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HOUSE COMMITTEE REPORT

File

(11)

Date Referred: April 25, 1990

FURTHER REFERRALS:

Date of Committee Action: 5/3/90

The FINANCE Committee considered:

SB 403

SENATE BILL NO. 403

STAN PRICE STATE WILDLIFE SANCTUARY

"An Act establishing the Stan Price State Wildlife Sanctuary; and providing for an effective date."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] have attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

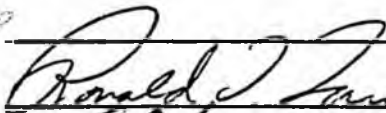
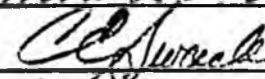
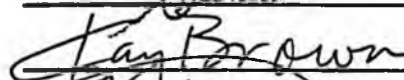
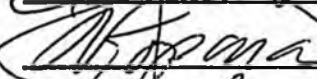
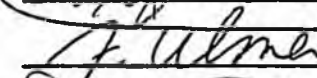
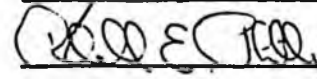
- [] fiscal impact _____
- [] zero fiscal note _____
- [] zero with analysis _____

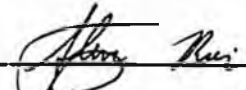
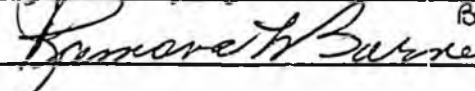
- [] fiscal note(s) _____
- [] zero fiscal note(s) _____
- [] zero fn/analysis _____

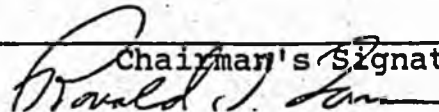
SIGNING DO PASS:

SIGNING:
(Check approp. column)

Do Not Pass No Rec Amend

 LARSON
 Swackhammer
 BROWN
 Koponen
 Uimer
 PHILLIPS

	Do Not Pass	No Rec	Amend
 Rieger	<input checked="" type="checkbox"/>		
 Barnes	<input checked="" type="checkbox"/>		

Chairman's Signature
 LARSON

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act Establishing the State
Price State Wildlife Sanctuary
Sponsor: Senator Eliason
Requestor: _____

Agency Affected: ADFGG
BRU: Habitat & Wildlife Conservation
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0					

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

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

FUNDING (Thousands of Dollars)

GENERAL FUND	0					
FEDERAL FUNDS	0					
OTHER	0					
TOTAL	0					

POSITIONS:

FULL-TIME	-					
PART-TIME	-					
TEMPORARY	-					

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Frank Rue, Director
Division: Habitat

Phone: _____
Date: 2/17/90

Approved by Commissioner: *Wm. W. Willy*
Agency: Alaska Department of Fish and Game

Date: 2/12/90

Distribution (by preparer):

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



STATE OF ALASKA
OFFICE OF THE GOVERNOR

SB 403 No. 1
HOUSE 4/25/90

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB 403	SPONSOR Senator Eliason
SHORT TITLE OF BILL An Act establishing the Stan Price Wildlife Sanctuary			
DEPARTMENT POSITION Support			
PREPARED BY Frank Rue, Director	DATE 2-2-90	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/2/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUPS AFFECTED BY BILL Local recreationalists and wildlife viewers
ORGANIZATIONAL SUPPORT FOR BILL Local Environmental Groups	ORGANIZATIONAL OPPOSITION TO BILL None

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
The purpose of the bill is to establish the Stan Price State Wildlife Sanctuary and to provide permanent protection for brown bears, other fish and wildlife populations and their habitats

- ANALYSIS OF BILL/PROGRAM EFFECTS
1. Establish the Stan Price Wildlife Sanctuary.
 2. Provide permanent protection for brown bears, other fish and wildlife populations, and their habitats.
 3. Provide for a board to adopt regulations governing uses and activities affecting natural habitat and fish and wildlife.
 4. Direct the Commissioner to manage the sanctuary compatibly with adjacent uplands management and allow for management through cooperative agreements..

