

H B

393

HOUSE COMMITTEE REPORT

(9)

Date Referred: January 8, 1990

FURTHER REFERRALS: FINANCE

Date of Committee Action: 2/20/90

The RESOURCES Committee considered:

HB 393

HOUSE BILL NO. 393

LAND EXCHANGE: KENAI RIVER SP. MGT. AREA

"An Act authorizing a land exchange between the University of Alaska and the Department of Natural Resources involving the Kenai River Special Management Area."

RECOMMENDATIONS:

- be replaced with CS HB 393 (RES) the same title
 a new title
 have attached amendment(s)
 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 DNR
 zero fiscal note
 zero with analysis

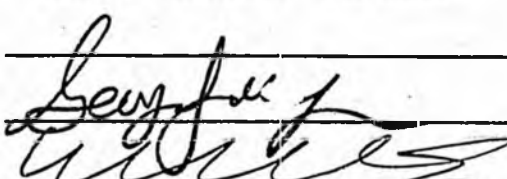
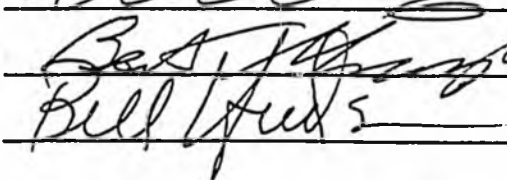
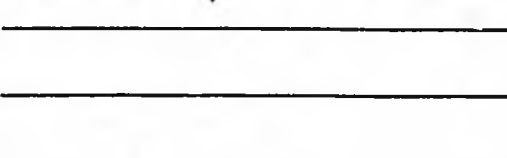
- fiscal note(s)
 zero fiscal note(s) 1/8/90 ADF+G
 zero fn/analysis

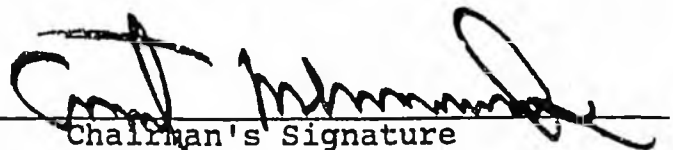
SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

	Do Not Pass	No Rec	Amend
		X	
	X		
	X		


Chairman's Signature



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Natural Resources	DIVISION Parks & Outdoor Recreation	BILL NUMBER	SPONSOR
DEPARTMENT POSITION Support			
PREPARED BY	DATE	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/22/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL DNR - Division of Land & Water Management	CONSTITUENT GROUP(S) AFFECTED BY BILL Kenai River Special Management Area Advisory Board City of Kenai
ORGANIZATIONAL SUPPORT FOR BILL Kenai River Special Management Area Advisory Board City of Kenai	ORGANIZATIONAL OPPOSITION TO BILL None

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The University of Alaska's expansion plans for its college campus at Kenai cannot go forward due to a limitation on physical area. Adjacent land within the Kenai Special Management Area is needed to expand the college campus.

ANALYSIS OF BILL/PROGRAM EFFECTS

Statutory authority is needed to remove land from the Kenai River Special Management Area (KRSMA). The University of Alaska owns property adjacent to the KRSMA at Slikok Creek. The University would exchange a portion of its property along Slikok Creek for access, recreation and habitat protection uses in exchange for state land within the Management Area which is more suitable for campus development/expansion of the Kenai College. The adjustment of management boundaries would meet the goals of the state and the University and the public interest.

AMENDMENTS PROPOSED

None

DK

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Land exchange between the II of A & DNR involving Kenai River Mgt. Area
Sponsor: Navarre Swackhammer
Requestor: _____

Agency Affected: Natural Resources
BRU: Land & Water Mgt.
Components: Land & Water Mgt.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	25.0					
TRAVEL	1.5					
CONTRACTUAL	5					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	27.0					

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	27.0					
FEDERAL FUNDS						
OTHER						
TOTAL	27.0					

POSITIONS:

FULL-TIME						
PART-TIME	1					
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) This fiscal note provides for 6 months of a Natural Resource Mgr. I (18) to complete the land exchange under AS 38.50. This includes negotiations, public hearings and notice and final conveyance.

