

HB

78

# HOUSE COMMITTEE REPORT

(9)

Date Referred: January 11, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: 1-30-90

The RESOURCES Committee recommends that:

HOUSE BILL NO. 78 [CARIBOU CREEK RECREATIONAL MINING AREA]  
"An Act establishing the Caribou Creek Recreational Mining Area."

be replaced with CS HB-78 (Resources)  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):

- fiscal impact DNR
- zero fiscal note F+G
- zero with analysis

APPROVES PREVIOUS:

- fiscal note(s) published: \_\_\_\_\_
- zero fiscal notes(s) published: \_\_\_\_\_

SIGNING DO PASS:

[Signature]  
[Signature]  
Mike Davis  
Richard Storey  
[Signature]  
[Signature]

SIGNING OTHER THAN DO PASS:

(Do Not Pass, No Recommendation, Amend)

Bill Hudson No Rec.  
Best Sharp No Rec.  
[Signature] No Rec.

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

[Signature]  
Chairman's signature



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER CS HB 78	SPONSOR Reps. Larson and Menard
SHORT TITLE OF BILL Caribou Creek Recreational Mining Area			
DEPARTMENT POSITION Support			
PREPARED BY Frank Røe <i>Frank Røe</i>	DATE 1-12-90	COMMISSIONER'S SIGNATURE <i>James H. W. Kelly</i>	DATE 1/22/90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Dept. of Natural Resources Dept. of Environmental Conservation	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial and Sport Fishermen
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL . Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT  
The Caribou Creek Recreational Mining Area is proposed to designate an area for recreational placer mining for the public.

ANALYSIS OF BILL/PROGRAM EFFECTS  
The bill would establish the Caribou Creek Recreational Mining Area on the lower reach of Caribou Creek and a portion of the Matanuska River. These streams have been specified as being important for the spawning, rearing or migration of anadromous fisheries by the commissioner of the ADF&G pursuant to AS 16.05.870(a). The proposed legislation requires that the commissioner of ADNR adopt a management plan and regulations for the management, use and development of the recreational mining area in consultation with the ADF&G. The plan and regulations may address methods of mining permitted, the types of mining equipment that may be used, the protection of habitat, and other restrictions consistent with the purposes stated in AS 41.23.600. The bill further recognizes that the commissioner of the ADF&G is responsible for the management of fish and game within the proposed area and that the commissioner may require seasonal restrictions on operations within the area to maintain fishery resources. The ADF&G has worked with the sponsors on

AMENDMENTS PROPOSED  
We recommend the following revisions to the language of the bill.  
Page 1, line 26: "The management plan, including any revisions, and..."  
Page 1, line 29: "The management plan and regulations MAY shall address, but not be limited to..."  
Page 2, line 8: reference to AS 42.23.600 should be changed to AS 41.23.600.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: 1-12-90  
Title: Caribou Creek Recreational Mining Area  
Sponsor: Larson and Menard  
Requestor: \_\_\_\_\_

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	15.8	4.5				
TRAVEL	1.0	1.0				
CONTRACTUAL	1.2	1.2				
SUPPLIES	0.1	0.1				
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	18.1	6.8				

CAPITAL	18.1	6.8				
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

There is not expected to be any impact on the department's FY 90 budget. Beginning in FY 91, however, issuance of a general fish habitat permit, monitoring fish returns and mining activities to determine the need for seasonal restriction, and participation in the department of Natural Resources' (DNR) development of a

Prepared by: Frank Ruel Phone: 465-4105  
Division: HABITAT Date: 1/26/90

Approved by Commissioner: Harold W. Wilby Date: 1/26/90  
Agency: Department of Fish and Game

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

Analysis of Bill/Program Effects Cont'd

Location-specific land management plan will require the expenses identified below.

To the extent that DNR's schedule for developing areawide and location-specific land management plans requires that a plan for the Caribou Creek Recreational Mining Area be forestalled, the need for the planning portion of our fiscal note will be delayed commensurately.