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION : SB 403 (b)
PUBLISH DATE : 2/7/90

FISCAL NOTE

REQUEST:

Revision Date: 1-Feb-90 Agency Affected: Natural Resources
 Title: An Act establishing the Stan Price
State Wildlife Sanctuary. BRU: Land and Water Management
 Sponsor: Eliason and Duncan Components: Land and Water Mgmt
 Requestor: C&RA

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Janet Burlison Phone: 465-3400
 Division: Land and Water Management Date: 1-Feb-90

Approved by Commissioner: Lennie Gorsuch Date: 1-Feb-90
 Agency: Department of Natural Resources

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

BY SEN. ELIASON, Duncan

1 IN THE SENATE

2

SENATE BILL NO. 403

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act establishing the Stan Price State Wildlife
7 Sanctuary; and providing for an effective date."

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

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

10 ARTICLE 2A. STAN PRICE STATE WILDLIFE SANCTUARY.

11 Sec. 16.20.150. STAN PRICE STATE WILDLIFE SANCTUARY. (a) The
12 state-owned tide and submerged land and water within the following
13 described parcels are established as a state wildlife sanctuary to be
14 known as the Stan Price State Wildlife Sanctuary:

15 Township 46 South, Range 69 East, Copper River Meridian

16 Section 5: W1/2, W1/2E1/2

17 Section 6: SE1/4SE1/4

18 Section 7: NE1/4NE1/4

19 Section 8: NW1/4, W1/2NE1/4, N1/2SW1/4.

20 (b) The Stan Price State Wildlife Sanctuary is established to
21 provide permanent protection for brown bears, other fish and wildlife
22 populations, and their habitats in the area so that these resources
23 may be preserved for scientific, aesthetic, and educational purposes.

24 (c) A board may adopt regulations governing access, entry,
25 development, construction, and each other use and activity affecting
26 the natural habitat and the fish and wildlife within the Stan Price
27 State Wildlife Sanctuary.

28 (d) Consistent with (b) of this section, the commissioner shall
29 manage the Stan Price State Wildlife Sanctuary compatibly with the

1 United States Forest Service's management of the adjacent upland. The
2 commissioner may enter into a cooperative management agreement with a
3 federal agency, a municipality, another state agency, or a private
4 landowner to achieve the purposes of this section.

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

ALASKA STATE LEGISLATURE · SENATE

SENATOR RICHARD I. ELIASON

LABOR & COMMERCE COMMITTEE, CHAIRMAN
RESOURCES COMMITTEE
RULES COMMITTEE
SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION
SELECT COMMITTEE ON
LEGISLATIVE ETHICS



P.O. BOX 143
SITKA, ALASKA 99835

P.O. BOX V
JUNEAU, ALASKA 99811
(907) 485-4916

FAX (907) 485-4928

M E M O R A N D U M

TO: Rep. Hoffman, Co-chairman
Rep. Larson, Co-chairman
House Finance Committee

FROM: Sen. Eliason

DATE: April 24, 1990

RE: SB403, Establishing the Stan Price Wildlife Sanctuary

Today the House Resources Committee moved SB 403 out of committee. Its next referral is to the House Finance Committee. As this bill has a zero fiscal note, and your committee is likely to be very tied up with other bills which do have fiscal implications which must be considered, I would like to request that you waive the Finance referral on this bill.

I will attach some back-up material on SB 403. As you can see, it is a very simple bill which simply designates about a square mile of tide and submerged lands as a wildlife refuge, and names it in honor of the memory of Alaska's famous "Bear Man of Pack Creek."

As adjournment is near, I would very much appreciate your consideration of waiving referral of SB 403. If you do not waive the referral, I request that the bill be scheduled for a hearing in your committee as soon as possible.

Thank you.

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 5, 1990

The Honorable Al Adams
Chair, Community and Regional
Affairs Committee
Alaska State Senate
P.O. Box V
Juneau, AK 99611

Dear Senator Adams:

Subject: Senate Bill 403 would establish the Stan Price State Wildlife Sanctuary on state tide and submerged land.

Position: DNR supports this legislation.

Background: This legislation would provide permanent protection for brown bears and other fish and wildlife. The legislation affects tide and submerged land already managed by the U.S. Forest Service and the Department of Fish and Game through a cooperative agreement from this department. We feel that the establishment of this sanctuary is in the public's interest. The uplands are managed by the U.S. Forest Service and are designated wilderness.