Prepared by: Ron Swanson, Chief Land and Resources Phone: 762-2680
Division: Land and Water Management Date: February 15, 1990

Approved by Commissioner: *[Signature]* Date: _____
Agency: _____

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

FISCAL NOTE

REQUEST:

Revision Date: 1/8/90 Agency Affected: _____
 Title: An Act authorizing a land exchange BRU: _____
between University of AK and ADNR including the Kenai River Special Management Ar.
 Sponsor: Navarre/Swackhammer Components: _____
 Requestor: _____

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	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0					

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0					
FEDERAL FUNDS	0					
OTHER	0					
TOTAL	0					

POSITIONS:

FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact

Prepared by: Frank Rue
 Division: Habitat

Phone: 465-4107
 Date: January 18, 1990

Approved by Commissioner: *Frank Rue*
 Agency: _____

Date: Jan 31 1990

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

Original sponsor(s): REP. NAVARRE, Swackhammer

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 393 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing a land exchange between the
7 University of Alaska and the Department of Natural
8 Resources involving the Kenai River Special Manage-
9 ment Area; and providing for an effective date."

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

11 * Section 1. (a) The commissioner of natural resources may exchange
12 under (b) and (c) of this section land within the Kenai River Special
13 Management Area for land owned by the University of Alaska. AS 38.50
14 applies to the transfer.

15 (b) The commissioner of natural resources may transfer to the Univer-
16 sity of Alaska land that is located within Township 5 North, Range 11 West,
17 Seward Meridian, Section 36: Tract A, Slikok Creek Alaska Subdivision.

18 (c) The land of the University of Alaska that may be transferred to
19 the commissioner of natural resources is land within Township 5 North,
20 Range 11 West, Seward Meridian, Section 36: S1/2NW1/4.

21 * Sec. 2. AS 41.21.502(a)(4)(H) is amended to read:

22 (H) Slikok Creek

23 Township 5 North, Range 11 West, Seward Meridian

24 Section 36: portions of S1/2NW1/4 and Tract

25 "A", Slikok Creek Alaska subdivision that are

26 not managed by the University of Alaska

27 * Sec. 3. Section 1 of this Act takes effect immediately under AS 01.-
28 10.070(c).

29 * Sec. 4. Section 2 of this Act takes effect on the first day of the

1 month that follows the certification by the commissioner of natural re-
2 sources to the lieutenant governor and the revisor of statutes that the
3 exchange has been completed under sec. 1 of this Act.
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Alaska State Legislature



Representative Mike Navarre

February 17, 1990

MEMORANDUM

TO: Representative Curt Menard, Co-Chair
Representative Cliff Davidson, Co-Chair
House Resources Committee

FROM: Rep. Mike Navarre

Subject: HB 393, "An Act authorizing a land exchange between the University of Alaska and the Department of Natural Resources involving the Kenai River Special Management Area."

Attached is a short justification summary for HB 393 and some back-up material from the Division of Parks and Outdoor Recreation, the University of Alaska, the City of Soldotna, and the Dept. of Fish and Game.

As noted in the Department of Fish and Game's analysis, the bill as written is open-ended, and thus would allow other unspecified land trades. I agree with that interpretation.

Therefore, I have also attached a work draft of a sponsor substitute that is the result of a coordinated effort between Div. of Parks and University personnel, Legislative Counsel, and my staff. The draft more narrowly defines the legal descriptions of the parcels to be exchanged, and eliminates the "open ended" problem with the original bill.

I would like to propose this draft to the committee as a "sponsor offered" committee substitute.

Thanks for your consideration.

Alaska State Legislature



Representative Mike Navarre

HB 393 - JUSTIFICATION SUMMARY

This measure would simply allow the exchange of lands managed by the University of Alaska, and lands managed by the DNR, Division of Parks and Outdoor Recreation, in the vicinity of the Kenai Peninsula College Campus and the Slikok Creek Recreation Area near Soldotna.

The exchange will meet the mutual objectives of the University (by allowing expansion of the Kenai Campus), the City of Soldotna (which will manage the upland portion of the lands along Slikok Creek), and the Division of Parks and Outdoor Recreation (which manages the Kenai River Special Management Area).

In short, the bill allows continued expansion of the Kenai Peninsula College Campus, at the same time promoting tourism development along Slikok Creek, a popular Soldotna area fishing stream.

I urge your favorable consideration of HB 393.

A handwritten signature in cursive script that reads "Mike".

Rep. Mike Navarre

MN/pm

2/18/90 Rev. 1.0

Soldotna

• 177 North Birch • Soldotna, Alaska 99669 • Phone: 262-9107



August 10, 1989

Senator Paul Fischer
Box 784
Soldotna, Alaska 99669

Representative Mike Narvarre
Box 189
Kenai, Alaska 99669

Representative C. E. Swackhammer
312 Tyee Street
Soldotna, Alaska 99669

Re: Slikok Creek Recreation Area / University of Alaska Land Exchange

Gentlemen:

On behalf of the Soldotna City Council, I desire to inquire whether you would be willing to sponsor a bill which would authorize a land exchange between the University of Alaska and the Department of Natural Resource in the vicinity of the campus of the Kenai Peninsula College and the Slikok Creek Recreation Area.

