

HB

8

SENATE COMMITTEE REPORT

FURTHER

FINANCE

2/9/89

DATE TURNED INTO OFFICE

4/7/89

Mr. President:

RESOURCES

Committee considered CSHB 8 (FIN)

addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Park

and recommended

replace with S CS HB 8 (Resources)) same title
 or adopt _____ CS _____) new title
 attached amendment(s) and technical title change (HB only)

Senate Resources letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) zero fiscal impact appropriation no FN
 new updated previous
 same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

Adrian Sturgulerovich
[Signature]
[Signature]

OTHER RECOMMENDATIONS

[Signature]
[Signature] No Rec
[Signature] NO REC

[Signature]
 Chairman signature and recommendation

Committee Backup attached

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						
---------	--	--	--	--	--	--

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)

Prepared by: House Finance Committee
Division: Co-Chairman Ron Larson *Ronald Larson*

Phone: 465-3727
Date: 2/1/89

Approved by Commissioner: _____
Agency: _____

Date: _____

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

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

page 1 of 1

DC. 4/7/89

6-0091H
Bradley
4/3/89

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 Wilderness Park, intends that
12 the land within the park be managed for its recreational values without
13 preventing reasonable access to inholdings in the Petrof View subdivision.
14 On Nuka Island, in recognition of planning conducted by the commissioner of
15 natural resources under AS 38.04.065, the legislature intends that the
16 island support

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

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

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

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

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

6 Chugachik Island

7 Sections 31 - 32

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

9 Section 2: Lot 1, excluding Tract A

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

11 N1/2SW1/4

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

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

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

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

16 excluding Lot 6

17 Section 10: Lot 1

18 Section 16: Lot 1

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

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

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

22 Section 20: Lot 1

23 Sections 24 - 25, excluding tide and submerged land

24 within the Kachemak Bay Critical Habitat Area

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

26 within the Kachemak Bay Critical Habitat Area

27 Section 35, excluding tide and submerged land

28 within (Aurora Lagoon) Kachemak Bay CHA

29 Section 36

1 (3) [(2)] Township 6 South, Range 11 West, Seward Meridian

2 (4) [(3)] Township 7 South, Range 11 West, Seward Meridian

3 Sections 1 - 4

4 Section 5: N1/2

5 Sections 7 - 36

6 (5) [(4)] Township 7 South, Range 12 West, Seward Meridian

7 Section 12, except N1/2 NE1/4

8 Section 13

9 Sections 19 - 36

10 (6) [(5)] Township 7 South, Range 13 West, Seward Meridian

11 Sections 25 - 26

12 Sections 35 - 36 [25, 26, 35 AND 36]

13 (7) [(6)] Township 8 South, Range 11 West, Seward Meridian

14 Sections 1 - 8

15 Section 9: N1/2

16 Section 10: N1/2

17 Section 11: N1/2

18 Section 12: N1/2

19 Sections 17 - 18 [17 AND 18]

20 (8) [(7)] Township 8 South, Range 12 West, Seward Meridian

21 (9) [(8)] Township 8 South, Range 13 West, Seward Meridian

22 Sections 1 - 2 [1 AND 2]

23 Sections 10 - 14

24 Section 15: E1/2

25 Section 23: N1/2 and SE1/4

26 Sections 24 - 25 [24 AND 25]

27 Section 26: E1/2

28 Section 35: E1/2

29 Section 36

1 (10) Township 9 South, Range 8 West, Seward Meridian

2 Section 2: W1/2

3 Sections 3 - 10

4 Sections 15 - 22

5 Sections 27 - 34

6 (11) Township 9 South, Range 9 West, Seward Meridian

7 (12) Township 9 South, Range 10 West, Seward Meridian

8 Sections 10 - 15

9 Sections 22 - 27

10 Sections 34 - 36

11 (13) [(9)] Township 9 South, Range 12 West, Seward Meridian

12 Sections 1 - 6

13 Section 8: NE1/4

14 Sections 9 - 12

15 Section 13: N1/2

16 Section 14: N1/2

17 (14) [(10)] Township 9 South, Range 13 West, Seward Meridian

18 Sections 1 - 2 [1 AND 2]

19 (15) Township 10 South, Range 8 West, Seward Meridian

20 Sections 4 - 8

21 Sections 17 - 19

22 (16) Township 10 South, Range 9 West, Seward Meridian

23 Sections 1 - 4

24 Sections 10 - 15

25 Sections 22 - 24.

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

27 (a) The presently state-owned land and water, and all that
28 acquired in the future by the state, lying within the parcels describ-
29 ed in this section are designated as the Kachemak Bay State Wilderness

1 Park. In order to protect and preserve this land and water for its
2 unique and exceptional wilderness value, the park is established and
3 shall be managed as a wilderness park. The land and water lying
4 within the following described parcels is reserved from all uses
5 incompatible with its primary function as a wilderness park and is
6 assigned to the department for control and maintenance:

7 (1) Township 8 South, Range 11 West, Seward Meridian

8 Section 9: S 1/2

9 Section 10: S 1/2

10 Section 11: S 1/2

11 Section 12: S 1/2

12 Sections 13 - 16

13 Sections 19 - 36

14 (2) Township 9 South, Range 10 West, Seward Meridian

15 Sections 1 - 3

16 (3) Township 9 South, Range 12 West, Seward Meridian

17 Section 7

18 Section 8: S 1/2 and NW 1/4

19 Section 13: S 1/2

20 Section 14: S 1/2

21 Sections 15 - 36

22 (4) [(3)] Township 9 South, Range 13 West, Seward Meridian

23 Section 11: NE 1/4

24 Sections 12 - 13

25 (5) [(4)] Township 10 South, Range 9 West, Seward Meridian

26 Sections 5 - 7

27 (6) [(5)] Township 10 South, Range 10 West, Seward Meridian

28 (7) [(6)] Township 10 South, Range 11 West, Seward Meridian

29 (8) [(7)] Township 10 South, Range 12 West, Seward Meridian

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

5 Sections 1 - 10

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

7 Sections 12 - 17

8 Sections 21 - 24.

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

CS HB 8 (Finance)

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

JUSTIFICATION SUMMARY

House Bill 8 adds three major parcels to Kachemak Bay State Park and Kachemak Bay State Wilderness Park. Those additions 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 +/-

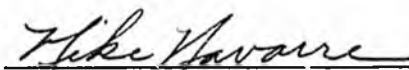
This is a logical adjustment to the boundary of the park. In discussions with former legislators, it seems apparent that the omission of Aurora Lagoon from the original Kachemak Bay State Park legislation was an oversight. Currently, the lagoon is heavily used for recreational pursuits.