To ensure consistency with other established sanctuaries (Walrus Island State Game Sanctuary and McNeil River State Game Sanctuary) and to clarify management responsibilities between Fish and Game and DNR, the following language should be added:

Applicability of other laws. The provisions of AS 16.20.130-140 relating to administration, multiple use and sale and lease apply also to the Stan Price State Wildlife Sanctuary.

This language is included in the McNeil River State Game Sanctuary statute (Sec. 16.20.170)

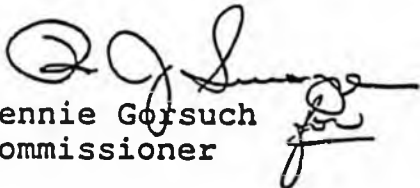
Senator Adams

- 2 -

February 5, 1990

It is appropriate that the sanctuary be named after Mr. Price, the long-term Alaskan who inhabited this area for so many years and had a deep affection for the wildlife in the area. Please contact me or my staff if you have questions regarding this matter.

Sincerely,


Lennie Gorsuch
Commissioner

cc: Bill Sponsor
Committee Members
Bob Evans, Legislative Liaison
Office of the Governor
Denby Lloyd, Special Staff Assistant
Office of the Governor
Gary Gustafson, Director
Division of Land and Water Management
Department of Natural Resources

697

Pack Creek Map

Camp in sites marked ▲

Refer to USGS map: Sitka D-1 Quad

0 1 mile

Swan Island

Observatory (out of use)

Pack Creek

Pack Creek Trail (1 mi.)

Tidal Flat

Viewing Sand Spit

Purse Residence

Wood Garden

South Garden

Food Cache

South Sand Spit

anchorage

Mail Boat Outhaul

Windfall Island

 Pack Creek Cooperative Management Area

Windfall Harbor

Late Point



715407
FEB 28 1990

February 23, 1990

Senator Bettie M. Fahrenkamp
P.O. Box 4
Juneau, AK 99811

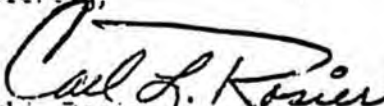
Dear Senator Fahrenkamp:

The Territorial Sportsmen support SB 403, "An Act establishing the Stan Price State Wildlife Sanctuary." Pack Creek is one of the three best brown bear viewing areas in the world. We very much want to see this situation continue, and sanctuary status will help insure that.

The problem at Pack Creek is the number of people. The number of visitors has dramatically increased there in the 1980's, and some means of controlling access is essential. Sanctuary status will give the Alaska Board of Game, in consultation with the public, the authority to establish reasonable regulations for visiting the area.

We strongly support this bill and would appreciate your scheduling and supporting SB 403 through the legislative process. Thank you for your consideration.

Sincerely,


Carl L. Rosier
President

cc: Senator R. Eliason
Senator J. Duncan
Representative Ulmer
Representative Hudson



United States
Department of
Agriculture

Forest
Service

Region 10
Tongass National Forest

Chatham Area
204 Siginaka Way
Sitka, Alaska 99835
(907) 747-6671

Reply To: 1510-7

Date: February 2, 1990

Honorable Richard Eliason
Alaska State Senate
P.O. Box V
Juneau, AK 99811
Attn: Mary McDowell

Dear Senator Eliason:

Senate Bill 403 was recently introduced for consideration. The bill would establish the Stan Price State Wildlife Sanctuary on State land at Pack Creek on Admiralty Island. Per discussion between your staff and the Admiralty Island National Monument Manger, I would submit the following as the Forest Service's statement concerning the proposed legislation.

The Alaska Dept. of Fish and Game (ADF&G) and Admiralty Island National Monument, Chatham Area, Tongass National Forest, have been cooperating in the management of Pack Creek for a number of years. Since 1987 we have completed two joint planning efforts, resulting in effective management guidelines for the area. In May, 1988, the Pack Creek Cooperative Management Area was established to provide a unique recreational opportunity for visitors while protecting both the bears and their habitat.

The Forest Service, as well as the State of Alaska, have had a long relationship with Stan Price. His longevity, relationship with the bears, and popularity with visitors at Pack Creek made him a memorable individual. I believe the naming of the State Sanctuary would be an appropriate way of recognizing Stan.

