

HB

80

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 80

Revision Date: 1-30-91 Department Affected: FISH AND GAME

Title: An Act Modifying the boundaries of the Creamer's Field Migratory Waterfowl Refuge BRU: Habitat

Component: _____

Sponsor: Representative Boyer

Requestor: _____

COMPONENT SERIAL NO.

	4	8	6
--	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: No current year impact

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: *Lucas H. Pedersen* Phone: 465-4135

Division: Habitat Date: 1-29-91

Approved by Commissioner: *Ann W. Wiley*

Agency: Department of Fish and Game Date: 1/30/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

DEPARTMENT OF FISH AND GAME POSITION PAPER

Bill No: HB 80

Sponsor: Representative Boyer

Division: Habitat

Bill Title: An Act modifying the boundaries of the Creamer's Field
Migratory Waterfowl Refuge

Department Position: Support

This measure modifies the legal description for the Creamer's Refuge Migratory Waterfowl Refuge to reflect the 1986 land trade involving the Tanana Valley Fair Association and the 1982 purchase of the original Creamer's barns. Section 2 amends the legal description of the sewer and water easement to make the land subject to the easement, rather than excluding it from the refuge.

The modified legal description was prepared by the Department of Fish and Game in conjunction with the Division of Land and Water Management, Department of Natural Resources. Specific boundary references and the amended easement descriptions were included at DNR's recommendation. The amended easement description is a more legally correct way to describe the easement, and does not affect the easement itself.

Commissioner's Signature

Bruce L. Rie

Date 2-14-91

C



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER HB 80	SPONSOR Boyer
SHORT TITLE OF BILL ACT modifying the boundaries of the Creamer's Field Migratory Waterfowl Refuge			
DEPARTMENT POSITION Support			
PREPARED BY Frank Rue, Director	DATE 1/30/91	COMMISSIONER'S SIGNATURE <i>William G. Wilbur</i>	DATE 1/30/91

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Natural Resources	CONSTITUENT GROUP(S) AFFECTED BY BILL None known
ORGANIZATIONAL SUPPORT FOR BILL Creamer's Refuge Advisory Committee	ORGANIZATIONAL OPPOSITION TO BILL None known

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

This measure modifies the legal description for the Creamer's Refuge Migratory Waterfowl Refuge to reflect the 1986 land trade involving the Tanana Valley Fair Association and the 1982 purchase of the original Creamer's barns. Section 2 amends the legal description of the sewer and water easement to make the land subject to the easement, rather than excluding it from the refuge.

ANALYSIS OF BILL/PROGRAM EFFECTS

The modified legal description was prepared by the Department of Fish and Game in conjunction with the Division of Land and Water Management, Department of Natural Resources. Specific boundary references and the amended easement descriptions were included at DNR's recommendation. The amended easement description is a more legally correct way to describe the easement, and does not affect the easement itself.

AMENDMENTS PROPOSED

None.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

MEMORANDUM

STATE OF ALASKA
DEPARTMENT OF FISH AND GAME

TO: Molly McCammon
Special Assistant to the Commissioner
Office of the Commissioner
Juneau

THRU: Christian A. Smith
Regional Supervisor

DATE: December 14, 1990

FILE NO:

TELEPHONE: 456-5156

COMMISSIONER'S OFFICE

RECEIVED
DEC 18 1990

FROM: Marguerite A. Matthews
Wildlife Biologist
Division of Wildlife Conservation
Fairbanks

SUBJECT: Amendment to
Creamer's Field
Legal Description

DEPARTMENT OF FISH AND GAME

Attached is a draft bill containing the revised legal description for Creamer's Field Migratory Waterfowl Refuge. Because the legal description is so complex and there were so many changes to the existing statute, I thought it would be more clear to put it in the form of a draft bill, rather than someone having to guess at how the statute should read. The format of the bill may not be exactly right, but the intent should be clear.

The changes in Sections 1 and 2 reflect the land trade involving the Tanana Valley Fair Association and the addition of the barns to the refuge. In addition, a number of phrases referencing boundary features such as College Road, Lemeta Subdivision and Isabella Creek have been inserted to clarify the intent of the legal description. Section 3 changes the wording of the water and sewer easement legal description to make the land subject to the easement, rather than excluding the easement. This is a more legally correct way to describe the easement, and does not affect the easement itself. This and the boundary references were done at the suggestion of the Department of Natural Resources.

The legal description was drafted in conjunction with the Division of Land and Water Management, Department of Natural Resources. DNR will be happy to provide us with a letter verifying the accuracy of the legal description if we need it.

