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STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SCS CSHB 8 (RES)
PUBLISH DATE: 4/7/89

FISCAL NOTE

REQUEST:

Revision Date: 2/1/89
Title: Addition to Kachemak Bay
State Park
Sponsor: Navarre/Swackhammer
Requestor:

Agency Affected: DNR
BRU: Park Management
Components:

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-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

[Empty box for analysis]

Prepared by: House Finance Committee
Division: Co-Chairman Ron Larson *Ronald Larson* Phone: 465-3727
Date: 2/1/89

Approved by Commissioner: _____ Date: _____
Agency: _____

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

*Changes in The Resources CS have
no fiscal effect - This fiscal note
is appropriate*

page 1 of 1

DC. 4/7/89

Original sponsors: Navarre, Swackhammer,
and Ellis

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 8 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the addition of land to Kachemak
7 Bay State Park and Kachemak Bay State Wilderness
8 Park."

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

10 * Section 1. LEGISLATIVE FINDINGS. The legislature, in its designation
11 of additional land to the Kachemak Bay State Park and Kachemak Bay State
12 Wilderness Park, intends that the land within the park be managed for its
13 recreational values without preventing reasonable access, including air-
14 strip or harbor facilities, to inholdings in the Petrof View subdivision.
15 On Nuka Island, in recognition of planning conducted by the commissioner of
16 natural resources under AS 38.04.065, the legislature intends that the
17 island support

- 18 (1) a commercial lodge in a suitable place;
19 (2) renovation of existing facilities at Herring Pete's Cove;
20 (3) the construction and operation of one or two public use
21 cabins;
22 (4) docks, trails, and moorings necessary to provide for recre-
23 ational use; and
24 (5) maintenance of Berger Bay in an undeveloped state.

25 * Sec. 2. AS 41.21.131(a) is amended to read:

26 (a) The presently state-owned land and water, and all that
27 acquired in the future by the state, lying within the parcels describ-
28 ed in this section are designated as the Kachemak Bay State Park. In
29 order to protect and preserve this land and water for its unique and

1 exceptional scenic value, the park is established and shall be managed
2 as a scenic park. The land and water lying within the following
3 described parcels is reserved from all uses incompatible with its
4 primary function as a scenic park and is assigned to the department
5 for control, development and maintenance:

6 (1) Township 5 South, Range 10 West, Seward Meridian

7 Chugachik Island

8 Sections 31 - 32

9 (2) Township 5 South, Range 11 West, Seward Meridian

10 Section 2: Lot 1, excluding Tract A

11 Section 3: Lots 1 - 8, SW1/4NE1/4, S1/2NW1/4,

12 N1/2SW1/4

13 Section 4: Lots 1 - 4, S1/2N1/2, SE1/4, E1/2SW1/4

14 Section 8: E1/2NE1/4, SE1/4

15 Section 9: Lots 1 and 2, NW1/4NE1/4, NE1/4NW1/4,

16 W1/2NW1/4, N1/2NE1/4SW1/4, SW1/4NE1/4SW1/4,

17 excluding Lot 6

18 Section 10: Lot 1

19 Section 16: Lot 1

20 Section 17: Lots 1, 3, 4, NW1/4SW1/4, S1/2NW1/4

21 Section 18: Lot 4, SE1/4, E1/2NE1/4

22 Section 19: Lots 1-6, NW1/4NE1/4, NE1/4NW1/4

23 Section 20: Lot 1

24 Sections 24 - 25, excluding tide and submerged land

25 within the Kachemak Bay Critical Habitat Area

26 Section 26: SE1/4, excluding tide and submerged land

27 within the Kachemak Bay Critical Habitat Area

28 Section 35, excluding tide and submerged land

29 within the Kachemak Bay Critical Habitat Area

- 1 Section 36
- 2 (10) Township 9 South, Range 8 West, Seward Meridian
- 3 Section 2: W1/2
- 4 Sections 3 - 10
- 5 Sections 15 - 22
- 6 Sections 27 - 34
- 7 (11) Township 9 South, Range 9 West, Seward Meridian
- 8 (12) Township 9 South, Range 10 West, Seward Meridian
- 9 Sections 10 - 15
- 10 Sections 22 - 27
- 11 Sections 34 - 36
- 12 (13) [(9)] Township 9 South, Range 12 West, Seward Meridian
- 13 Sections 1 - 6
- 14 Section 8: NE1/4
- 15 Sections 9 - 12
- 16 Section 13: N1/2
- 17 Section 14: N1/2
- 18 (14) [(10)] Township 9 South, Range 13 West, Seward Meridian
- 19 Sections 1 - 2 [1 AND 2]
- 20 (15) Township 10 South, Range 8 West, Seward Meridian
- 21 Sections 4 - 8
- 22 Sections 17 - 19
- 23 (16) Township 10 South, Range 9 West, Seward Meridian
- 24 Sections 1 - 4
- 25 Sections 10 - 15
- 26 Sections 22 - 24.