## Attachment Bill Analysis CS HB 78

FY 91Personnel

Habitat Biologist	(18c)	3 mo.	4.5/mo.	13.5
Clerk Typist	(8a)	1 mo.	2.3/mo.	<u>2.3</u>
				15.8

Travel

Staff Travel to Caribou Creek				1.0
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Contractual

Telephone		75/mo. x 3 mo.		0.2
Charter for Fish Surveys				1.0

Supples

				<u>0.1</u>
		TOTAL		18.1

FY 92-Monitoring Fish Returns and Placer MiningPersonnel

Habitat Biologist	(18c)	1mo.	4.5	4.5
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Travel

Staff Travel to Caribou Creek				1.0
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Contractual

Telephone and Photocopy				.2
Charter for Fish Surveys				1.0

Supplies

				<u>0.1</u>
		TOTAL		6.8

The following amendments are requested:

Pg. 1, line 21:

Delete - "...consistent with AS 41.23.600."

Add - ...necessary to carry out the purposes of this act. Regulations may be included, but not limited to;

1. type of equipment
2. mining methods
3. other restrictions that may benefit the Caribou Creek Recreational Mining Area.

Pg. 1, line 28:

Delete - "...regulations of the Board of Fisheries applicable to the area of the Caribou Creek Recreational Mining Area, the area is open generally to recreational mining under AS 41.23.600 - 41.23.620."

Add - seasonal regulations by the Department of Fish & Game restricting activities on these water bodies, the Caribou Creek Recreational Mining Area is open to recreational mining.

Pg. 2, line 15:

Delete - "NW 1/4, SW 1/4"

Add - W 1/2

Pg. 2, line 16:

Delete - "SW 1/4"

Add - SE 1/4

Pg. 2, line 24:

Delete -- "...board"

Add - commissioner, under authority granted in 16.05.870,

6-0386H  
Bradley  
1/29/90

Original sponsor(s): REP. LARSON, Menard

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 78 (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 establishing the Caribou Creek Recreational  
7 Mining Area."

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

9 \* Section 1. AS 41.23 is amended by adding new sections to read:

10 ARTICLE 3. RECREATIONAL MINING.

11 Sec. 41.23.600. PURPOSE. The purpose of AS 41.23.600 - 41.23.-  
12 620 is to establish the area described in AS 41.23.620 as the Caribou  
13 Creek Recreational Mining Area. The Caribou Creek Recreational Mining  
14 Area is established to provide for a public recreational mining area  
15 to permit public recreational activities and to allow other multiple-  
16 use activities to continue as long as the activities do not detract  
17 from the primary purpose for the establishment of the Caribou Creek  
18 Recreational Mining Area.

19 Sec. 41.23.610. MANAGEMENT AND REGULATIONS. (a) The commis-  
20 sioner is responsible for the management of the surface and subsurface  
21 estate within the Caribou Creek Recreational Mining Area necessary to  
22 carry out the purposes of AS 41.23.600. The commissioner shall adopt  
23 and may revise a management plan and shall adopt regulations for the  
24 management, use, and development of the Caribou Creek Recreational  
25 Mining Area.

26 (b) The management plan and regulations adopted by the commis-  
27 sioner shall be developed in consultation with the commissioner of  
28 fish and game and the commissioner of transportation and public facil-  
29 ities. The management plan and regulations may address

1 (1) the methods of mining permitted within the Caribou  
2 Creek Recreational Mining Area;

3 (2) the types of mining equipment that may be used within  
4 the Caribou Creek Recreational Mining Area;

5 (3) the protection of habitat within the Caribou Creek  
6 Recreational Mining Area; and

7 (4) other restrictions consistent with the purposes stated  
8 in AS 42.23.600.

9 (c) Except as provided in this subsection, the Caribou Creek  
10 Recreational Mining Area is open to recreational mining under AS 41.-  
11 23.600 - 41.23.620. The commissioner of fish and game is responsible  
12 for the management of the fish and game resources and the public use  
13 of fish and wildlife resources within the Caribou Creek Recreational  
14 Mining Area consistent with the purposes stated in AS 41.23.600. The  
15 commissioner of fish and game may establish seasonal restrictions on  
16 mining activities within specified waterbody areas necessary to main-  
17 tain fishery resources within the Caribou Creek Recreational Mining  
18 Area.

19 (d) The Caribou Creek Recreational Mining Area is closed to  
20 mineral entry under AS 38.05.175 - 38.05.275.