A draft of the proposed legislation has been drafted by counsel for the University. The draft language and some background information pertaining to this topic is enclosed for your information and reference.

This land exchange would facilitate mutual objectives of the University, Soldotna and the Division of Parks and Outdoor Recreation, Department of Natural Resources. The City and the University have "officially" endorsed this proposal. DNR representatives appear to be "neutral" indicating to me that they will not oppose these proposals.

We would like to have this legislation introduced at the beginning of your second session so that it may be enacted in 1990. A companion appropriation of \$100,000 -- 50% to DNR and 50% to the City of Soldotna, would also be appreciated so that we may implement plans for the design and construction of a bridge over the mouth of Slikok Creek at the Kenai River, pedestrian boardwalks, pathways and other appropriate habitat preservation improvements in the critical habitat areas adjacent to the Kenai River and Slikok Creek.

If you require additional information, please just call me or John Dickinson at the University. I will be in Wrangell at 874 2381 on an interim manager assignment from August 14 to September 11. Thanks for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Underkofler".

Richard Underkofler
City Manager

cc: Sue Millington, Division of Parks and Outdoor Recreation, Box 1247, Soldotna, AK 99669
John Dickinson, University of Alaska, 910 Yukon Drive, Suite 211, Fairbanks, Alaska 99775



Statewide Office
(907) 474-7591

University of Alaska
Facilities Planning & Construction
Butrovich Building, Suite 211
910 Yukon Drive
Fairbanks, Alaska 99775-5280

REC'D MAY 8 1989

May 5, 1989

Richard Underkofler
City Manager
City of Soldotna
177 North Birch Street
Soldotna, Alaska 99669

Re: Recreation Access and Land Exchange Legislation

Dear Rich:

As discussed, I have had our counsel draft the enclosed proposed legislation, including background summary information and map work.

By copy of this letter to William Garry, I am requesting that he contact both of us if any of the enclosure causes his agency any concern. That way we can, as agreed, support this legislation on all fronts. I want to thank you again for your assistance in introducing this legislation and look forward to favorable action within the next year.

Sincerely,

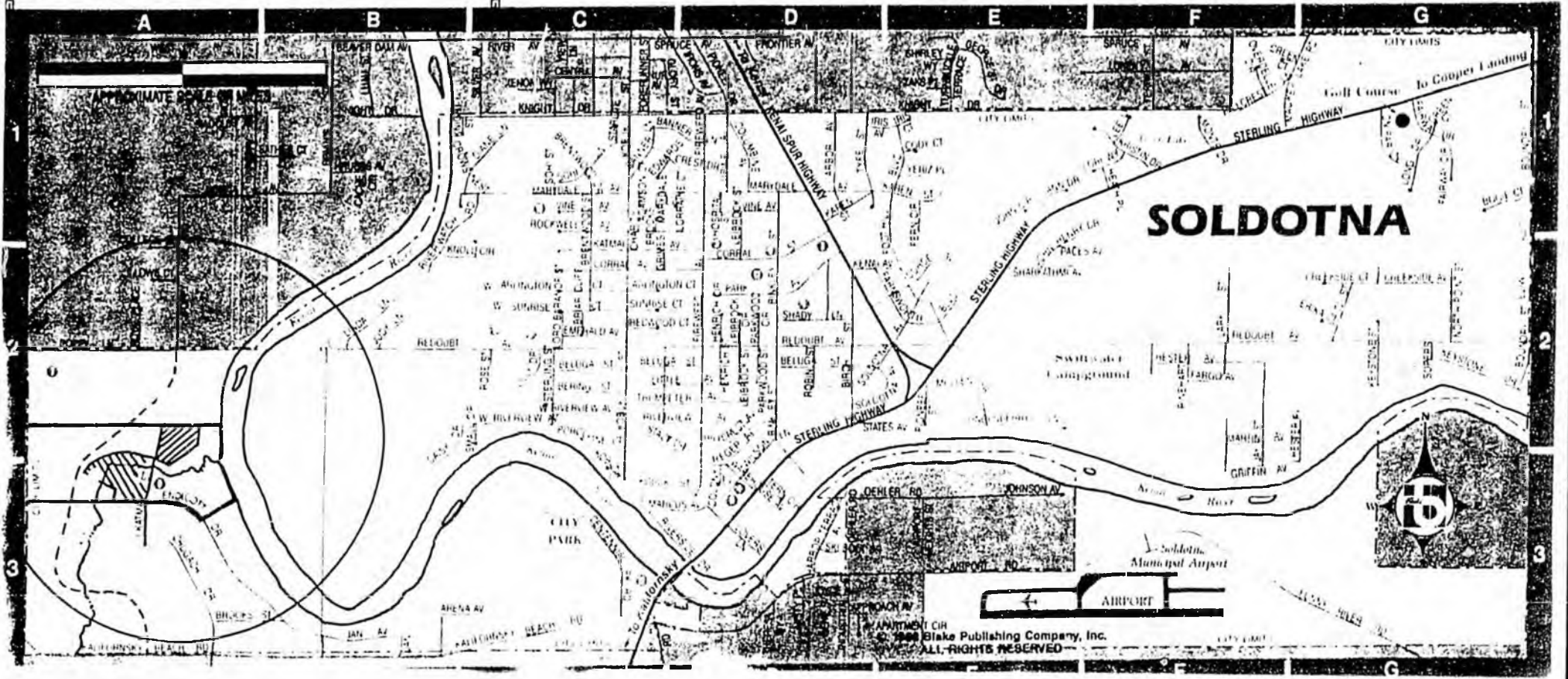
A handwritten signature in dark ink, appearing to read "John Dickinson".