* Sec 3. AS 41.21.140(a) is amended to read:

(a) The presently state-owned land and water, and all that acquired in the future by the state, lying within the parcels

1 described in this section are designated as the Kachemak Bay State
2 Wilderness Park. In order to protect and preserve this land and water
3 for its unique and exceptional wilderness value, the park is estab-
4 lished and shall be managed as a wilderness park. The land and water
5 lying within the following described parcels is reserved from all uses
6 incompatible with its primary function as a wilderness park and is
7 assigned to the department for control and maintenance:

8 (1) Township 8 South, Range 11 West, Seward Meridian
9 Section 9: S 1/2
10 Section 10: S 1/2
11 Section 11: S 1/2
12 Section 12: S 1/2
13 Sections 13 - 16
14 Sections 19 - 36

15 (2) Township 9 South, Range 10 West, Seward Meridian
16 Sections 1 - 3

17 (3) Township 9 South, Range 12 West, Seward Meridian
18 Section 7
19 Section 8: S 1/2 and NW 1/4
20 Section 13: S 1/2
21 Section 14: S 1/2
22 Sections 15 - 36

23 (4) [(3)] Township 9 South, Range 13 West, Seward Meridian
24 Section 11: NE 1/4
25 Sections 12 - 13

26 (5) [(4)] Township 10 South, Range 9 West, Seward Meridian
27 Sections 5 - 7

28 (6) [(5)] Township 10 South, Range 10 West, Seward Meridian

29 (7) [(6)] Township 10 South, Range 11 West, Seward Meridian

1 (8) [(7)] Township 10 South, Range 12 West, Seward Meridian
2 (9) [(8)] Township 11 South, Range 10 West, Seward Meridian
3 (10) [(9)] Township 11 South, Range 11 West, Seward Meridian
4 (11) [(10)] Township 11 South, Range 12 West, Seward Merid-

5 ian

6 Sections 1 - 10

7 Section 11: W 1/2 and E 1/2

8 Sections 12 - 17

9 Sections 21 - 24.

10 * Sec. 4. This Act does not prohibit the commissioner of natural re-
11 sources from conveying 50 acres, more or less, on Nuka Island to the Uni-
12 versity of Alaska in accordance with the final finding of the commissioner
13 of natural resources issued December 4, 1987, or its amendments. This Act
14 does not apply to land conveyed to the University of Alaska under the
15 commissioner's decision dated December 4, 1987.

Alaska State Legislature

Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman

Senator Jay Kertula, Vice Chairman
Senator Dick Eliason
Senator Steve Frank
Senator Rick Halford
Senator Arliss Sturgulewski
Senator Fred Zharoff



P.O. Box V
Juneau, Alaska 99811
(907) 465-4907

LETTER OF INTENT FOR SCS HB8 (Resources)

It is the intent of the Senate Resources Committee that permitted commercial activities, park concessions, or commercial outfitters shall not impede traditional recreational activities, hunting, or fishing occurring in Kachemak Bay State Park.

5/3/89
SFC did not
adopt Intent

SCSCS HB 8 (Resources)

"An Act relating to the addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park."

JUSTIFICATION SUMMARY

Rep. Mike Navarre

House Bill 8 adds three major parcels to Kachemak Bay State Park and Kachemak Bay State Wilderness Park. Those additions (and one proposed in an amendment offered by the prime sponsor) are outlined in this summary.

NUKA ISLAND AND NUKA UPLANDS: 42, 092 ACRES +/-

Nuka Island and its adjacent uplands have been identified in the U.S. Congressional Record for inclusion within the boundary of the Kenai Fjords National Park. As state land, it cannot be part of Kenai Fjords, but this is a good illustration of the nationally recognized values of this island area.

(As a matter of interest, the February 1988 edition of Alaska Magazine contains an article on the Kenai Fjords National Park. The article and its accompanying illustrations still describe Nuka Island and Nuka uplands as national park lands.)

Some of the significant values are:

- * The area has some of the most varied representation of shore and tidal marine life along the Kenai Fjord area.

- * The outstanding scenic beauty complements hiking, fishing, boating and other similar recreational opportunities.

- * Management of a commercial lease for facility development on the west side of the island corresponds with the current Nuka Island Management Plan. Development of recreational and tourism use by the Division of Parks and Outdoor Recreation make Nuka Island the logical "jumping off" point for enjoyment of Kachemak Bay State Wilderness Park, Kenai Fjords National Park, and other parts of the island itself.

- * It is the only potential development link between Seward and Homer via cruise ship and state ferry system, and the only sheltered development site from Gore Point to Cape Resurrection also safe from earthquake and tsunami waves.