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.



Rep. Mike Navarre
prime sponsor, HB8

(4) "wilderness park" means an area whose predominant character is the result of the interplay of natural processes, large enough and so situated as to be unaffected, except in minor ways, by what takes place in the nonwilderness around it, a physical condition which activates the innermost emotions of the observer and where development of man-made objects will be strictly limited and depend entirely on good taste and judgment so that the wilderness values are not lost. (§ 1 ch 161 SLA 1970; am § 1 ch 82 SLA 1972; am § 43 ch 85 SLA 1988)

Revisor's notes. — Enacted as AS 41.20.220 and renumbered as AS 41.20.047 in 1970. Renumbered again in 1983. Paragraphs (3) and (4) were enacted as AS 41.20.450 (1) and (2) and renumbered in 1972.

Cross reference. — For additional definitions, see AS 41.99.900.

Effect of amendments. — The 1988 amendment repealed former paragraphs (1) and (2), which defined "commissioner" and "department," respectively.

Chapter 22. Outdoor Recreational, Open Space, and Historic Properties Development.

[Renumbered as AS 41.98.170 — 41.98.180.]

Chapter 23. Multiple Use Management of Public Resources.

Article

- 1. Public Use Areas (§§ 41.23.010 — 41.23.130)
- 2. Recreation Rivers (§§ 41.23.400 — 41.23.510)

Editor's notes. — Section 2, ch. 48, SLA 1985 provides: "Nothing in AS 41.23.010 — 41.23.040 as enacted in § 1 of this Act may be construed to restrict the development and establishment of the Susitna Hydroelectric Project."

Article 1. Public Use Areas.

Section

- 10. Purpose of AS 41.23.010 — 41.23.040
- 20. Management
- 30. Incompatible uses
- 40. Nelchina Public Use Area
- 50. Purpose of AS 41.23.050 — 41.23.080
- 60. Management
- 70. Incompatible uses

Section

- 80. Ernie Haugen Public Use Area
- 100. Purpose of AS 41.23.100 — 41.23.130
- 110. Management
- 120. Incompatible uses
- 130. Hatcher Pass public use area

ons.

issuance of citation

tes a provision of this
ter is guilty of a mis-
y a fine of not more
han six months, or by

970. Renumbered again in

For offenses commit-
ct to the department's
ficers of the state and
r and the regulations

l by the commissioner;

missioner.

ion may, when enforc-
on adopted under this

l by an officer or court

or affidavit; and
violates a provision of
s chapter. (§ 1 ch 161

amendments. — The 1984
inserted "or issue a citation
aph (3) of subsection (b).

tion. (a) When a peace
e commission of a mis-
r recreational facility
ficer may issue a cita-
3 of AS 12.25.180 —
ay not be required to

hose offenses that are
nce and shall establish
ot to exceed fines pre-

scribed by law, for those offenses. Before establishing or amending the schedule of bail amounts required by this subsection, the supreme court shall appoint and consult with an advisory committee consisting of two persons from the Department of Natural Resources, two district court judges, one member of the House Resources Committee, and one member of the Senate Resources Committee of the legislature. If the offense for which the citation is issued is one that may be disposed of without court appearance, the citing officer shall write on the citation the amount of bail applicable to the cited offense.

(c) A person cited for an offense for which a bail amount has been established under (b) of this section may, within 15 days from the date of the citation, mail or personally deliver to the clerk of the court having jurisdiction over the place where the offense occurred

(1) the amount of bail indicated on the citation for that offense; and

(2) a copy of the citation indicating the offender's waiver of appearance, plea of no contest, and direction to forfeit the bail and any items seized from the offender.

(d) When bail has been forfeited under this section, a judgment of conviction shall be entered. Bail forfeited under this section and the forfeiture of items seized from the offender is a complete satisfaction for the offense, and the clerk of the court shall provide the offender with a receipt stating that fact.

(e) If the person cited fails to pay the bail amount or appear in court as required, the citation shall be considered a summons for a misdemeanor charge and the offender shall be proceeded against in the manner prescribed by law.

(f) Notwithstanding other provisions of law, if a person cited for a misdemeanor for which a bail amount has been established under (b) of this section appears in court and is found guilty, the penalty that is imposed for the offense may not exceed the bail amount for that offense established under (b) of this section. (§ 3 ch 102 SLA 1984)

Sec. 41.21.990. Definitions. In this chapter

(1), (2) [Repealed, § 43 ch 85 SLA 1988.]

(3) "scenic park" means relatively spacious areas of outstanding natural significance, where major values are in their natural geological, faunal or floral characteristics, the purpose of which is directed primarily toward the preservation of its outstanding natural features and where development is minimal and only for the purpose of making the areas available for public enjoyment in a manner consistent with the preservation of the natural values such as camping, picnicking, sightseeing, nature study, hiking, riding and related activities which involve no major modification of the land, forests or waters, and without extensive introduction of artificial features or forms of recreational development that are primarily of urban character;

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS & OUTDOOR RECREATION

KENAI AREA
BOX 1247
SOLDOTNA, ALASKA 99669
PHONE: 262-5581

March 1, 1989

Dear Mariculture Permittee:

This letter is to advise you of the termination of your permit to operate in Kachemak Bay State Park, and to establish the new procedure for applying for your continued use of the park for commercial aquatic farming. Also enclosed are the full public notice and proposed regulations which will control mariculture operations in state parks. (Please see 11 AAC 18.040 and 11 AAC 18.050) Since these regulations will not be effective until some time later this year, the existing commercial use permit regulations (11 AAC 18.030) require that you apply for a permit on the enclosed form.