21 Sec. 41.23.620. CARIBOU CREEK RECREATIONAL MINING AREA. The  
22 vacant and unappropriated state-owned land and water and the state  
23 land and water acquired in the future that lie within 100 feet of  
24 either ordinary high water or mean high tide of the banks of the  
25 creeks or rivers described in this section are designated as the  
26 Caribou Creek Recreational Mining Area, are reserved from all uses  
27 incompatible with the purposes of AS 41.23.600, and are assigned to  
28 the commissioner for control and management:

29 Township 20 North, Range 10 East, Seward Meridian

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- (1) That portion of Caribou Creek located in
  - Section 28: W1/2
  - Section 29: E1/2
- (2) That portion of the Matanuska River located in
  - Section 32: SE1/4
  - Section 33: NE1/4, NW1/4, SW1/4

FISCAL NOTE

REQUEST:

Revision Date: 30-Jan-90 Agency Affected: Natural Resources  
 Title: An Act establishing the Caribou BRU: Land & Water  
Creek Recreational Mining Area.  
 Sponsor: Larson & Menard Components: Land & Water  
 Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	25.5	3.0	3.0	3.0	3.0	3.0
TRAVEL	0.5	0.5	0.5	0.5	0.5	0.5
CONTRACTUAL	53.2	5.5	5.5	5.5	5.5	5.5
SUPPLIES	5.0					
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	84.2	9.0	9.0	9.0	9.0	9.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	84.2	9.0	9.0	9.0	9.0	9.0
FEDERAL FUNDS						
OTHER						
TOTAL	84.2	9.0	9.0	9.0	9.0	9.0

POSITIONS:

FULL-TIME						
PART-TIME		1.0	1.0	1.0	1.0	1.0
TEMPORARY		1.0				

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Larry Ostrovsky Phone: 465-2400  
 Division: Commissioners Office Date: 30-Jan-90  
 Approved by Commissioner: Lennie Gorsuch Date: 30-Jan-90  
 Agency: Department of Natural Resources

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

This fiscal note provides in the first year for six months of a Natural Resource Officer II and 1 month of a temporary Natural Resource Technician II to develop a management plan for the Caribou creek Recreational Mining area. The plan will involve at least two rounds of public meetings in Glacier View, Sutton/Chickaloon, Palmer and Anchorage. The public meetings will be to identify issues and to review the draft plan. The entire plan will be completed in one year. The capital money will be used to build a road pull-off and parking area and appropriate signing.

After the first year the fiscal note provides for three months of a Natural Resource Officer II to provide on the ground management and processing of necessary permits and enforcement of activities.

Caribou Creek Recreational Mining Area Management Plan

Staff	6 months x NRO II (16)	=	\$ 22,500
	1 month x NRT II (12)	=	<u>\$ 3,000</u>
	Personal Services Sub-Total		\$ 25,500
Travel	2 x 1-day field trips =	\$	200 (mileage + perdiem)
	2 x 3 public meetings =	<u>\$</u>	<u>300</u> (mileage and meals)
	Travel Sub-Total	\$	500
Public Meetings	2 x 4 communities =	\$	300 rental in Anchorage, Sutton and Glacier View School
Draft brochure	200 cys @ 8 1/2" x 11", 4pp Xerox BTW	\$	150
Final Plan	300 cys, 25pp, BTW Xerox, 8 1/2" x 11"	\$	750
Misc. (especially Xerox)		\$	500
Ads x 2		<u>\$</u>	<u>1,500</u>
	Contractual Sub-Total	<u>\$</u>	<u>3,000</u>
	Project Sub-Total		<u>\$29,000</u>

Assumptions

1. Range 16's time is spread over 8 - 10 month
2. Planing team = DLWM, DM, DFG, DOT, DEC
3. No formal advisory group (I don't know the constituency if one is needed, add \$1,000 for extra meetings and xeroxing)
4. Meetings in Glacier View, Sutton/Chickaloon, Palmer, Anchorage (this may be overkill -- if no interest after 1st round, it could be shortened)
5. 2 sets meetings: Issues and rudimentary alternates draft plan
6. Assumes legal access exists (i.e., no lengthy negotiations w/landowners)
7. This does not include implementation (i.e., vehicle pullout, nice signs, field checks, trails, etc.)