John Dickinson, Manager
Educational Properties

Encl: Draft of Proposed Legislation

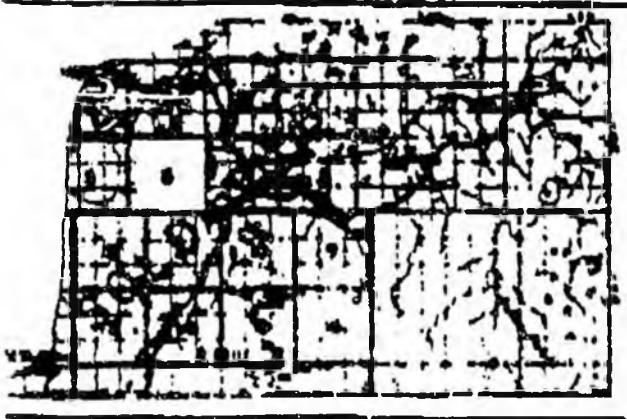
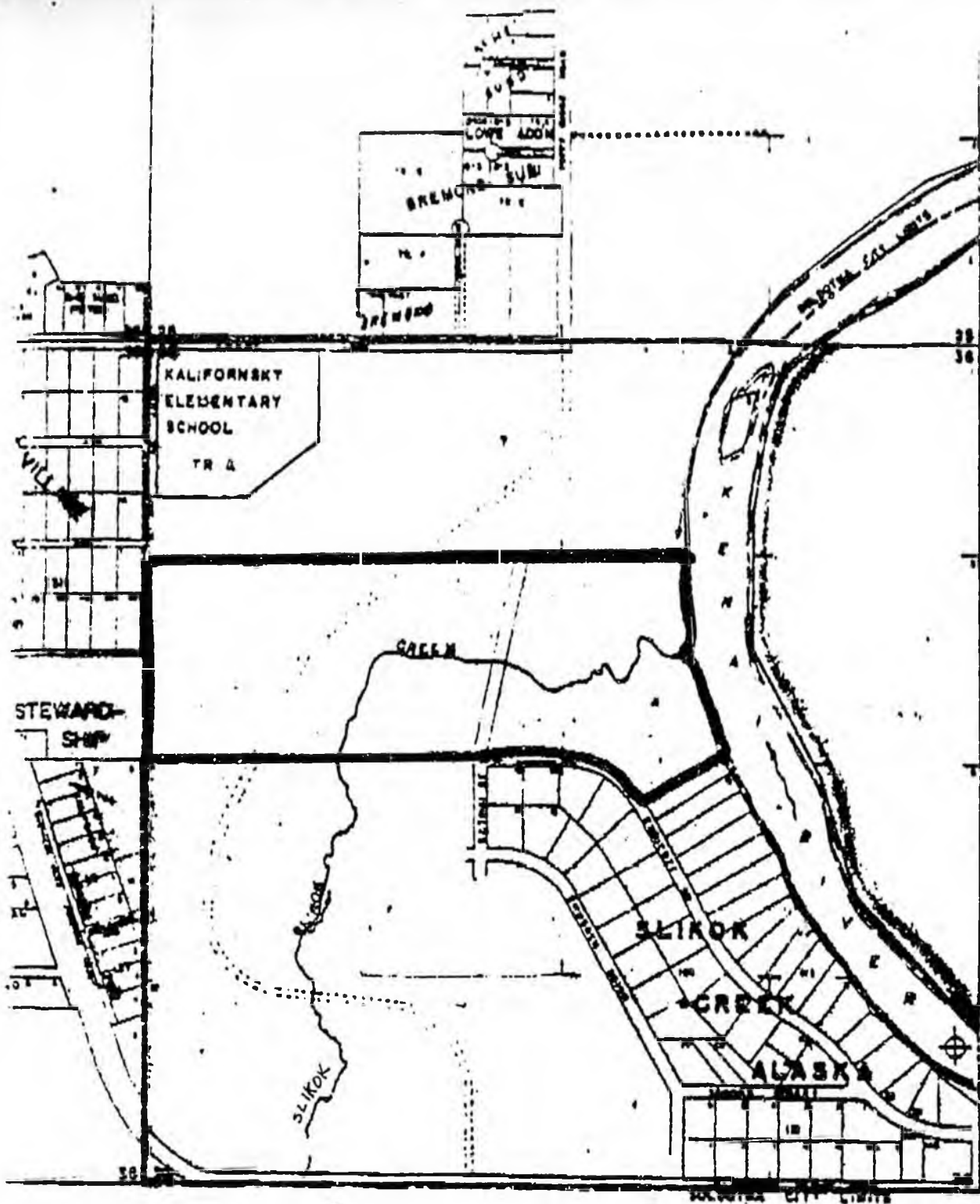
cc: William W. Garry
John Wiles