The past permit issued to you for mariculture was for an experimental, non-commercial use. During the two year period of review (March, 1987, to March, 1989), you were not required to pay the full commercial use rate. To continue as a commercial operation, you are now required to pay the \$200 per calendar year and submit photocopies of the following:

- Alaska Business License
- Kenai Borough Tax Certificate
- Liability Insurance to the level required in the attached stipulations
- Alaska Driver's License or Identification Card
- "AK" US Coast Guard numbers of all motorized boats used
- Alaska Department of Fish and Game, FRED Division, Shellfish Farm Permit

This office already has a copy of your ADF&G Habitat Division Permit and of your Corps of Engineers Permit which contains an Alaska Department of Environmental Conservation Section 401 Certification.

When the new regulations are promulgated and become effective, there will be another change in your permit. Because we are limiting the number of mariculture permits in Halibut Cove Lagoon, we will have to use a competitive bidding process to ensure equal access by the public to the permits available. I anticipate that before the end of 1989 this division will revoke all existing permits and establish a public competition bidding process.

As you know, there is some controversy about allowing commercial mariculture in the park. Governor Cowper has indicated his desire to allow a small, highly restricted, cottage industry operation in the park. The Kachemak Bay State Park Citizen's Advisory Board has

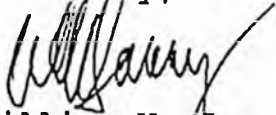
Mariculture Permits
March 1, 1989

2

advised the director they are opposed to this commercial use of the park. It is my intention to call a meeting of all existing permittees and those interested in mariculture. The meeting will be in conjunction with the Citizen's Advisory Board's April meeting. Notice of the time, date and place will be mailed to you. I would like to discuss permit stipulations and the new regulations.

Please read the enclosed regulations to assess their effect on your operations. You may call me or Sue Millington at 262-5581, or Roger MacCampbell at 235-7024 if you have any questions. I hope we can work together to resolve your problems, still the controversy, and preserve the park.

Sincerely,



William W. Garry
Superintendent

Enclosures

(5) the term of the permit is no longer than 365 consecutive days or one calendar year [two years, with a two-year renewal clause at the discretion of the director], and is revocable at any time the director determines that the criteria set by 11 AAC 18.025(c) are not being met or the public interest is not otherwise served.

(Eff. 5/11/85, Reg. 94; am 1/28/88, Reg. 105; am 2/3/88, Reg.105; am ___/___/___, Reg. ___)

Authority:	AS 41.21.020	AS 41.21.950
	AS 41.21.026	AS 41.21.955
	AS 41.21.040	

11 AAC 18.040 is added as a new section to read:

11 AAC 18.040. COMPETITIVE PARK USE PERMITS FOR COMMERCIAL ACTIVITIES. (a) The director may competitively bid a permit for a commercial activity if he or she finds that

(1) the conditions of 11 AAC 18.025 are met;

(2) there is commercial viability for the activity proposed; and

(3) there is a need to limit the number of permits to protect public use of the park or to protect park resources, or there is a need to prevent one business or person from monopolizing commercial activities within a park or portion of a park, or without limitation of the number of permits there would likely be a degradation of quality of the recreational experience of the park, or there may be an unlimited demand for space within a park.

(b) The process for competitive bidding under this section shall be determined by the director.

(c) A permit issued under this section shall

(1) declare that the state assumes no risk of financial loss whatsoever, and the state guarantees no financial gain or opportunity to profit whatsoever;

(2) prohibit any assignment of rights or responsibilities to perform the stipulations in the permit absent the written permission of the director;

(3) terminate after no more than five years with a possibility of renewal for five more years, and it shall be revocable at any time the director determines that the criteria set by 11 AAC 18.025(c) are not being met, the public interest is not otherwise served, or the terms and conditions of the permit are not followed.

(d) The minimum bid price for a permit under this section shall be \$200 per permit per calendar year, and this minimum bid may be increased by the director to give the state a fair and reasonable return in light of the cost of administering the activity permitted under this section, the impact of the proposed activity on the park, the incidental benefit that might be provided the park, goods or services provided to the state, and the gross business receipts attributable to the activity.

(e) The provisions of 11 AAC 18.030 (b) apply to a permit issued under this section.

(f) The director may limit the number of competitive commercial use permits an individual may hold.

(g) No permittee, or permittee's agent or employee, may violate the conditions of the permit. Upon any violation of a condition of the permit, the director may suspend or revoke the permit. Each day in violation of the permit conditions constitutes a separate offense under AS 41.21.950. (Eff. ___/___/___, Reg. ___)

Authority:	AS 41.21.020	AS 41.21.302
	AS 41.21.026	AS 41.21.905
	AS 41.21.040	AS 41.21.955

11 AAC 18.050 is added as a new section to read:

11 AAC 18.050. AQUATIC FARMSITE PERMITS. (a) The director may, in his or her discretion and to the extent permitted by law, open or close a state park area to aquatic farming.

(b) Before a park area has been opened to aquatic farming, the director shall meet with any local park advisory board, concerned citizens, prospective farmsite bidders, local governments, and other interested agencies to form a preliminary decision on

(1) what the terms and conditions should be for a competitive commercial use permit issued under 11 AAC 18.040; or

(2) what the terms and conditions should be for a non-competitive commercial use permit issued under 11 AAC 18.030.

(c) A preliminary decision will be reviewed by agencies and affected coastal districts in accordance with 6 AAC 50.070 for consistency with the Alaska Coastal Management Program.