I am enclosing a diskette with the bill in both WordPerfect and Microsoft Word files in hopes that it won't have to be re-typed in Juneau, as typing and proof-reading these legal descriptions is a real chore. Feel free to call me any time if you have any questions or need any help.

Thank you in advance for your assistance in getting this bill through.

cc: Bruce
McLean
Taylor

Attachments



Statewide Office of Land Management
Butrovich Building • Suite 211 • 910 Yukon Drive • Fairbanks • Alaska • 99775
(907) 474-7421 • FAX: (907) 474-7554

VIA FACSIMILE #465-4565

February 1, 1991

Ms. Alexis Miller
Office of Representative Mark Boyer
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

RE: House Bill 80

Dear Ms. Miller:

In response to your request, I have reviewed the map you faxed, as well as the legal descriptions contained in HB 80.

In 1982, as part of the settlement of litigation, the University relinquished to the State of Alaska, its interest in a 41.697 acre portion of Section 33 described as Tract B of Alaska State Land Survey No. 80-67, in exchange for equal value land elsewhere in the state.

A 14.149 acre portion of the property relinquished to the state, which is currently described as Tract B2 of ASLS No. 83-62, is included in the revised legal description of the Refuge contained in HB 80.

In addition, although unrelated, I would like to make you aware of the fact that the University and the Department of Fish and Game have been discussing the acquisition, by Fish and Game, of a substantial amount of University land west of the current refuge boundaries.

If you need additional information, please contact me at 474-7421.

Very Truly Yours,

Martin Epstein
Director

**STATE OF ALASKA
1991 LEGISLATIVE SESSION**

BILL NO. HB 80

Revision Date: 8-Feb-91

Department Affected: Natural Resources

Title: Creamer's Field Migratory

BRU: Land & Water Management

Waterfowl Refuge

Components: Land & Water Management

Sponsor: Representative Boyer

Requestor: House Resources

COMPONENT SERIAL NO. 431

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate Current year impact:

IS: (Attach a separate page if necessary)

Prepared by: Carol Wilson

Phone: 465-2400

Division: Commissioner's Office

Date: 8-Feb-91

Approved by Commissioner: Harold Heinze

Date: 8-Feb-91

Agency: Department of Natural Resources

Distribution (by preparer) : Legislative Finance, legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FACSIMILE: (907) 586-2754

February 20, 1991.

The Honorable Cliff Davidson, Chair
House Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Representative Davidson:

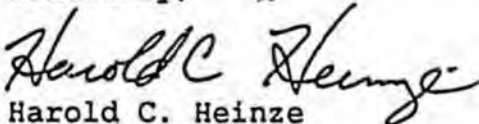
Subject: HB 80, which modifies the boundaries of the Creamer's Field Migratory Waterfowl Refuge.

Position: The Department of Natural Resources supports this bill because it modifies the existing refuge boundaries to conform to land ownership changes that have occurred since the refuge was established.

Background: The Creamer's Field Migratory Waterfowl Refuge was designated by statute in 1979. Subsequent exchanges of land among the University of Alaska, the Department of Natural Resources, and the Department of Fish and Game have resulted in significant ownership changes within the boundaries of the refuge. This bill would establish the new boundaries clearly in statute.

Thank you for the opportunity to comment on this bill.