0553_7540

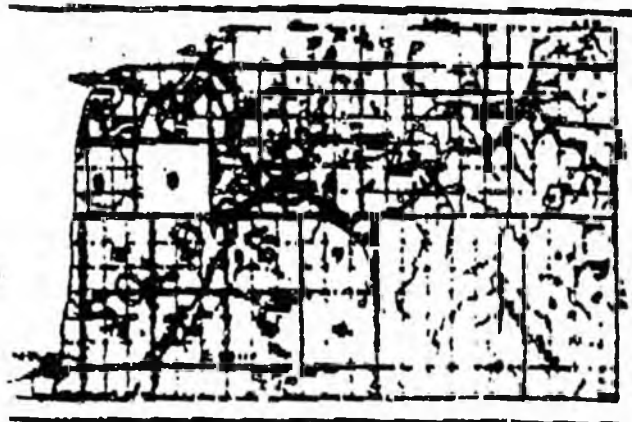
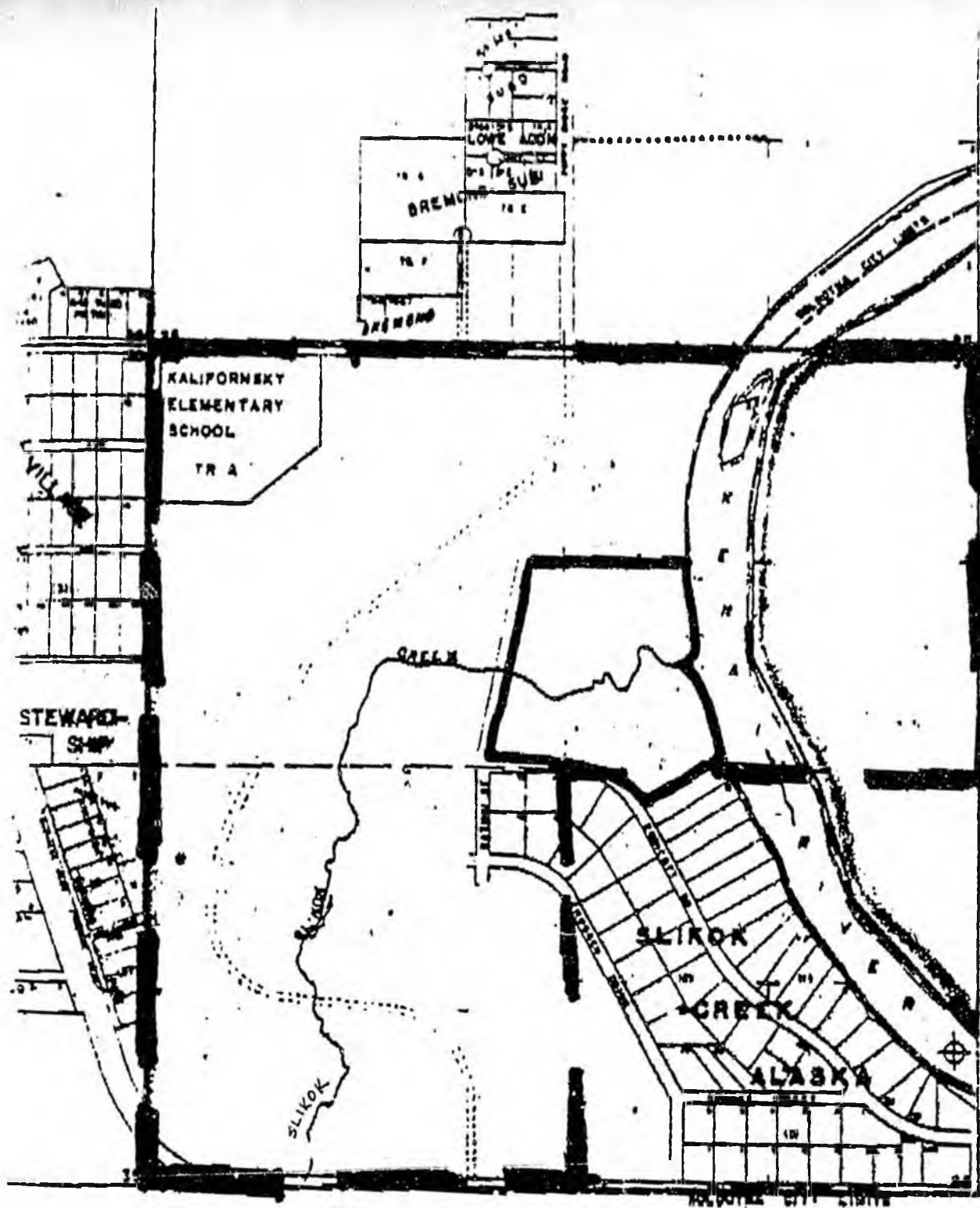