(d) The director will issue a final decision containing the permit terms and conditions. The criteria used in forming the final decision may parallel those in 11 AAC 63.050 (b) and (c).
(Effective ___/___/___, Reg. ___)

Authority:	AS 41.21.020	AS 41.21.302
	AS 41.21.026	AS 41.21.905
	AS 41.21.040	AS 41.21.955

CHAPTER 20.
STATE PARK LAND AND WATER

Article

- 7 Chena River State Recreation Area (11 AAC 20.460 - 11 AAC 20.492)
- 9 Nancy Lake State Recreation Area (11 AAC 20.540 - 11 AAC 20.555)
- 14 Kenai River Special Management Area (11 AAC 20.850 - 11 AAC 20.885)
- 5 Special Provisions (11 AAC 20.905 - 11 AAC 20.990)

ARTICLE 7.
CHENA RIVER STATE RECREATION AREA

Section

460 Use of Weapons

492 Camping

11 AAC 20.460. is amended to read:

11 AAC 20.460. USE OF WEAPONS. (a) The use and discharge of a weapon for the purpose of lawful hunting or trapping is allowed in the Chena River State Recreation Area except within one-quarter mile of a developed campground, picnic area, trailhead, and the Twin Bears Camp. [one-half miles of a developed facility.]

Alaska State Legislature

Senate Resources Committee

Senator Bettye Fahrenkamp, Chairman

Senator Jay Kertula, Vice Chairman
Senator Dick Ellason
Senator Steve Frank
Senator Rick Hallford
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.



Alaska State Legislature

Senator Mike Szymanski

White in Session:
P.O. Box V
State Capitol, Room 11
Juneau, Alaska 99811
(907) 465-4978/4979
FAX (907) 465-2652

During Interim:
3111 C Street, Suite 510
Anchorage, Alaska 99503
(907) 561-7617

165 E. Parks Highway
Legislative Information Office
Wasilla, Alaska 99687
(907) 376-MIKE

March 16, 1989

MEMORANDUM

TO: Senator Bettye Fahrenkamp, Chair
Senate Resources Committee

FROM:  Senator Mike Szymanski

RE: Powder Island Land Exchange

The purpose of this memo is to request that the attached amendment be added to HB 8, a bill related to Kachemak Bay State Park. After reviewing the memo and map, I believe that you, and the other committee members, will find that Powder Island, located in Seldovia Bay, should be included in the Kachemak Bay State Park.

In reviewing the attached map, it is obvious that the only remaining public land within the Seldovia Bay is Powder Island. If this land is removed from public use, the general public will be prevented access for recreational purposes within the Bay.

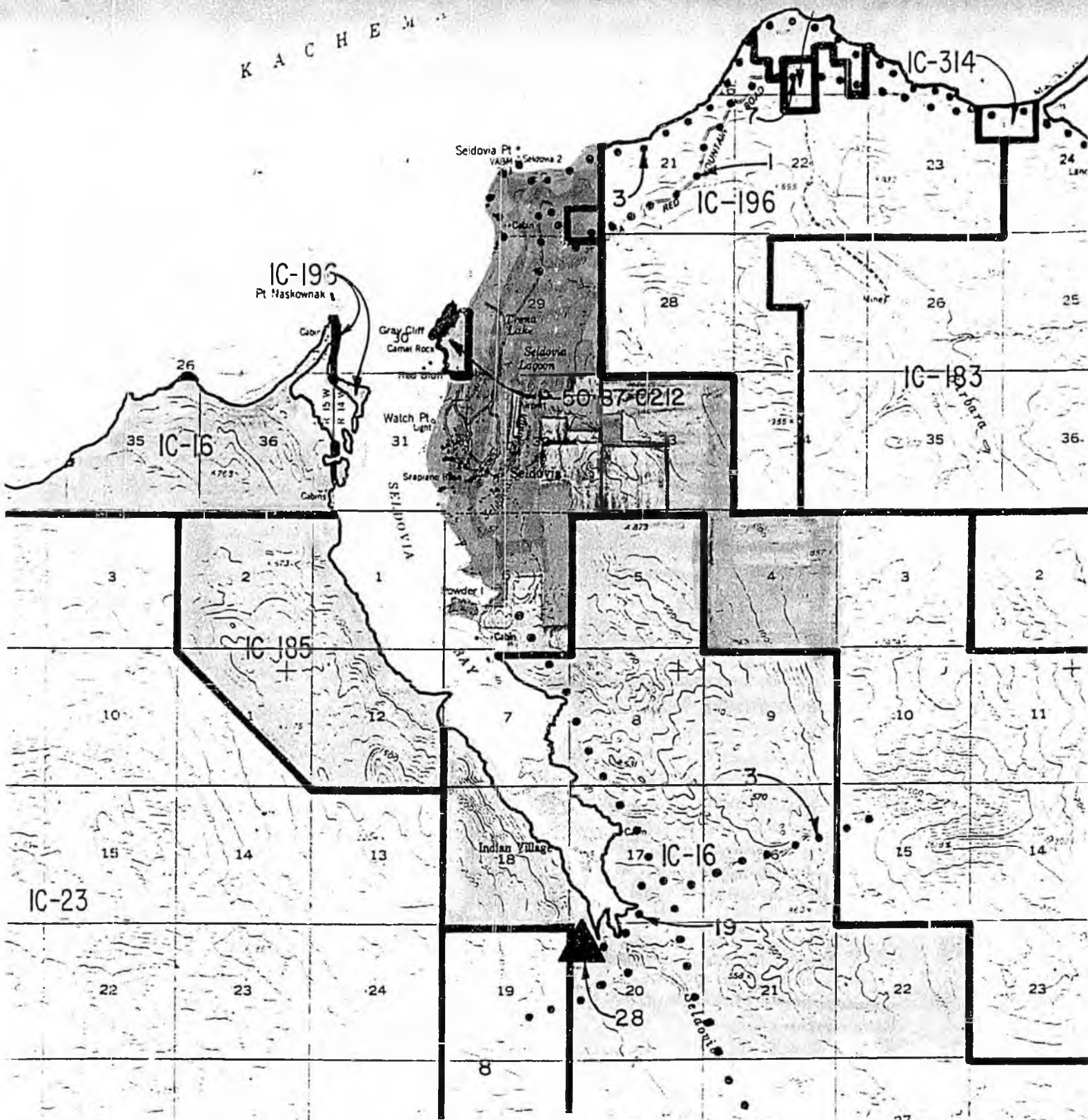
Seldovia Bay is an extremely popular and well utilized recreational boating area which provides sheltered moorage that is not available anywhere else in the surrounding area. Relinquishing this public land to the Seldovia Native Corporation, the major land owner in the Bay, will leave the decision of allowing public access and recreational usage to the discretion of the Corporation. Of course, the tidelands are available to the public, but they are not particularly appropriate or convenient for camping, picnicing or hiking.