STATE OF ALASKA

STEVE COWPER, GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES**

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400

OFFICE OF THE COMMISSIONER

January 23, 1988

The Honorable Curt Menard  
The Honorable Cliff Davidson  
Co-Chairs, House Resources Committee  
P.O. Box V  
Juneau, AK 99811

Dear Representatives Menard and Davidson:

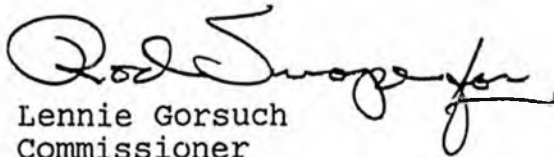
Subject: HB 78, An act establishing the Caribou Creek  
Recreational Mining Area.

Background: A recreational mining area will provide a location for recreational gold panners and suction dredges to mine as a recreation activity rather than as a commercial operation. Creation of this type of area would meet a public need. Each summer, the Mining Information Offices receive numerous inquiries about locations for such activities.

Position: The department supports the concept of recreational mining areas. However, the land ownership pattern in this particular area is very complex, and there are federal and state mining claims which would complicate the operation of recreation mining activities.

We look forward to working with the sponsor on this or an equally or more suitable site.

Sincerely,

  
Lennie Gorsuch  
Commissioner

- cc: Committee Members
- Bill Sponsors
- Bob Evans
- Denby Lloyd
- Gary Gustafson
- Jerry Gallagher
- Neil Johannsen

STATE OF ALASKA  
1989 LEGISLATIVE SESSION

BILL VERSION: HB 78  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: 23-Jan-89 Agency Affected: Natural Resources  
 Title: An Act establishing the Caribou BRU: Land & Water  
Creek Recreational Mining Area.  
 Sponsor: Larson & Menard Components: Land & Water  
 Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0					

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

*AKK*

Prepared by: <sup>15</sup> Larry Ostrovsky Phone: 465-2400  
 Division: Commissioners Office Date: 23-Jan-89

Approved by Commissioner: Lennie Gorsuch *GA* Date: 23-Jan-89  
 Agency: Department of Natural Resources

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

# Alaska State Legislature



Session Address:  
STATE CAPITOL BUILDING  
BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3727

Interim Address:  
BOX 53  
PALMER, ALASKA 99645  
(907) 745-3826 - Palmer  
(907) 376-8628 - Wasilla

Representative Ronald L. Larson  
District 16B

TO: House Resource Committee members  
FROM: Ronald L. Larson *R.L.*  
DATE: January 25, 1989  
RE: HB 78, Caribou Creek Recreational Mining Area

The Caribou Creek Recreational Mining Area is proposed to establish a designated recreational gold-panning location in the Matanuska Valley. Such a tourist destination could offer a historical activity to occur on state land.

The proposed legislation sets forth the primary purpose of recreational gold mining, yet maintains other compatible multiple-use activities within the area.

The Department of Natural Resources and the Department of Fish & Game are instructed to manage the land, fish, and wildlife resources within the Caribou Creek Recreational Mining Area.

I encourage your suggestions and support of HB 78. Thank you for your time and consideration.

The following amendments are requested:

Pg. 1, line 21:

Delete - "...consistent with AS 41.23.600."

Add - ...necessary to carry out the purposes of this  
this act. Regulations may be included, but  
not limited to;

1. type of equipment
2. mining methods
3. other restrictions that may benefit the  
Caribou Creek Recreational Mining Area.

Pg. 1, line 28:

Delete - "...regulations of the Board of Fisheries  
applicable to the area of the Caribou Creek Recreational  
Mining Area, the area is open generally to recreational mining  
under AS 41.23.600 - 41.23.620."

Add - seasonal regulations by the Department of Fish  
& Game restricting activities on these water bodies, the  
Caribou Creek Recreational Mining Area is open to recreational  
mining.

Pg. 2, line 15:

Delete - "NW 1/4, SW 1/4"

Add - W 1/2

Pg. 2, line 16:

Delete - "SW 1/4"

Add - SE 1/4

Pg. 2, line 24:

Delete - "...board"

Add - commissioner, under authority granted in  
16.05.870,

The Anchorage Times

# OUTDOOR

## Recreational panning pays off in fun, gold

by Mark Stook  
Times Writer

**P**ack a gold pan with your picnic lunch if you're heading out of Anchorage today — or anytime.

It provides an excuse to stop at some waysides you would otherwise cruise past. It's also a cheap way to become part of Alaska's heritage.