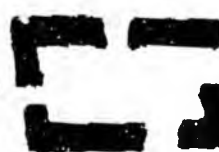
SOLDOTNA






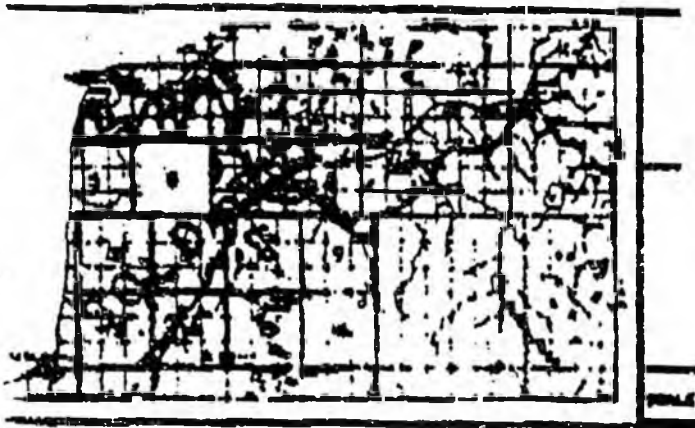
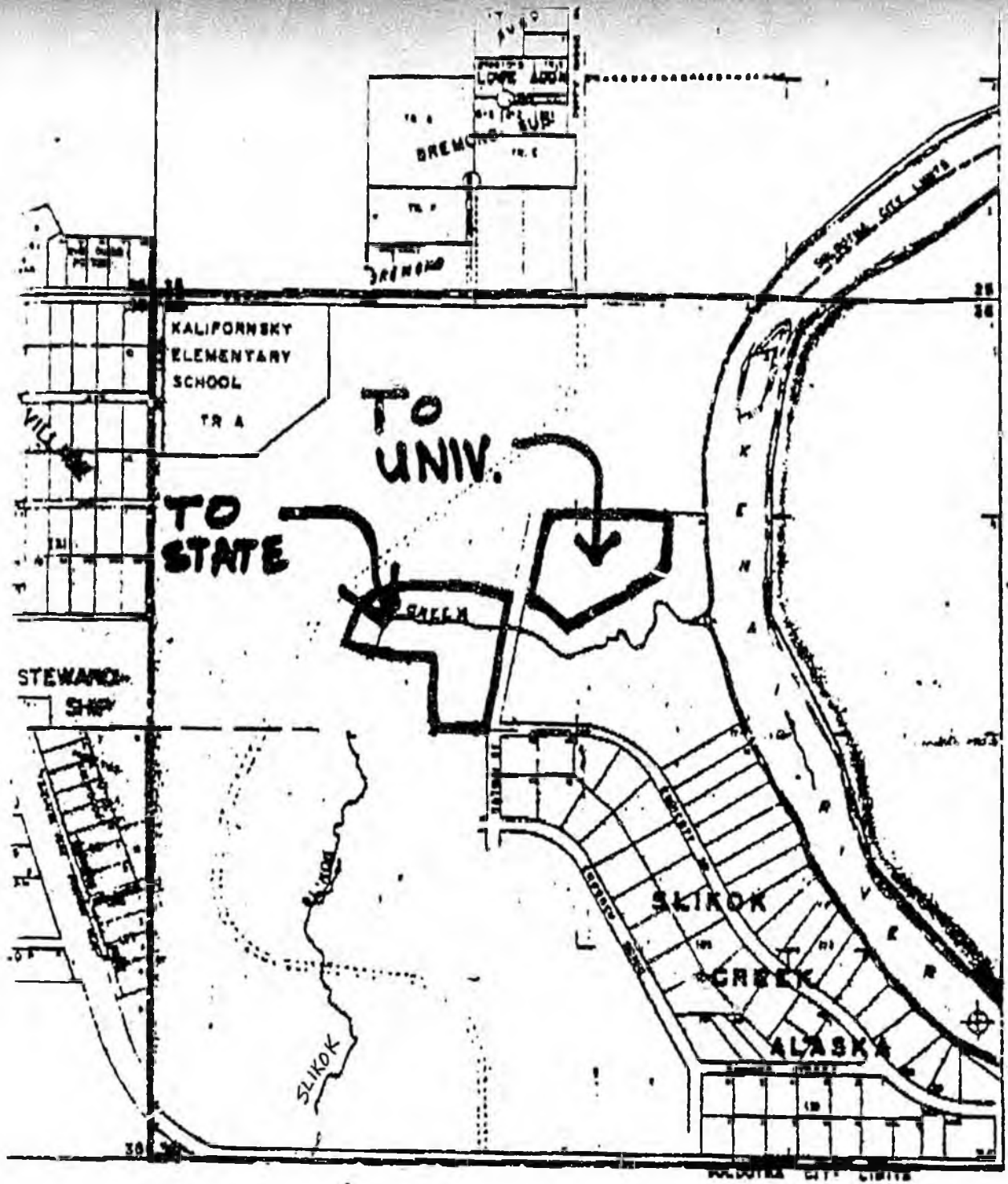
□ AREA WHERE
 NON-UNIVERSITY
 LANDS ARE PART
 OF KENAI RIVER
 SPECIAL MGMT.
 AREA