In conclusion, it's my opinion that it is not in the public's best interest to eliminate Seldovia Bay as a public recreational use area. While we cannot reverse past land decisions, we can certainly prevent the trading of this last remaining parcel of public land to the Seldovia Native Corporation by including it in the Kachemak Bay State Park system.








Finally, once the Native Corporation subdivides the lots, I believe that the State will be in a position to purchase land from them to make it available to the public.

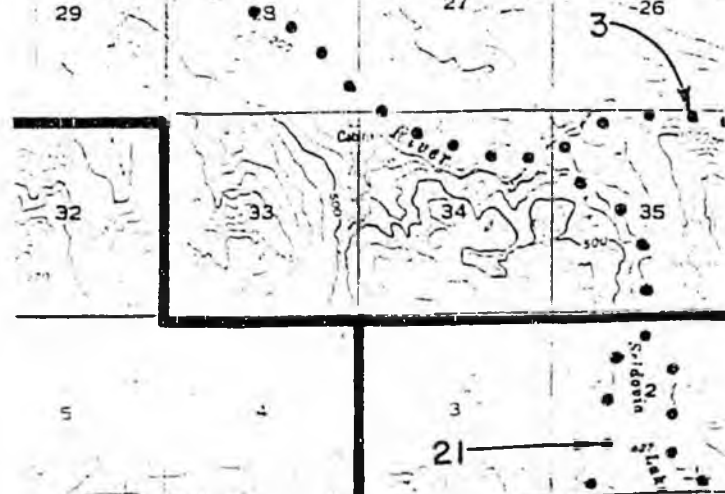
Senate District E

KACHEMAK



SELDOVIA BAY LAND STATUS - February, 1989

-  State Land
-  State Land - borough selected
-  University Land
-  Native Corp. Land (with some private inholdings)
-  Other Private Land
-  One Acre Campground Easement
-  ANCSA 17(b) Trail Easements



STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LAND AND WATER MANAGEMENT

STEVE COWPER, GOVERNOR

3601 C STREET
PO BOX 107005
ANCHORAGE, ALASKA 99510-7005
PHONE: (907) 561-2020

February 27 1989

The Honorable Mike Szymanski
Alaska Senate
P. O. Box V
Juneau, AK 99811

Dear Senator Szymanski:

Enclosed is the land status map of Seldovia Bay that you requested to help in your review of the Kachemak Bay State Park exchange land pool.

I want to explain why we have included Powder Island in the land pool for the exchange. I recognize that Powder Island has value as public recreation land, however, the trade-off is to get higher value public recreation land adjacent to China Poot Bay in Kachemak Bay State Park into public ownership. The public benefit of owning the land within the state park may outweigh the loss of public land at Powder Island, which has no park designation.


A second concern is that Powder Island is of great interest to the Seldovia Native Association (SNA). Because SNA is trading land with recreation development potential adjacent to China Poot Bay, SNA desires to get some land with similar development potential outside the park. If the state does not offer SNA some good parcels of land such as Powder Island, SNA would have no reason to enter into the exchange.

To help address your concern about public use, the state is required by statute to retain a public access easement along the shoreline of Powder Island if the land is conveyed to SNA.

The Honorable Mike Szymanski
February 27, 1989
Page 2

I look forward to your comments on the Kachemak Bay State Park exchange land pool. We will keep you posted on the land exchange's progress. I look forward to your support when the exchange is submitted to the legislature for approval next session.

Sincerely,



Gary Gustafson,
Director

cc: Fred Elvsaas, Seldovia Native Association
Senator Paul Fischer
Representative Mike Navarre
Representative C. E. Swackhammer
Janice Schofield, Kachemak Bay Citizens Coalition

Mike,

Let's discuss should you
have further questions.

Gos

A M E N D M E N T

OFFERED IN THE SENATE

BY SZYMANSKI

TO: CSHB 8(Finance)

Page 4, after line 14:

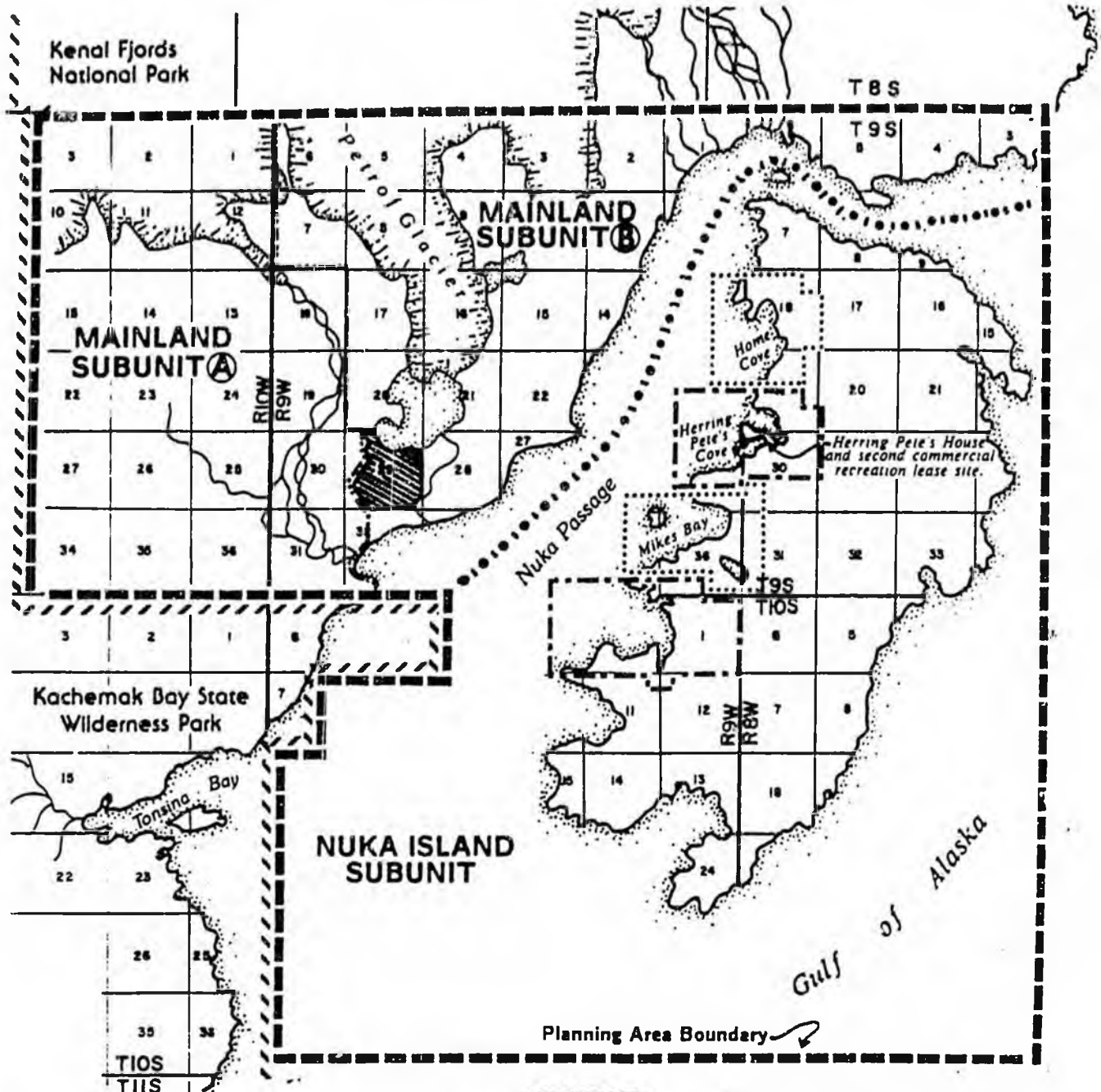
Insert a new paragraph to read:

“(14) Township 9 South, Range 14 West, Seward Meridian

Section 6: Government Lot 4”

Renumber the following paragraphs accordingly.

NUKA ISLAND AND VICINITY LAND USE MAP



----- Subunit Boundary

..... Classification Boundary

Classifications

MAINLAND SUBUNIT

(A) Public Recreation/Wildlife Habitat/Forestry

(B) Public Recreation/Wildlife Habitat

NUKA ISLAND SUBUNIT

Public Recreation/Wildlife Habitat

----- Areas Closed to Mineral Entry

..... Alternative Lodge Sites; the one selected will be closed to mineral entry.

////// Petrof View State Subdivision

SCS CS House Bill 8 (Resources)
**"An Act relating to the addition of land to Kachemak Bay State Park and
Kachemak Bay State Wilderness Park."**

This bill adds three major parcels to Kachemak Bay State Park:

• **Nuka Island and Nuka Uplands: 42,092 Acres +/-**

Located on the eastern side of the Kenai Peninsula, Nuka Island and the adjacent uplands were identified in the U.S. Congressional record for inclusion in the Kenai Fjords National Park. As state land, they cannot be national park lands, but this is a good illustration of the nationally recognized significance of these lands.

In accordance with the University Land Settlement, there are two twenty-five acre parcels identified for transfer to the University on Nuka Island. These parcels are available for commercial lodge development under the 1986 Nuka Island Management Plan, and are subject to conditions of the plan.

Nuka has been identified by the Kachemak Bay State Park Citizens' Advisory Board for inclusion into the park since 1982.

• **Cottonwood Creek and Eastland Creek: 2,310 acres +/-**

The Cottonwood/Eastland parcels have been under consideration as potential park for over a decade. Following a 1979 recreational feasibility study, the Division of Parks and Outdoor Recreation identified these parcels as desirable park land. These lands, some 12 miles northeast of Homer on the northern side of Kachemak Bay, are road accessible, and will help meet a growing need for park land in the Homer area that can be readily developed.

• **Aurora Lagoon: 2,100 acres +/-**

The addition of this parcel, located approximately 7 miles northeast of Halibut Cove, is a logical adjustment to the existing boundary of Kachemak Bay State Park. Discussions with former legislators indicate that the omission of Aurora was an oversight. Currently, the Aurora Lagoon & Aurora Spit are heavily used for recreational pursuits.

Substantive differences between the House - passed bill, CS HB 8 (Finance) and SCS CS HB 8 (Resources) :

• Originally, all the Nuka Uplands parcels were slated for inclusion in Kachemak Bay State Wilderness Park (while Nuka Island itself would be added to Kachemak Bay State Park - i.e., "scenic" park). The Senate Resources Committee modified this so that all Nuka Uplands would be "scenic" park rather than "wilderness" park, except for 3 sections (1,920 acres), which are covered mostly by Petrof Glacier.

• The tide and submerged lands within the Aurora Lagoon parcel have been removed from the bill.

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: 2,100 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.