- * Nuka Island has been identified by the Kachemak Bay State Park Citizen's Advisory Board for inclusion into the park since 1982. The Nuka Island Management Plan, completed in December of 1986, cites the islands high recreational potential.

NUKA ISLAND (cont'd.)

NOTE: The state has reached a land settlement with the University of Alaska, and certain Nuka Island lands are part of this agreement. The University has made a tentative selection of two 25 acres sites (one at Mike's Bay, and one at Herring Pete's Cove). These sites are available for commercial lodge development under the Nuka Island Management Plan, and are subject to conditions of the plan. House Bill 8 provides for these parcels.

COTTONWOOD CREEK AND EASTLAND CREEK: 2,310 ACRES, +/-

The Cottonwood-Eastland Creek parcels have been under consideration as potential park for over a decade. In 1979, the Division of Parks and Outdoor Recreation identified these parcels as desirable park land, following a recreational development feasibility study.

Located on the northern shore of Kachemak Bay, these lands are not contiguous to the balance of Kachemak Bay State Park. However, they will meet a strong need for road accessible recreational park land near Homer that can be readily developed. The nearest developed state park facility is the Anchor River State Recreational Area (approximately 16 miles north of Homer on the Sterling Highway), which is primarily used for fishing and camping. The Homer Spit is the only other area with public recreational facilities (operated by the City of Homer), and the summer impact to the spit will be relieved somewhat by development of Cottonwood-Eastland.

The 1979 feasibility study noted archaeological sites in the area, and recommended investigation, evaluation, and excavation if necessary, to preserve and protect these sites. Transfer to park status would help assure this.

Other justification for inclusion of Cottonwood-Eastland parcels in this legislation include:

- * High scenic and wildlife values
- * Developed road to area
- * Strong likelihood of year-round public use, when facilities are developed.

AURORA LAGOON: 2, 553 ACRES +/-

This is a logical adjustment to the boundary of the park. In discussions with former legislators, it seems apparent that the omission of Aurora Lagoon from the original Kachemak Bay State Park legislation was an oversight. Currently, the lagoon is heavily used for recreational pursuits.

AURORA LAGOON (cont'd.)

Aurora Lagoon itself offers high scenic and recreational values, and is one of the few locations of safe high tide moorage in this area of Kachemak Bay unaffected by inclement weather. Additionally, there are good beach landing sites for small craft.

Other justifications include:

- * Excellent camping and hiking potential.
- * Strong potential as a public use cabin site.
- * Good recreational fishing in area - salmon, crab, clams.
- * The Kachemak Bay State Park Citizen's advisory board has identified Aurora Lagoon for inclusion in the park since 1984.
- * Commercial development (a wilderness lodge) is taking place on private lands at nearby Bear Cove. State park status of these Aurora Lagoon lands would enhance and encourage recreation in the entire Aurora Lagoon/Bear Cove area, which has an excellent potential for trail development.

MCDONALD SPIT: 16 ACRES +/-

(in amendment offered to the Senate Finance Committee)

This small parcel of land at the end of McDonald Spit has a great deal of local use. There is increasing tourist use, particularly as a "stop-over" for kayakers while travelling between Halibut Cove and Seldovia. Aside from the obvious scenic values of this parcel, there is an eagle nesting area on the spit.

Alaska State Legislature

5/3/89
Amendment
Withdrawn

WHILE IN SESSION:
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HOUSE MAJORITY LEADER



HOME ADDRESS:
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DISTRICT 5

Representative Mike Navarre

Date: April 20, 1989

MEMORANDUM

TO: Senator John Binkley, Co-Chair
Senator Rick Uehling, Co-Chair
Senate Finance Committee

FROM: Rep. Mike Navarre

SUBJECT: Amendment to SCCSHB 8 (Resources)

When HB 8 was originally introduced in the last legislature (as HB 244), it included McDonald Spit as one of the parcels to be added to Kachemak Bay State Park. During the committee process, McDonald Spit fell out of the bill, as it was also offered to Seldovia Native Association as part of the pool of lands in the Kachemak Bay land exchange. It was decided that rather than jeopardize the trade, it was better to keep the parcel out of the park.

Since that time, Seldovia Native Association has indicated it has no interest in McDonald Spit. I met with the SNA board of directors on last Saturday, April 15, and they confirmed this was the case. Therefore, I am requesting an amendment be made by the Senate Finance Committee to include McDonald Spit in the bill.

Attached is a draft of the amendment, and a revised justification summary for HB 8, including the rationale for inclusion of McDonald Spit.

Thanks for your assistance.

Amendment

to SCS CS HB 8 (Resources)

offered by Rep. Navarre

page 3, line 26, insert:

Section 18: Lot 10

renumber following lines accordingly.