**LAND TO STATE
FROM WITHIN**


**LAND TO UNIV.
FROM WITHIN**

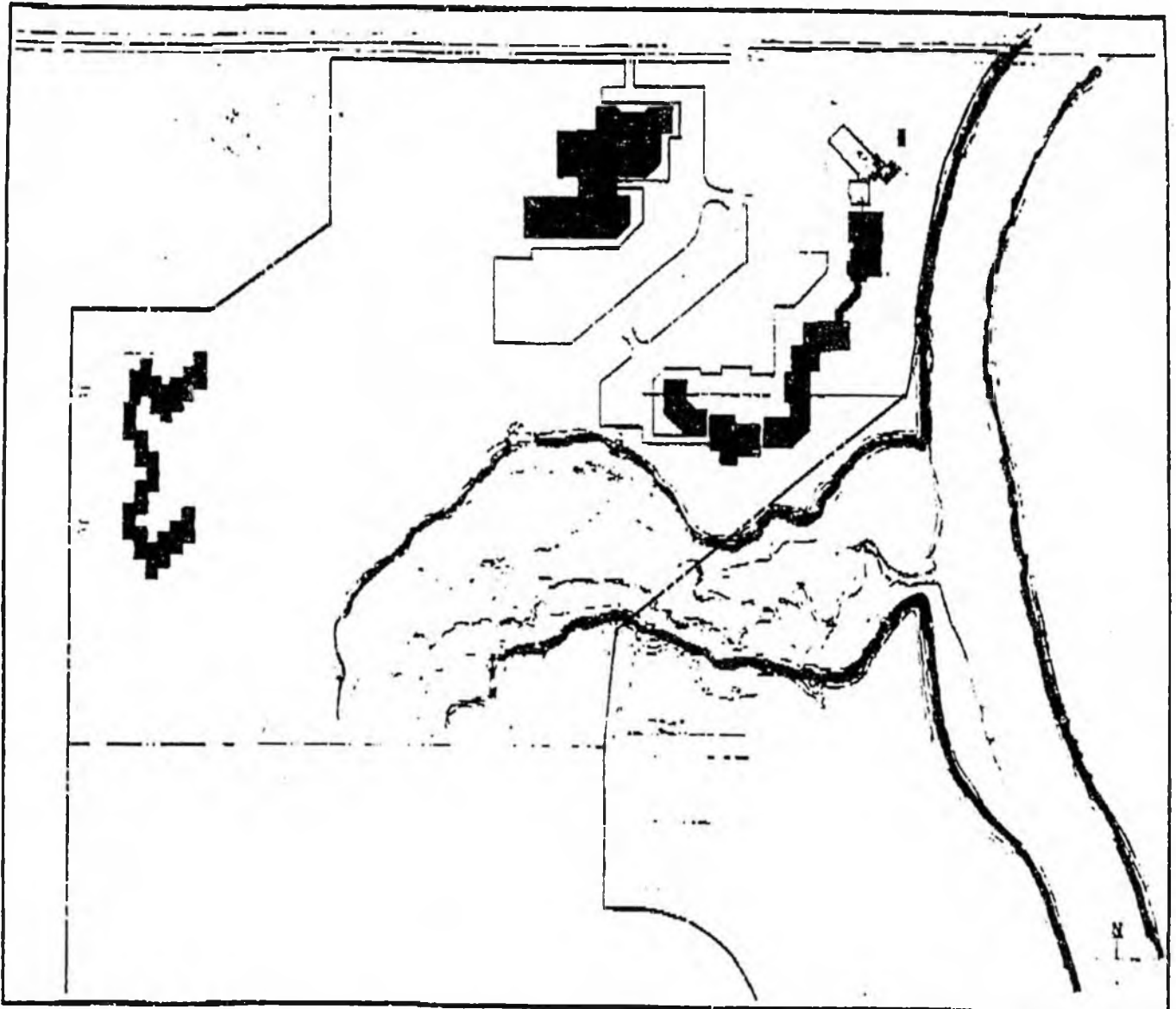
MDD 1



HYPOTHETICAL
LAND EXCHANGE
AT SLIKOK CR.

MAP 2

PROPOSED DEVELOPMENT III



KPCC MASTER PLAN

1986



UNIVERSITY OF ALASKA
FACILITIES PLANNING & CONSTRUCTION
ANCHORAGE, ALASKA

■ PROPOSED BLDG
▨ PROPOSED PARKING



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER HB393	SPONSOR Navarra/Svackhammer
SHORT TITLE OF BILL Land exchange between U of A and ADNR Kenai River Special Management Area			
DEPARTMENT POSITION Opposed to the bill, as written			
PREPARED BY Frank Rue <i>Frank Rue</i>	DATE 1/29/90	COMMISSIONER'S SIGNATURE <i>Arthur D. Delaney</i>	DATE 1/31/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL City of Soldotna	CONSTITUENT GROUP(S) AFFECTED BY BILL Kenai River Users
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT This bill is intended to allow a trade of uplands administered by the Division of Parks and Outdoors Recreation near the University Campus at Soldotna for uplands and wetlands owned by the University near Slikok Creek. The wetlands near the creek will be protected by Parks, and uplands near the creek will be managed as a campground by the City of Soldotna under a cooperative agreement.

ANALYSIS OF BILL PROGRAM EFFECTS