STATE OF ALASKA LEGISLATIVE DESIGNATIONS

April, 1987; updated January 1988

Fish and Game Designations (AS 16.20):

<u>Name</u>	<u>Statute</u>	<u>Acres</u>
Walrus Island State Game Sanctuary	(AS 16.20.090-.140)	9,700
McNeil River State Game Sanctuary	(AS 16.20.160-.170)	83,800
	Total Sanctuaries	93,500
Palmer Hay Flats State Game Refuge	(AS 16.20.032)	26,000
Mendenhall Wetlands State Game Refuge	(AS 16.20.034)	3,800
Susitna Flats State Game Refuge	(AS 16.20.036)	300,800
Trading Bay State Game Refuge	(AS 16.20.038)	160,960
Cape Newenham State Game Refuge	(AS 16.20.030)	14,000
Izembek (Lagoon) State Game Refuge	(AS 16.20.030)	181,440
Creamer's Field Migratory Waterfowl Refuge	(AS 16.20.039)	1,664
Goose Bay State Game Refuge	(AS 16.20.030)	10,830
Potter Point State Game Refuge	(AS 16.20.030)	39,360
	Total Refuges	738,904
Port Moller Critical Habitat Area	(AS 16.20.230)	127,000
Port Heiden Critical Habitat Area	(AS 16.20.230)	72,000
Cinder River Critical Habitat Area	(AS 16.20.230)	26,000
Egegik Critical Habitat Area	(AS 16.20.230)	8,000
Pilot Point Critical Habitat Area	(AS 16.20.230)	46,000
Kalgin Island Critical Habitat Area	(AS 16.20.230)	3,500
Fox River Flats Critical Habitat Area	(AS 16.20.230)	7,100
Chilkat River Critical Habitat Area	(AS 16.20.230)	4,800
Kachemak Bay Critical Habitat Area	(AS 16.20.230)	222,000

<u>Name</u>	<u>Statute</u>	<u>Acres</u>
Clam Gulch Critical Habitat Area	(AS 16.20.230)	2,500
Copper River Delta Critical Habitat Area	(AS 16.20.230)	597,000
Anchor River & Fritz Creek Crt Hab Area	(AS 16.20.230)	19,000
Total Critical Habitat Areas		1,134,900
Total Fish and Game Acres		1,967,304

Forestry Designations (AS 41.15-17):

Tanana Valley State Forest	(AS 41.17.400)	1,786,000
Haines State Forest Resource Mgmt. Area	(AS 41.15.300-330)	247,000
Total Forestry Acres		2,033,000

Park Units (AS 41.21-23):

Chilkat State Park	(AS 41.21.111-120)	6,045
Chugach State Park	(AS 41.21.121-125)	495,000
Kachemak Bay State Park	(AS 41.21.131-134)	119,970
Kachemak Bay State Wilderness Park	(AS 41.21.140-143)	208,320
Denali State Park	(AS 41.21.151-152)	421,120
Wood-Tikchik State Park	(AS 41.21.161-167)	1,428,320
Shuyak Island State Park	(AS 41.21.172-178)	11,000
Marine Parks	(AS 41.21.304)	14,440*

Bettles Bay; Oliver Inlet; Sawmill Bay; Shoup Bay; South Esther Island; Surprise Cove; Chilkat Islands; Zeigler Cove; Horseshoe Bay; Sullivan Island; Shelter Island; Saint James Bay; Taku Harbor; Funter Bay; Joe Mace Island; Thoms Place; Beecher Pass; Dall Bay; Security Bay.

*Not including 22,510 acres of water.

<u>Name</u>	<u>Statute</u>	<u>Acres</u>
Captain Cook State Recreation Area	(AS 41.21.415-425)	3,620
Caines Head State Recreation Area	(AS 41.21.435-445)	5,961
Nancy Lake State Recreation Area	(AS 41.21.455-465)	22,685
Chena River State Recreation Area	(AS 41.21.475-490)	254,080
Willow Creek State Recreation Area	(AS 41.21.491-495)	3,583
Kenai River Special Management Area	(AS 41.21.502-514)	2,693
Alaska Chilkat Bald Eagle Preserve	(AS 41.21.611-630)	49,000
Total Parks Acres		3,045,837

Other Designations:

Delta Junction Bison Range Area	(AS 16.20.300)	72,200*
Matanuska Valley Moose Range	(AS 16.20.340)	132,500**
Nelchina Public Use Area	(AS 41.23.010-040)	1,350,000
Hatcher Pass Public Use Area	(AS 41.23.100-130)	5,100
Total Other Designations		1,559,800

Total Fish and Game Designations:	1,967,304
Total Forestry Designations:	2,033,000
Total Park Designations:	3,045,837
Total Other Designations:	1,559,800
Total All Legislative Designations:	8,605,941

Note: Most figures are approximate. Many include tide and submerged acreage. ADF&G estimates that half of the acreage designated in Title 16 is submerged.

*Acreage does not reflect additional 17,500 acres within military withdrawal.

**Acreage does not include selected land.

CITY OF HOMER
HOMER, ALASKA

RESOLUTION 89-13

A RESOLUTION OF THE HOMER CITY COUNCIL SUPPORTING SENATE BILL No. 2 AND HOUSE BILL No. 8, RELATING TO THE ADDITION OF LAND TO KACHEMAK BAY STATE PARK AND KACHEMAK BAY STATE WILDERNESS PARK.

WHEREAS, the Legislature wishes to designate additional parcels of land to the Kachemak Bay State Park & Kachemak Bay State Wilderness Park with the primary intent that the land within the parks be managed for its primitive recreational values; and

WHEREAS, the City of Homer strongly supports the addition of lands to the Kachemak Bay State Park & Kachemak Bay State Wilderness Park with the intent to protect and preserve these lands within the Kachemak Bay area for the recreational and scenic uses of both residents and the thousands of visitors which are attracted to the area annually; and

WHEREAS, Senate Bill No. 2 and House Bill No. 8, designate that all presently state-owned land and water, and all that is acquired in the future by the state, lying with the parcels described within these bills as the Kachemak Bay State Park; and

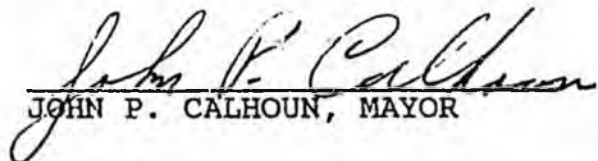
WHEREAS, Senate Bill No. 2 and House Bill No. 8, state that the Kachemak Bay State Park is established to protect and preserve the land and water for their unique and exceptional scenic value and shall be managed as such;

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council supports Senate Bill No. 2 and House Bill No. 8 relating to the addition of land to Kachemak Bay State Park and Kachemak Bay State Wilderness Parks.

