copper River Meridian  
 Section 27: All  
 Section 28: All  
 Section 29: All  
 Section 30: SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 31: E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$   
 Section 32: All  
 Section 33: All  
 Section 34: All  
 Section 35: W $\frac{1}{2}$   
 Township 38 South, Range 62 East, Copper River Meridian  
 Section 2: W $\frac{1}{2}$   
 Section 3: All  
 Section 4: All  
 Section 5: All  
 Section 6: NE $\frac{1}{4}$ , E $\frac{1}{2}$  SE $\frac{1}{4}$   
 Section 8: N $\frac{1}{2}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$   
 Section 9: All  
 Section 10: All  
 Section 11: W $\frac{1}{2}$   
 Section 14: NW $\frac{1}{4}$   
 Section 15: N $\frac{1}{2}$   
 Section 16: N $\frac{1}{2}$   
 Section 17: N $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$
- (§ 1 ch 64 SLA 1983)

Revisor's notes. — Enacted as AS 41.20.534. Renumbered in 1983.

**Sec. 41.21.306. Compatibility of uses.** (a) The commissioner of natural resources may prohibit or restrict by regulation except as provided in AS 41.21.302(d) incompatible uses within the state-owned land and water described in AS 41.21.304.

(b) Discharge of a firearm is permitted in state-owned land and water described in AS 41.21.304 unless the land or water is closed by regulation of the commissioner of natural resources for public safety purposes.

(c) Nothing in AS 41.21.300 — 41.21.306 prohibits the Department of Fish and Game from engaging in rehabilitation, enhancement, and development under AS 16.05.092 within an area described in AS 41.21.304.

(d) Reasonable access shall be permitted to and across a marine park unit of the Alaska state park system for lawful hunting, fishing, trapping and recreational purposes.

(e) The Department of Public Safety and the Department of Fish and Game shall be allowed reasonable access for fish and game management, research, and enforcement purposes. (§ 1 ch 64 SLA 1983)

Revisor's notes. — Enacted as AS 41.20.536. Renumbered in 1983.

Article 4. State Recreation Areas.

Section	Section
410. Purpose of AS 41.21.410 — 41.21.425	450. Purpose of AS 41.21.450 — 41.21.465
415. Authority to designate Captain Cook State Recreation Area	455. Nancy Lake State Recreation Area established
420. Incompatible use prohibited	460. Incompatible uses prohibited
425. Purchase authorized	465. Purchase authorized
430. Purpose of AS 41.21.430 — 41.21.445	470. Purpose of AS 41.21.470 — 41.21.490
435. Authority to designate Cairnes Head State Recreation Area	475. Chena River Recreation Area established
440. Incompatible use prohibited	480. Eminent domain
445. Purchase authorized, eminent domain prohibited	485. Zoning of private land
	490. Incompatible uses prohibited

Sec. 41.21.410. Purpose of 41.21.410 — 41.21.425. The purpose of AS 41.21.410 — 41.21.425 is to empower the governor to restrict state owned land and water described in AS 41.21.415 to use as a public recreation area. Under AS 38.05.300, state land, water or land and water containing more than 640 acres may be closed to multiple purpose use only by act of the legislature. Because the area described in AS 41.21.415 exceeds 640 acres, AS 41.21.410 — 41.21.425 are intended to provide for the closing of the described land and water to multiple purpose use in conformity with AS 38.05.300 and its subsequent designation as a special purpose site in accordance with article VIII, § 7, of the Constitution of the State of Alaska. (§ 1 ch 100 SLA 1969)

Revisor's notes. — Formerly AS 41.20.070 and renumbered in 1969 41.20.130 Renumbered in 1983. Enacted

Sec. 41.21.415. Authority to designate Captain Cook Recreation Area. The governor may designate by proclamation state-owned land and water and all that acquired in the future state, lying within the parcels described in this section, as the Captain Cook State Recreation Area. The proclamation may include the area or portions of the area at different times, shall reserve the included from all uses incompatible with their primary function as public recreation land and water, and shall assign them to the commissioner for control, development and maintenance. Land covered by AS 41.21.410 — 41.21.425 is that within the following described parcels:

- Township 8 North, Range 10 West, Seward Meridian
- Section 3
- Section 9
- Section 10: NW¼, NE¼, SW¼, W½ SE¼
- Section 15: W½ W½
- Sections 16 and 17

All tideland abutting the above and all of Stormy Lake. (§ 1 SLA 1969)

Revisor's notes. — Formerly AS 41.20.140. Renumbered in 1983. Enacted as AS 41.20.080 and renumbered in 1969. "SW1/4" has been inserted by omission from ch 100 SLA 1969 typographical error. In the description of land in Section 10,

Sec. 41.21.420. Incompatible use prohibited. The commissioner shall designate by regulation incompatible uses within the boundaries of the Captain Cook State Recreation Area in accordance with AS 41.21.410, and those incompatible uses designated shall be prohibited or restricted, as provided by regulation. (§ 1 ch 100 SLA 1969)

Revisor's notes. — Formerly AS 41.20.090 and renumbered 41.20.150. Renumbered in 1983. Enacted

Sec. 41.21.425. Purchase authorized. The commissioner may acquire, by negotiated purchase only in the name of the state or interest in real property lying within the boundaries of the Captain Cook State Recreation Area. (§ 1 ch 100 SLA 1969)

Revisor's notes. — Formerly AS 41.20.100 and renumbered 41.20.160. Renumbered in 1983. Enacted

Sec. 41.21.430. Purpose of AS 41.21.430 — 41.21.445. The purpose of AS 41.21.430 — 41.21.445 is to empower the governor to restrict state-owned land and water described in AS 41.21.415 to use as a public recreation area. Under AS 38.05.300, state land, water or land and water containing more than 640 acres may be closed to multiple purpose use only by act of the legislature. Because the

THE FOLLOWING DOCUMENT HAS  
NOT BEEN FILMED BUT IS  
AVAILABLE IN THE ORIGINAL  
FILE

# PRINCE WILLIAM SOUND AREA PLAN

## SUMMARY OF THE DRAFT PLAN

NOVEMBER 1987



### WHAT IS THE PRINCE WILLIAM SOUND AREA PLAN?

State lands in Prince William Sound can be used for recreation, fish and wildlife, places to live, access for mineral and timber development, and mariculture. There are many different ideas about how state lands should be used. Although some uses conflict with each other, many uses can occur in the planning area, provided the uses are carefully managed.

To decide how state land should be managed, the Alaska Department of Natural Resources (DNR), is preparing a land use plan for state lands. The plan identifies areas for sale and establishes guidelines for managing state lands and tidelands for the next 20 years.

The plan will not direct the use of federal, Native, or private lands; nor will it change fish and game regulations.

### HOW WAS THE DRAFT PLAN DEVELOPED?

DNR began working on this plan in 1985. In that year, public meetings were held to learn about important issues in the Prince William Sound area and to gather ideas on how state lands should be managed. Using information from these meetings and from state and federal agencies, the department developed alternative uses for state lands. These alternatives were reviewed at public meetings in each of the Sound's communities and in Anchorage and Seward. Based on comments from these meetings and from a public survey, the department developed the proposals in this draft plan.

### HOW CAN YOU BE INVOLVED?

### SUMMARY OF PROPOSALS

Proposals for management of each resource are listed on this page. The map on the other side shows the proposed areas.

#### Settlement

The Prince William Sound Area Plan will identify what state land will be offered for private sale over the next 20 years. Within settlement areas, the plan's guidelines protect sensitive habitat features; reserve recreation areas; and ensure public access, especially to tidelands and riparian corridors.

**Land Offerings.** Land offerings are being made around existing communities. All the settlement areas in the plan meet the following criteria:

1. The land is relatively good quality, is accessible, and is currently state owned or likely to be state owned.
2. Conflicts with fish and wildlife, habitat management, public recreation, other public uses are less than in other areas of the region that are capable of being used for settlement. However, because so much land suitable for settlement is also suitable for other uses, conflicts with other uses inevitably exist on some of these areas.
3. The public has expressed some support for land offerings in that area.

Thirteen settlement areas will be offered for sale over the next twenty years. These areas total approximately 2,620 acres of land suitable for recreational purposes, and approximately 920 acres suitable for commercial/industrial use. An additional area, near Seward Bay, will be offered for sale if, by the end of the 20-year planning period, a significant