Enactment of this legislation will allow for the continued cooperative management between the ADF&G and the Forest Service of an extremely important area; while memorializing a significant Alaskan citizen.

Thank you for the opportunity to comment on this bill.

Sincerely,

GARY A. MORRISON
Forest Supervisor

cc:
ADF&G
ANM

900129 1300 ANM 1517 PS





STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB403	SPONSOR Senator Eliason
SHORT TITLE OF BILL An Act establishing the Stan Price Wildlife Sanctuary			
DEPARTMENT POSITION Support			
PREPARED BY Frank Rue, Director	DATE 2.2.90	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/2/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL Local recreationalists and wildlife viewers
ORGANIZATIONAL SUPPORT FOR BILL Local Environmental Groups	ORGANIZATIONAL OPPOSITION TO BILL None

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
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ANALYSIS OF BILL/PROGRAM EFFECTS

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2. Provide permanent protection for brown bears, other fish and wildlife populations, and their habitats.
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4. Direct the Commissioner to manage the sanctuary compatibly with adjacent uplands management and allow for management through cooperative agreements..

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

QUESTIONS AND ANSWERS ABOUT THE PROPOSED STAN PRICE STATE WILDLIFE SANCTUARY

Where would the proposed Stan Price State Wildlife Sanctuary be located?

The sanctuary would occupy a small portion of Admiralty Island in the Seymour Canal area. It would include the Pack Creek tidelands and immediately adjacent state waters.

What is the key attraction at the proposed sanctuary?

Brown bear sows and cubs congregate along Pack Creek during summer fish runs. Because of their long association with Price, and because visitors leave them alone, some of the bears fish while people are present. Bears sometimes approach the viewing sand spit quite closely, and there are often good photo opportunities.

How big would the proposed sanctuary be?

The sanctuary would encompass 613 acres--slightly less than one square mile. It would include only state tidelands and adjacent state waters. Tongass National Forest lands would not be included. All of the area commonly used by Pack Creek bears for fishing would either be part of the sanctuary or in the National Monument.

Why is this sanctuary important?

Human visitation in the area increased rapidly in the 1980's. There were over 500 visitors in July and August, 1989. The state manages the Pack Creek tidelands on which the bears fish. The Board of Game can currently regulate only hunting and trapping in this area. Sanctuary status would give the Board authority to regulate all human uses, including visitation. The Department of Fish and Game would enforce these regulations with existing personnel who are stationed on-site during the summer.

If this area were to become a wildlife sanctuary would it automatically be closed to hunting?

No. Hunting in state sanctuaries is regulated by the Alaska Board of Game. The Pack Creek area has been closed to brown bear hunting since before statehood. Little or no hunting of any kind takes place within the proposed sanctuary. The Department of Fish and Game has no plans to recommend closure of this area for any other kind of hunting. Any proposed changes in the hunting regulations are publicly noticed by the Board before they take action.

STAN PRICE STATE WILDLIFE SANCTUARY Q & A
Page 2

This portion of the Admiralty Island National Monument is managed as a wilderness area. Would this legislation change the wilderness character of the area?

No. The area is currently managed under a cooperative agreement between the Alaska Department of Fish and Game and the USDA Forest Service. Visitation on Forest Service lands in this area is managed by a permit system. Management of the area as a wildlife sanctuary would enhance this unique state-federal management system, and help insure its wilderness character.

Why name this area after Stan Price?

Stan Price was a colorful southeast Alaska resident who developed a world-wide reputation for his peaceful relationship with bears. Price loved the bears and gave lectures around the United States on Pack Creek bears. Price lived in the area from about 1955 until the time of his death in 1989.

Are there other state sanctuaries in Alaska?