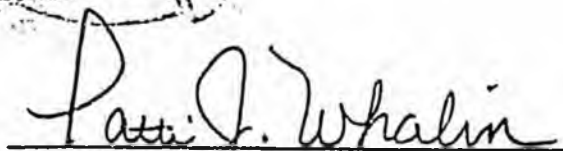
BE IT FURTHER RESOLVED that the City Manager is directed to send copies of this resolution of support to Governor Steve Cowper and respective delegates of the Sixteenth Session of the Alaska State Legislature respectfully urging their support of the bills.

DATED at Homer, Alaska this 23rd day of January, 1989.

CITY OF HOMER


JOHN P. CALHOUN, MAYOR




PATTI J. WHALIN, CITY CLERK

Introduced by: Mullen
Date: February 7, 1989
Action: Adopted
Vote: Unanimous

KENAI PENINSULA BOROUGH

RESOLUTION 89-11

ENDORING HOUSE BILL 8, RELATING TO THE ADDITION OF LAND TO KACHEMAK BAY STATE PARK AND KACHEMAK BAY STATE WILDERNESS PARK

WHEREAS, the Kenai Peninsula Borough has an interest in protecting and preserving recreation and scenic use lands within its boundaries; and

WHEREAS, Kachemak Bay State Park attracts thousands of visitors annually to enjoy its mountains, glaciers, waters and forests for their recreational, scenic and wildlife values; and

WHEREAS, other available State lands in the Kachemak Bay area have been identified as appropriate park lands and will, as park lands, enhance the recreational and tourism potential of the Kachemak Bay area; and

WHEREAS, State park properties on the Homer side of Kachemak Bay will help meet the need for year-round road-accessible recreation on the Southern Peninsula; and

WHEREAS, the State lands proposed for additions are free of conflicting claims and interests, following the University settlement and the Mental Health Lands Trust agreement;

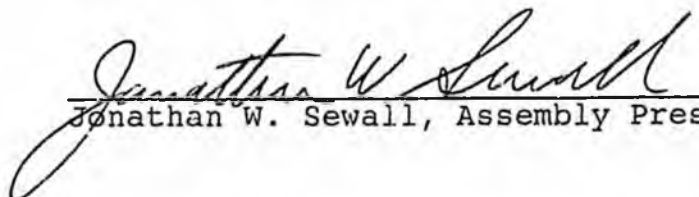
NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

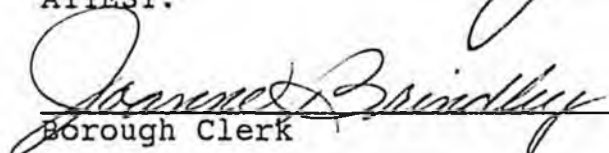
Section 1. That the Kenai Peninsula Borough endorses House Bill 8.

Section 2. That copies of this resolution be sent to Governor Cowper, Senator Paul Fischer, and Representatives Mike Navarre and C. E. Swackhammer.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 7th DAY OF February, 1989.

ATTEST:


Jonathan W. Sewall, Assembly President


Borough Clerk

Kachemak Shellfish Mariculture Association
1902 Sunrise Dr.
Anchorage, Alaska 99508

March 9, 1989

Senate Resources Committee

Re: Senate Bill 2 and House Bill 8

MAR 17 1989

Dear Senators,

The members of Kachemak Bay Shellfish Mariculture Association (KSMA) sincerely appreciate the efforts of the legislature in their work toward resolving the issue of shellfish mariculture compatibility with Kachemak Bay State Park. We understand that one of the alternative solutions being considered to amend S.B. 2 and H.B. 8 in answer to our earlier concerns about marine waters and tidelands inclusion in Kachemak Bay State Park is to legislatively mandate the compatibility of shellfish and marine plant farming with the park. While this approach takes definite steps forward towards resolution, KSMA still has a few concerns remaining. These have to do with permitting and regulation of the mariculture operations within the park.

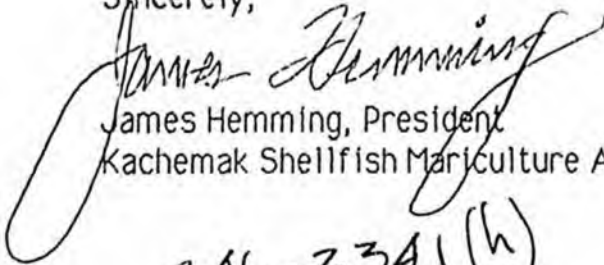
We feel that the large number of permits (8 or more) and regulations required by various state and federal agencies is more than enough to ensure responsible management of the park waters. Another layer of overlapping permits and regulations will only serve to harm the competitiveness of the shellfish farmers and do nothing for sound resource management. The Division of Park's requirement of insurance for a 10' by 20' raft, when such a requirement is optional on their part, is an example of over-regulation. As we mentioned in our letter of March 4, the Division of Parks personnel are trained in land and recreation management and lack trained staff for marine resource management.

KSMA would like to request that any legislative mandate of compatibility between shellfish/marine plant mariculture and the park include language addressing and delineating the roles of management and regulatory agencies. The Department of Natural Resources (DNR) and the Department of Fish and Game (DF&G) have the trained personnel with the marine resource expertise that makes them best suited for dealing with mariculture. If Kachemak Bay State Park retains marine waters and tidelands within its boundaries, DF&G should be the agency to manage day to day regulation and permitting

requirements; and, shellfish mariculture could be treated by Park's guidelines just as commercial fishing is under Park's regulation number 11 AAC 12.300. On the other hand, if marine waters and tidelands are removed from the park boundaries, DNR's Division of Land and Water Management in combination with DF&G should manage mariculture together with the standard mariculture management regulations they have recently developed. This will ensure that the most appropriate resource management agencies will be designated with providing responsible regulation of the shellfish industry/park relationship.

Thank you very much for the opportunity to work with you and be part of the process which provides the shellfish mariculture industry and the park with the most appropriate and best qualified management regime.

Sincerely,



James Hemming, President
Kachemak Shellfish Mariculture Association

396-3341(h)

562-3366(w)

James & More.

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

SELDOVIA