Gold can be found in many of the streams accessible by the state highway system, says a man who has prospected for 30 years in Alaska. The recreational panner won't get rich, or even pay for his inexpensive equipment. But he can hope to bring home a few of the glinting flecks that drew thousands to the north country during the past 80 years, says James Madonna, owner of Alaskan Pros-

pectors and Geologists, an Anchorage mining equipment shop.

Madonna has a simple answer for those who wonder where they should pan. "The entire state, with the exception of the North Slope, is considered the gold province of Alaska."

Finding color, or gold flecks, is as simple as pulling over at a wayside and panning the gravel, he said. If the wayside is near a stream where it boils out of the mountains, the likelihood of finding gold is relatively good. The water's force can carry the heavy metal only a certain distance. Where streams slow as they cross flatlands, gold is dropped.

Robert Hoekzema, a geologist with the U.S. Bureau of Mines, suggested panners hike upstream of highways to get away from roadway

gravel washed downstream. Gold would be deposited just downstream of rapids, where the water first begins to slow. Gravel bars are good places to look, as are the gravel deposits around boulders.

Many streams do not carry noticeable amounts of gold. But, say both Madonna and Hoekzema, any areas in mountainous terrain are worth a try.

The National Park Service announced last week that recreational panning is allowed in all national parks in Alaska. Gold claim owners at Crow Creek near Girdwood, and at the Hubbard Mining Museum near Cooper Landing on the Kenai Peninsula, provide the opportunity to pan proven gold ground for a price.

"Gold panning is open everywhere but on a man's claim," Madonna said. When leaving a roadside area to pan, be aware that claims might have been staked along it. Miners can be touchy about recreational panners. The gold they take isn't a problem. Vandalism of equipment, liability and interruption of professional mining operations are problems. If you're interested in panning on a staked claim, talk to the claim holder first.

Certain basic equipment is needed to find any flecks. Pans are either dark-colored plastic or steel. Madonna recommends 14- or 16-inch steel pans. "If you throw your spare tire on top of a plastic pan, it breaks."

The dark plastic often is popular with miners because bright gold shows up more readily in it. A shiny steel pan can be blued by baking it in the oven for an hour at 350 degrees.

The edges of the pan should be rippled to keep gold flecks from sliding out when the gravel is swished by over-exuberant miners.



**Stream:** Caribou Creek, South Fork Matanuska River

**Location:** Eastern portion of the Matanuska Susitna Borough, Township 20N, Range 10E, Seward Meridian, Sec. 28, 32, 3.