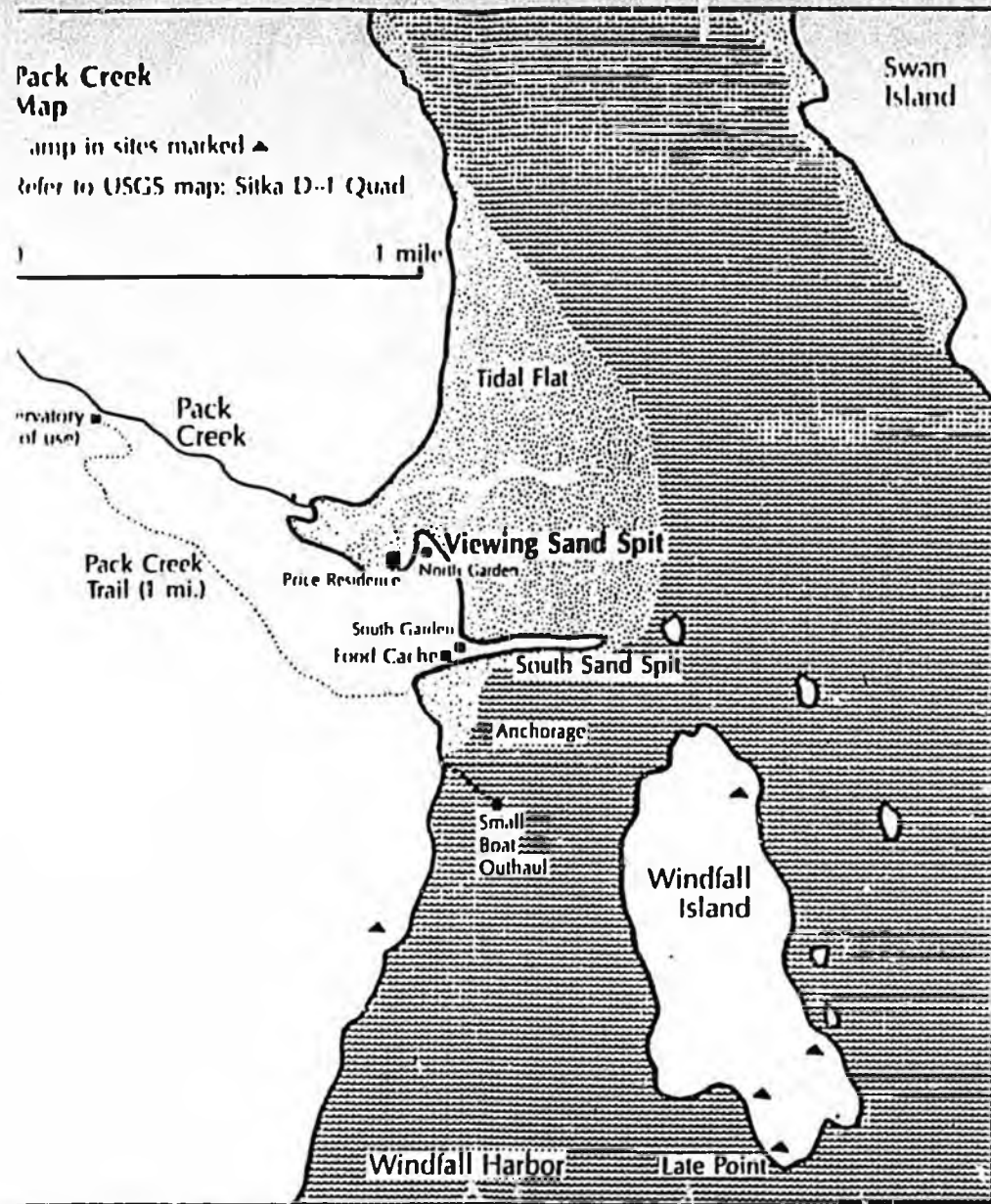
There are currently two: Walrus Islands in Bristol Bay and McNeil River on the Alaska Peninsula. Both are famous around the world for opportunities to see walrus and brown bears. Most pictures of brown bears fishing in streams come from McNeil River. The proposed state sanctuary would be the first in southeast Alaska.

Would management of this sanctuary be similar to McNeil river?

In general, yes. The area would be primarily managed for bears and to give people an opportunity to view bears in a near-natural setting. Management regulations would ultimately be determined by the Board of Game. Visitors to McNeil River must first obtain a drawing permit. Visitors to Pack Creek must also obtain a permit, but the number of permits is not currently limited. However, if visitation becomes excessive, a drawing permit system might be instituted on the sanctuary.

Would access to important mineral deposits or other resources be lost in this sanctuary?

The proposed sanctuary is extremely small--613 acres. None of it is above water at a 19 foot tide. It is surrounded by a federal wilderness area. Any opportunities that might be lost in this designation would be minor.