Sincerely,

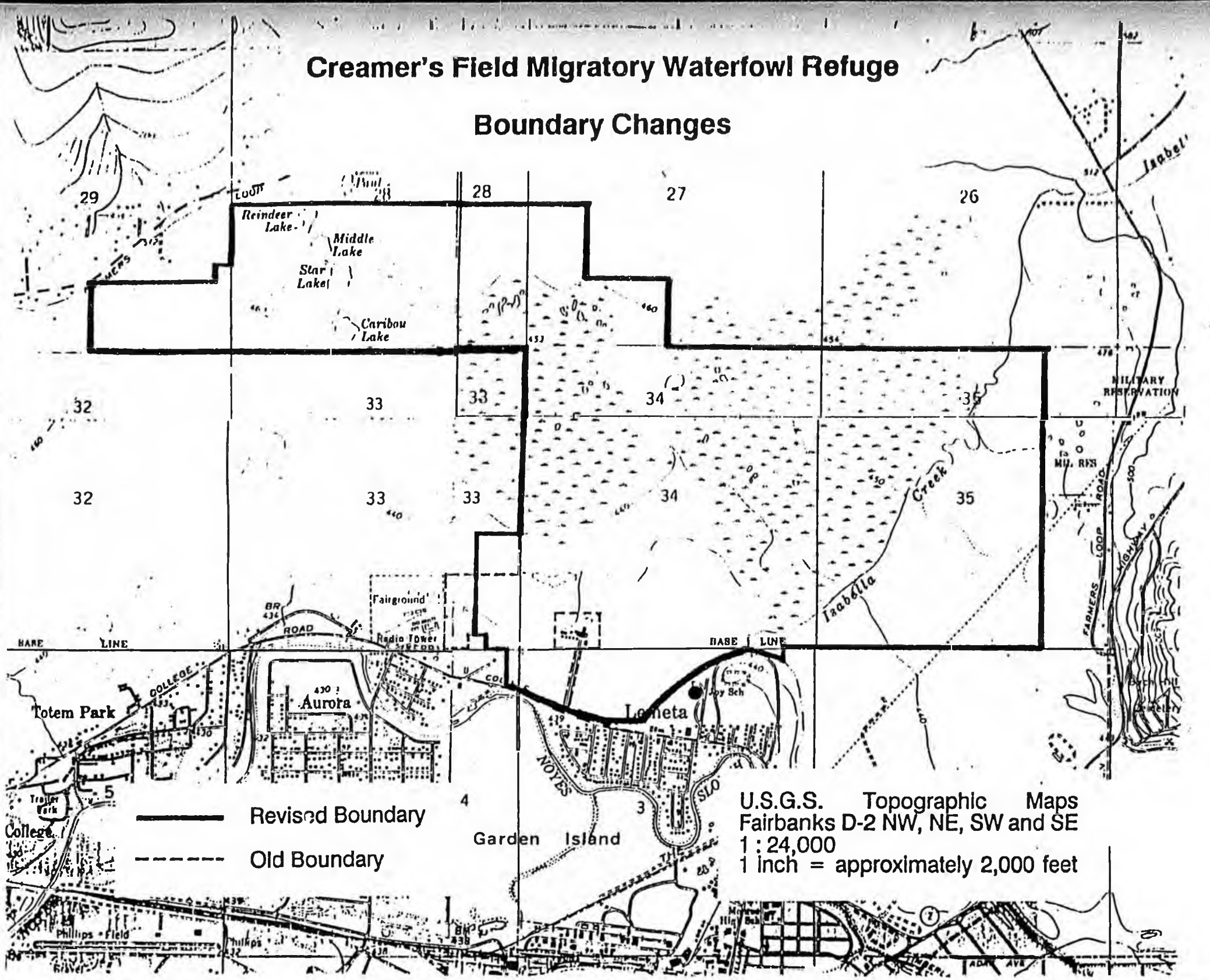


Harold C. Heinze
Commissioner

cc: Committee members
Representative Boyer
Bruce Kendall, Legislative Liaison, Office of the Governor
Carl Rosier, Commissioner, Department of Fish and Game

Creamer's Field Migratory Waterfowl Refuge

Boundary Changes



Revised Boundary
 Old Boundary

U.S.G.S. Topographic Maps
 Fairbanks D-2 NW, NE, SW and SE
 1 : 24,000
 1 inch = approximately 2,000 feet

State of Alaska

Legislatively Designated Areas



Alaska Department of
**NATURAL
RESOURCES**

Areas designated by the legislature include sanctuaries, game and wildlife refuges, critical habitat areas, state forests and parks, public use areas, recreation rivers, recreational mining areas, and bison and moose ranges. Please note that most figures are approximate and many acres included are tidal or submerged.

Fish & Game Designations (AS 16.20)

Sanctuaries

	<u>Statute</u>	<u>Acres</u>
McNeil River State Game Sanctuary	(AS 16.20.160-170).....	83,800
Walrus Island State Game Sanctuary	(AS 16.20.090-140).....	9,700
Stan Price State Wildlife Sanctuary	(AS 16.20.150).....	613
Total sanctuary acres		94,113

Game Refuges

Anchorage Coastal Wildlife Refuge	(AS 16.20.031).....	32,500
Cape Newenham State Game Refuge	(AS 16.20.030).....	14,000
Creamer's Field Migratory Waterfowl Refuge	(AS 16.20.039).....	1,664
Goose Bay State Game Refuge	(AS 16.20.030).....	10,880
Izembek (Lagoon) State Game Refuge	(AS 16.20.030).....	181,440
Mendenhall Wetlands State Game Refuge	(AS 16.20.034).....	3,800
Minto Flats State Game Refuge	(AS 16.20.037).....	500,000
Palmer Hay Flats State Game Refuge	(AS 16.20.032).....	26,000
Susitna Flats State Game Refuge	(AS 16.20.036).....	300,800
Trading Bay State Game Refuge	(AS 16.20.038).....	160,960
Yakataga State Game Refuge	(AS 16.20.033).....	82,000
Total refuge acres		1,314,044