**Access Point:** Glenn Highway, south side near Caribou Creek bridge.

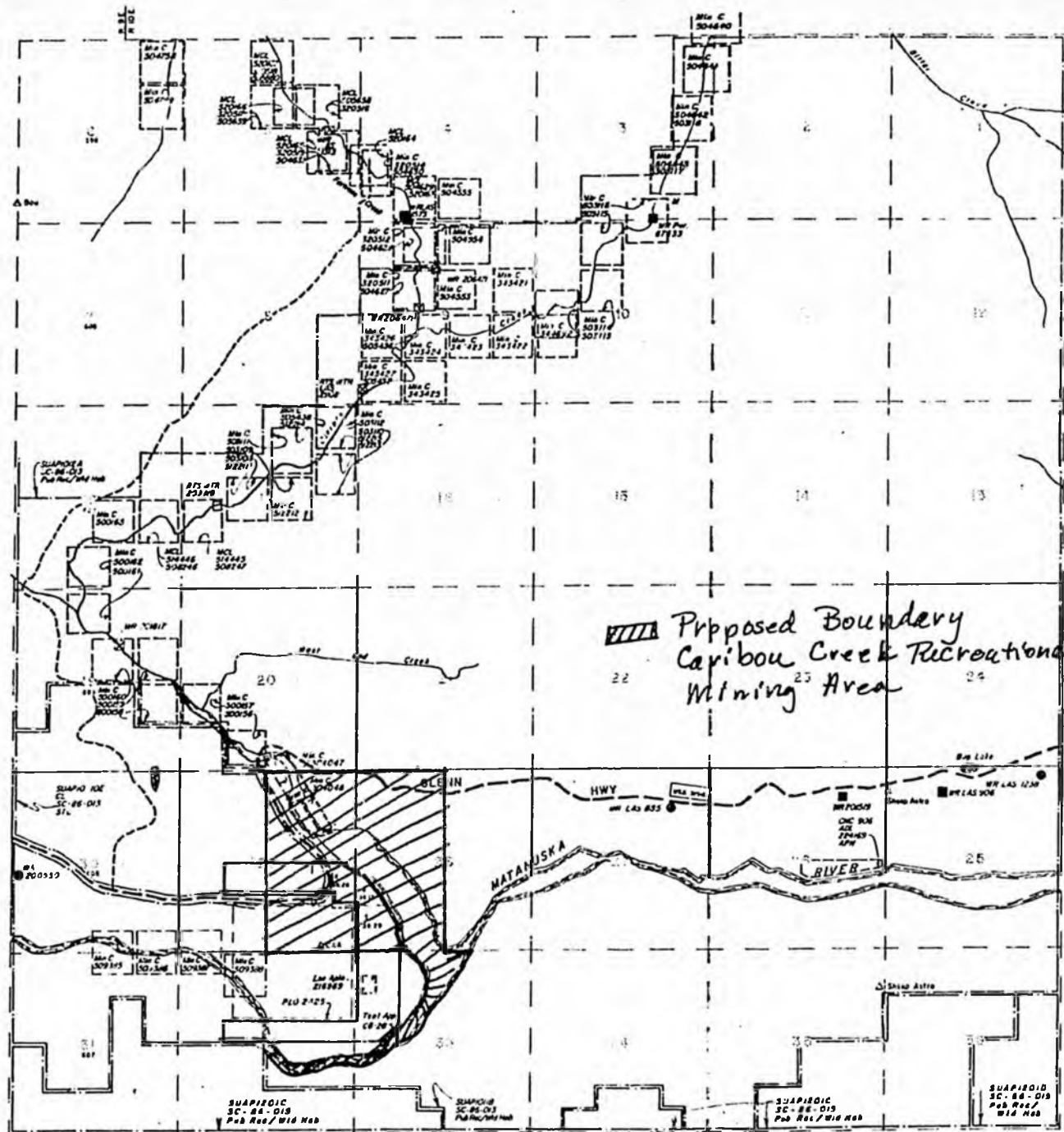
**Discussion:** Caribou Creek flows southerly from the Talkeetna Mountains to its confluence with the South Fork of the Matanuska River on the south side of the Glenn Highway. Caribou Creek is one of several streams draining the western portion of the Nelchina Mining district. Caribou Creek from the Glenn Highway bridge northward into the Talkeetna Mountains is heavily staked with mining claims.

The section of stream proposed here lies south of the Glenn Highway bridge and is approximately a mile in length to its confluence with the South Fork of the Matanuska River. South of the confluence, approximately a mile and one-half of stream on the South Fork is also proposed.

Below the highway bridge, Caribou Creek forms a broad flood plain with numerous gravel bars. Large amounts of sediment is flushed through the canyon above the bridge during spring runoff replenishing the gravel bars each year. Gold is present in this drainage, although probably not in commercial quantity. Access would be off the south side of the Glenn Highway down a one lane gravel road along the east bank of Caribou Creek.

**Land Status:** This township is presently state selected.



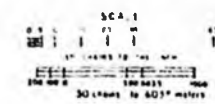


ORDER ACC. VS. APPLICABLE 1900041 09  
 USE OF STATE LASSES  
 USE 278  
 NOT AT LAST AND NOT. ONLY A ADMINISTRATIVE  
 APPLICABLE 1900041 09  
 201-414141 2.202  
 FROM THE MATANUSKA RIVER BASIN  
 SUBJECT TO 2047