Pack Creek Safety

Pack Creek bears are habituated to humans, but they aren't tame. A few bears have tasted human food and will boldly approach you in search of more. While they may seem unaggressive, use some common sense. Follow these precautions:

- **Leave your food behind.**
 A bait ket cache is provided near the south sand spit (see Pack Creek Map). Do not carry food in your pack. Never feed any bear or leave any pack unattended. Intentionally leaving food unattended and accessible to bears is a violation of Alaska law. Even packs with no food in them are attractive to curious bears.
- **Stay near the viewing sand spit.**
 Moving into the meadow herds the bears out of photo range for other visitors. Bears will approach the viewing spit if you have patience. Use a telephoto lens for closeup shots. Bears may allow you to approach closely but will show their displeasure through subtle signs not easily recognized by most visitors. If you are too close, you leave no room for error and you are inviting a charge.
- **Camp only in designated sites.**
 The best camps are on Windfall Island. No camping is allowed near the esuary or food cache.

For further information

Admiralty National Monument
 8465 Old Dairy Road
 Juneau, AK 99801
 Phone: (907) 789-3171

Alaska Department of Fish and Game
 Phone: Juneau (907) 465-4265
 Sitka (907) 747-5449



Bear Viewing

Pack Creek, Swan Cove and Windfall Harbor



United States
 Department of
 Agriculture

PREPARED BY
 Forest
 Service

Alaska Region
 Leaflet No.
 RID-RG-12

Swan Cove and Windfall Harbor

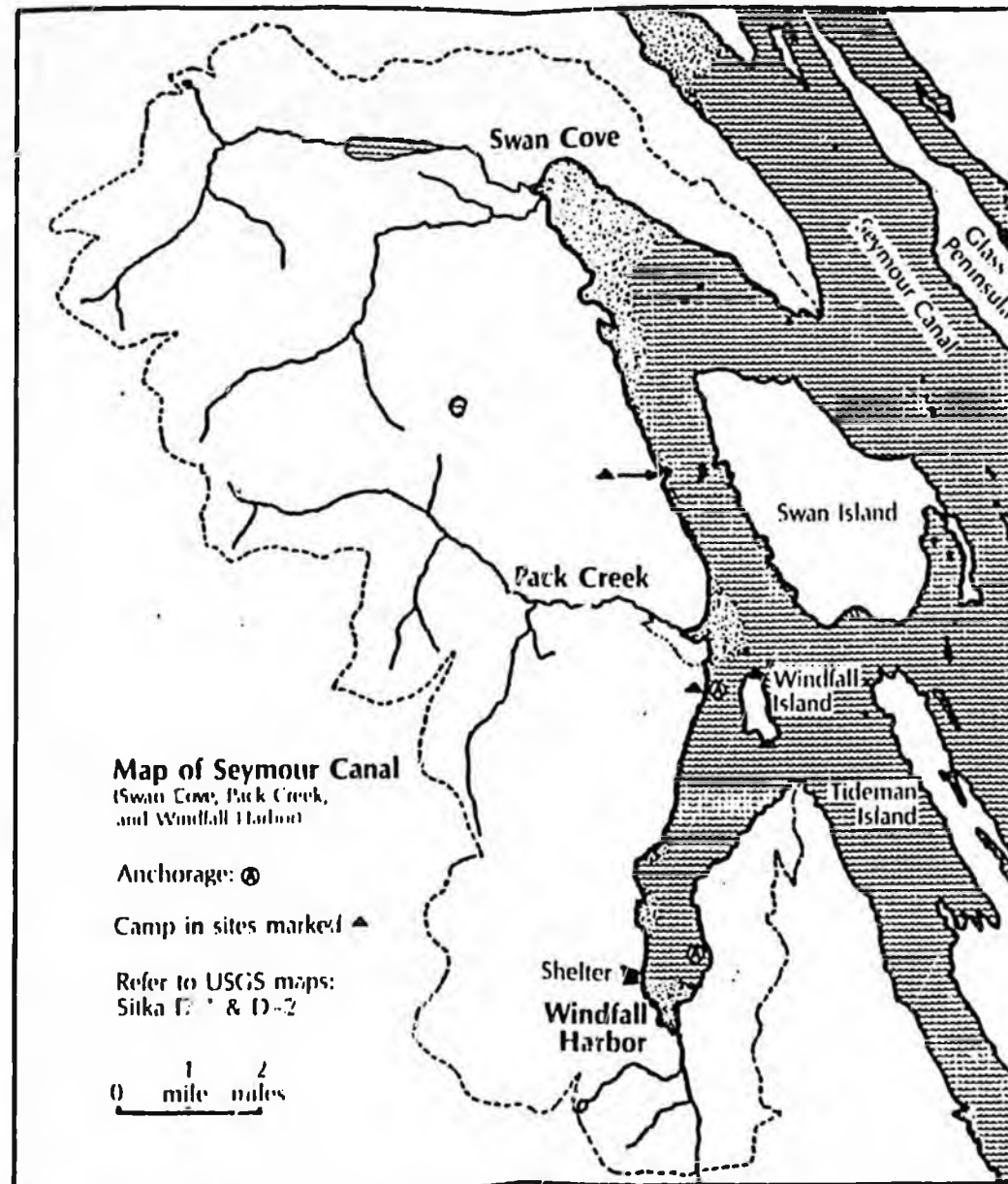
These large bays have extensive tidelands with good populations of brown bear, few human visitors, and no facilities. Bears are most abundant in July and August, and to a lesser extent in June and September. These wild bears are unaccustomed to humans and should be treated with respect (see **BEAR SAFETY** section). Boat anchorages are possible in the areas indicated on the map but consult the tide or assembly tables for the timing and height of high and low tides and when going ashore remember that large tidal variations on shallow tidelands can easily strand a boat ashore. Windfall Harbor has a three-sided shelter to camp near and a good site is shown for Swan Cove. Other sites are available on Swan Island. Always keep a clean camp and hang food high at night.