Critical Habitat Areas

Anchor River & Fritz Creek Critical Habitat Area	(AS 16.20.605).....	19,000
Chilkat River Critical Habitat Area	(AS 16.20.585).....	4,800
Cinder River Critical Habitat Area	(AS 16.20.560).....	26,000
Ciam Gulch Critical Habitat Area	(AS 16.20.595).....	2,500
Copper River Delta Critical Habitat Area	(AS 16.20.600).....	597,000
Dude Creek Critical Habitat Area	(AS 16.20.610).....	4,083
Egegik Critical Habitat Area	(AS 16.20.565).....	8,000
Fox River Flats Critical Habitat Area	(AS 16.20.580).....	7,100
Kachemak Bay Critical Habitat Area	(AS 16.20.590).....	222,000
Kalgin Island Critical Habitat Area	(AS 16.20.575).....	3,500
Pilot Point Critical Habitat Area	(AS 16.20.570).....	46,000
Port Heiden Critical Habitat Area	(AS 16.20.555).....	72,000
Port Moller Critical Habitat Area	(AS 16.20.550).....	127,000
Redoubt Bay Critical Habitat Area	(AS 16.20.625).....	183,640
Tugidak Island Critical Habitat Area	(AS 16.20.615).....	50,240
Willow Mountain Critical Habitat Area	(AS 16.20.620).....	22,720
Total critical habitat acres		1,395,583

Forestry Designations (AS 41.15-17)

Haines State Forest Resource Management Area	(AS 41.15.300-330)	247,000
Tanana Valley State Forest	(AS 41.17.400).....	1,786,000
Total forestry acres		2,033,000

Park Units (AS 41.21-23)

Alaska Chilkat Bald Eagle Preserve	(AS 41.21.611-630)	49,000
Caines Head State Recreation Area	(AS 41.21.435-445)	5,961
Captain Cook State Recreation Area	(AS 41.21.415-425)	3,620
Chena River State Recreation Area	(AS 41.21.475-490)	254,080
Chilkat State Park	(AS 41.21.111-120)	6,045
Chugach State Park	(AS 41.21.121-125)	495,000
Denali State Park	(AS 41.21.151-152)	421,120
Kachemak Bay State Park	(AS 41.21.131-134)	165,370
Kachemak Bay State Wilderness Park	(AS 41.21.140-143)	210,240
Kenai River Special Management Area	(AS 41.21.502-514)	2,693
Nancy Lake State Recreation Area	(AS 41.21.455-465)	22,685
Point Bridget State Park	(AS 41.21.181-183)	2,800
Shuyak Island State Park	(AS 41.21.172-178)	11,000
Willow Creek State Recreation Area	(AS 41.21.491-495)	3,583
Wood/Tikchik State Park	(AS 41.21.161-167)	1,428,320
Marine Parks:	(AS 41.21.300-306)	*31,882
Beecher Pass	Entry Cove	Oliver Inlet
Bettles Bay	Funter Bay	Safety Cove
Big Bear/Baby Bear Bays	Granite Bay	Saint James Bay
Boswell Bay Beaches	Horseshoe Bay	Sandspit Point
Canoe Passage	Jack Bay	Sawmill Bay
Chilkat Islands	Joe Mace Island	Security Bay
Dall Bay	Kayak Island	Shelter Island
Decision Point	Magoun Islands	Shoup Bay
Driftwood Bay		South Esther Island
		Sullivan Island
		Sunny Cove
		Surprise Cove
		Taku Harbor
		Thoms Place
		Thumb Cove
		Zeigler Cove
		Total park acres
		3,113,399

*does not include acres of water

Other Designations

Caribou Creek Recreational Mining Area	(AS 41.23.600-620)	250
Delta Junction Bison Range Area	(AS 16.20.300-320)	*72,000
Ernie Haugen Public Use Area	(AS 41.23.050-080)	420
Goldstream Public Use Area	(AS 41.23.140-170)	3,115
Hatcher Pass Public Use Area	(AS 41.23.100-130)	5,100
Matanuska Valley Moose Range	(AS 16.20.340-360)	**132,500
Nelchina Public Use Area	(AS 41.23.010-040)	2,350,000
Recreation Rivers:	(AS 41.23.400-510)	***243,000
Alexander Creek	Kroto & Moose Creek	
Lake Creek	Little Susitna River	
Talachulitna River	Talkeetna River	
	Total other designations	2,806,385

* does not include additional 17,500 acres within military withdrawal

** does not include selected land

*** does not include borough or private land

Total Acreage

Fish & Game designations	2,803,740
Forestry designations	2,033,000
Park designations	3,113,399
Other designations	2,806,385
TOTAL	10,756,524