DATE: 7-6-98  
 BASED ON:  
 DATA FROM D.M. TOWNSHIP SURVEY 1920  
 1922 ALASKA P.D. 1948

DATE: 7-6-98  
 CHECKED BY: DJT

Lat 64° 24' 19" N  
 Long 147° 25' 39" W



STATE OF ALASKA  
 DEPT. OF NATURAL RESOURCES  
 DIVISION OF LANDS

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MS



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER HB78	SPONSOR Larson and Henard
SHORT TITLE OF BILL Caribou Creek Recreational Mining Area			
DEPARTMENT POSITION Oppose			
PREPARED BY Bruce H. Baker	DATE 1/20/89	COMMISSIONER'S SIGNATURE <i>Don Williams</i>	DATE 1-23-89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Natural Resources Department of Environmental Conservation	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial fishing industry in Cook Inlet Recreational miners Private property owners on Caribou Creek
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The Caribou Creek Recreational Mining Area is proposed to designate an area for recreational placer mining for the public.

ANALYSIS OF BILL/PROGRAM EFFECTS

This bill would establish the Caribou Creek recreational mining area on portions of Caribou Creek and the Matanuska River that are specified by the Commissioner of the Department of Fish and Game as important for the spawning, rearing, or migration of anadromous fishes. The portions of these streams within the proposed recreational mining area provide spawning habitat for chum salmon. Establishment of this recreational mining area would require that the ADF&G issue Fish Habitat Permits under AS 16 to miners prior to their use of the area. ADF&G permits would have to restrict mining to occur only between May 15 and July 15 to avoid unacceptable conflicts with spawning salmon. Instream recreational mining would not be authorized for the remainder of the year.

(Continued on Page 2)

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

BILL ANALYSIS  
(Supplemental Sheet)

Page 2 of 2

HB78

January 20, 1989

Analysis of Bill/Program Effects (continued)

Because of potential conflicts with salmon spawning and the cost of additional permitting, monitoring, and enforcement, we recommend that a stream that does not support anadromous fish, such as Hicks or Cascade creeks, be selected. Hicks and Cascade creeks both contain non-commercial gold deposits, are on state land, and cross the Glenn Highway in the vicinity of Caribou Creek.

Page 1, lines 25-29: The Commissioner of the Department of Fish and Game is responsible for the management of fish and game resources and public uses of those resources independent of the purposes of AS 41.23.500. Therefore, the wording on lines 28 and 29 should be revised to read ". . . Area [consistent with the purposes of AS 41.23.500]."

Page 1, lines 28 and 29: Regulations specifying Caribou Creek as anadromous and procedural regulations for permitting have been adopted by the Commissioner of the Department of Fish and Game. Therefore, the language on lines 28 and 29 should be revised accordingly "Notwithstanding regulations of the [Board of Fisheries] Alaska Department of Fish and Game . . . ."

Page 2, line 8: This area is above tidal influence. Therefore, revise line 8 to read ". . . [either] ordinary high water [or mean high tide] . . . ."

Page 2, line 16: We believe this was intended to read "section 29: [NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ ] SE  $\frac{1}{4}$ , NE  $\frac{1}{4}$ ."

Page 2, lines 23-25: The waters of Caribou Creek and the Matanuska River have already been specified as important to anadromous fishes. Therefore, revise to read ". . . under regulation of the [Board of Fisheries] Alaska Department of Fish and Game. [if the board determines before January 1, 1989, that an area contains anadromous fish]."

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: Caribou Creek Recreational Mining Area  
 Sponsor: Larson and Menard  
 Requestor: \_\_\_\_\_

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

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	11.3	11.3	11.3	11.3	11.3	
TRAVEL	1.0	1.0	1.0	1.0	1.0	
CONTRACTUAL	0.4	0.4	0.4	0.4	0.4	
SUPPLIES	0.1	0.1	0.1	0.1	0.1	
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>12.8</b>	<b>12.8</b>	<b>12.8</b>	<b>12.8</b>	<b>12.8</b>	
<b>CAPITAL</b>						
<b>REVENUE</b>						

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	12.8	12.8	12.8	12.8	12.8	
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Issuance of Title 16 permits for recreational mining and monitoring and enforcement of permit stipulations for recreational mining activities in Caribou Creek, a designated anadromous stream.