Pack Creek

Pack Creek has been closed to bear hunting since the mid 1970s and several bears are habituated to the presence of humans. The opportunity to see bears is high because of this but some of the bears have obtained human food and have lost their fear of humans. This is a dangerous situation that warrants special precautions (see **PACK CREEK SAFETY**). A washhouse near the estuary has been occupied by Stan Price since the late 1970s. A few bears allow him to approach closely, but you should use some common sense and keep your distance. Bears have destroyed boats left on the beach and daypacks left in the meadow and on the viewing spot, and there have been several dangerous incidents involving visitors who approach too close.

Management

The Windfall, Pack Creek, Swan Cove and Swan Island area is managed as part of the Admiralty National Monument and is administered by the USDA Forest Service. The Alaska Department of Fish and Game has jurisdiction over the bears and both agencies cooperate in managing the area for its wilderness values and non-consumptive uses. In 1984 the Alaska Board of Game extended the boundaries of the original Pack Creek bear refuge to include the entire area shown on the map of Seymour Canal.



Bear Safety

Whenever in bear country you should act responsibly with food and respect the territorial nature of bears.

- **Keep your distance.**

It takes experience to know how close you can come to a bear, and the best advice is to stay back at least 100 feet. Staying out in the open where the bear can clearly see you is advisable. It is not wise to wander up a salmon creek where the noise of water and tree cover screens your approach and surprises a bear. Bears sometimes communicate to other animals and to humans through body posture.



Standing in profile to you, head lowered, and "passively" looking toward the distance may be the bear's way of showing you his size, a polite way of telling you to move out of his space. Aggression is signaled by teeth chatter, hair raised on the hump and back, and ears laid back along the sides of the head.