The bill, as written, is open-ended and would allow other unspecified land trades. The department is not opposed to the specific trade intended.

AMENDMENTS PROPOSED

Rewrite the bill to allow only the specific land trade intended.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: 1/8/90 Agency Affected: _____
 Title: An Act authorizing a land exchange BRU: _____
between University of AK and ADNIR including the Kenai River special management Ar
 Sponsor: Navarre/Swackhammer Components: _____
 Requestor: _____

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	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0					

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0					
FEDERAL FUNDS	0					
OTHER	0					
TOTAL	0					

POSITIONS:

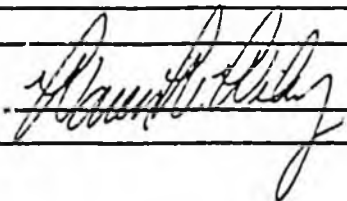
FULL-TIME	0					
PART-TIME	0					
TEMPORARY	0					

ANALYSIS : (Attach a separate page if necessary)

No FY 90 impact

Prepared by: Frank Rue
 Division: Habitat

Phone: 465-4107
 Date: January 18, 1990

Approved by Commissioner: 
 Agency: _____

Date: Jan 31 1990

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

6-1842E
Bradley
2/7/90

BY REP. NAVARRE, Swackhammer

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 393

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

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