Prepared by: Bruce H. Baker, Deputy Director  
 Division: Habitat

Phone: 465-4105  
 Date: 1/23/89

Approved by Commissioner: *Orville Nelson*  
 Agency: Department of Fish and Game

Date: 1.23.89

**Distribution (by preparer):**

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

### Caribou Creek Recreational Mining Area

Issuance of Title 16 permits and monitoring and enforcement for recreational mining activities in Caribou Creek, a designated anadromous stream, will require the following expenses:

#### Personnel

Habitat Biologist	(18c)	2 months	4.5/month	9.0
Clerk Typist	( 8a)	1 month	2.3/month	<u>2.3</u>
				\$11.3

#### Travel

staff travel to Caribou Creek				1.0
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#### Contractual

telephone		75/month x 2 months		0.2
photocopy		10/month x 2 months		
advertising/public notices				<u>0.2</u>
				\$ 0.4

#### Supplies

office supplies				0.1
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TOTAL				\$12.8
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# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

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

February 6, 1989

The Honorable Ronald Larson  
Alaska State Representative  
P.O. Box V  
Juneau, AK 99811

Dear Representative Larson:

I appreciate your January 23 letter to Bruce Baker regarding our bill analysis for HB 78, establishing a Caribou Creek Recreational Mining Area. As Bruce emphasized to the House Resources Committee, we support the concept of providing recreational mining opportunities.

Our analysis of HB 78 offers language changes that clarify this department's statutory responsibilities for cataloging waters important for anadromous fish. It also indicates our central concern that recreational placer mining is proposed in a reach of Caribou Creek that is a documented cnum salmon spawning area. This activity would require an ADF&G permit and likely would be restricted to the period from about mid-May to mid-July when salmon are not present.

We appreciate your interest in considering alternative areas for legislative designation, and we and the Department of Natural Resources have identified two options for your consideration. I propose that our staff get together with yours and Representative Menard's to further discuss the various options.

Sincerely,



Norman A. Cohen  
Deputy Commissioner

cc: Governor Steve Cowper  
Representative Curt Menard  
House Resources Committee Members

REP. SHARP  
FEB 8 1989  
RECEIVED

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*
* DELIVER TO: LHSCRES
*
* ORIGINAL
* SENT: 01/12/90 TIME: 10:42
* FROM: LIOCINE
* SUBJECT: 90-01-102;FS;MINING;1-11-90
* PRINT DATE: 01/12/90 TIME: 10:42
*
*****

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TC NO: 90-01-102

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DATE: 1-11-90
SPONSOR: HOUSE RESOURCES
SUBJECT: CARIBOU CREEK REC. MINING
MODERATOR: INEZ WEBB
SITE: ANCHORAGE

```

FINAL STATS

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TESTIFIED:

```

NAME\REPRESENTING ADDRESS PHONE BILL NO.
1. DAVID M. DALL 1011 E TUDOR RD. ANCH., 786-3403
2. CHIP DENNERLEIN\SELF 1627 W 14TH AVE., ANCH
4.
5.

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OBSERVED:

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NAME\REPRESENTING ADDRESS PHONE BILL NO.
1. HAL WEEKS, NPFMC P01031 ANCH. 271-2809
2.
3.
4.
5.

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TESTIFIED:
UNABLE:
OBSERVED:

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TOTAL:

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START TIME:
END TIME:

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*
* DELIVER TO: LHSCRES
*
* ORIGINAL
* SENT: 01/12/90 TIME: 10:53
* FROM: LIOCINE
* SUBJECT: 90-01-102;FS;MINING;1-11-90
* PRINT DATE: 01/12/90 TIME: 10:54
*
*****

```

TC NO: 90-01-102

```

DATE: 1-11-90
SPONSOR: HOUSE RESOURCES
SUBJECT: CARIBOU CREEK REC. MINING
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FINAL STATS

\*\*\*\*\*

TESTIFIED:

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1. DAVID M. DALL 1011 E TUDOR RD. ANCH., 786-3403
2. CHIP DENNERLEIN\SELF 1627 W 14TH AVE., ANCH

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\*\*\*\*\*

OBSERVED:

```

NAME\REPRESENTING ADDRESS PHONE BILL NO.
1. HAL WEEKS, NPFMC P01031 ANCH. 271-2809

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TESTIFIED: 2
UNABLE: 0
OBSERVED: 1

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TOTAL: 3

START TIME: 3:00 PM

END TIME: 5:00 PM