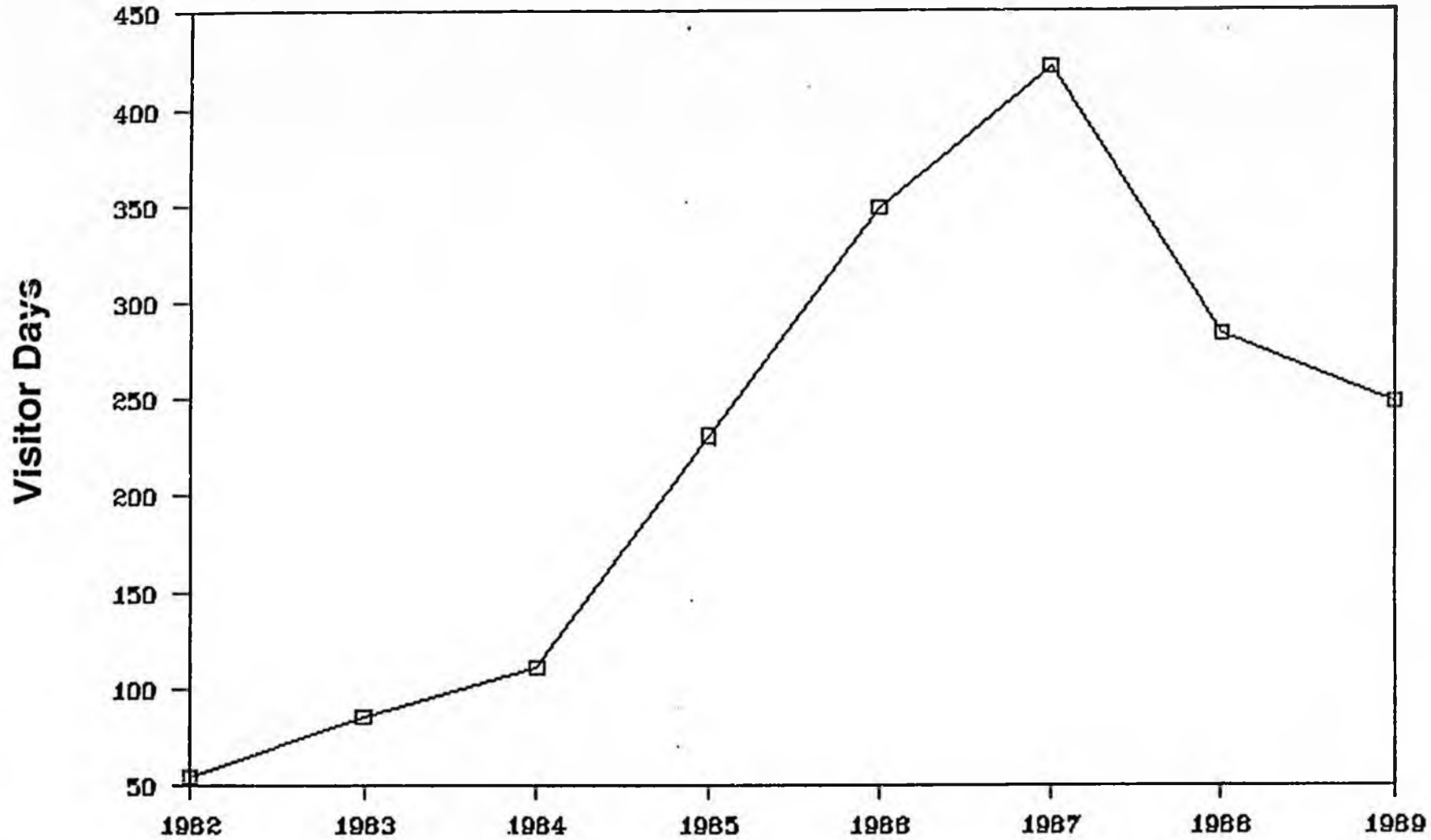
Standing erect on hind legs is usually not an aggressive posture. When the bear's head and nose are raised with ears forward, the animal may only be trying to identify human noises and smells.

- **Keep a clean camp.**

No site, even those on small islands, is safe from a bear visit. Set the tent up well away from the cooking area and do not take food near it. Thoroughly burn all food scraps and refuse to remove smells and pack out whatever remains. People who use the site after you will appreciate you not burying or leaving anything behind that will attract bears into their camp. Hang food 12 feet above the ground when not in use. Remember, intentionally leaving food unattended and accessible to bears is considered feeding and is a violation of Alaska law. Be sure to down your campfire. Many sites are destroyed by campfires that people thought "couldn't possibly spread."

PACK CREEK VISITOR USE

1982 - 1989



Notes:

1. A visitor day = one person for one day or two people for a half day each
2. Registration permits (no limit) were required to visit Pack Creek for the first time in 1988.
3. Chum salmon runs were weak in 1988 and 1989. Fewer fish usually means fewer bears which ultimately means fewer visitors.