

HB 200

SENATE FINANCE COMMITTEE REPORT

DATE: 5/18/91

FURTHER:

DATE TURNED INTO OFFICE: 5/19/91

The Finance Committee considered HOUSE BILL NO. 200

"An Act relating to the addition of land to the Anchorage Coastal Wildlife Refuge."

and recommended:

- replace with _____ CS _____ same title
- or adopt _____ CS _____ new title
- attached amendment(s) technical title change (HB only)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

fiscal note(s) Dept/Date: /DEFC 28.3 5/19/91

zero fiscal note(s)

appropriation-no fiscal note

APPROVES PREVIOUS:

fiscal note(s) Dept/Date: _____

zero fiscal note(s)

SIGNING DO PASS:

Jim Dwyer
Rich McKinley (DO PASS)
Jim Hoff

OTHER RECOMMENDATIONS:

Col Adams - No Rec

1. *Pat Powell do pass*

2. *J. K. ... Do pass*

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 200

Revision Date: 5/19/91 Department Affected: ADF&G
 Title: Anch Coastal Wildlife Refuge BRU: Habitat
 Component: Habitat

Sponsor: Rep Gruenberg
 Requestor: Senate Finance COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	25	25	25	25	25	25
TRAVEL						
CONTRACTUAL	2.7	19.9	1.7	1.7	1.7	1.7
SUPPLIES	.6	.6	.6	.6	.6	.6
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	28.3	45.5	27.3	27.3	27.3	27.3

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	28.3	45.5	27.3	27.3	27.3	27.3
FEDERAL FUNDS						
OTHER						
TOTAL	28.3	45.5	27.3	27.3	27.3	27.3

POSITIONS:

FULL-TIME	.4	.4	.4	.4	.4	.4
PART-TIME						
TEMPORARY						

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: McKie Campbell Phone: 46 -4100
 Division: Commissioner's Office Date: 5/19/91
 Approved by Commissioner: Carl Rosier by McKie Campbell
 Agency: Alaska Department of Fish and Game Date: 5/19/91

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

HOUSE BILL NO. 200

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GRUENBERG, Donley, Ellis, Baker, Barnes, Brown, Bruckman, Choquette, B.Davis, Finkelstein, Koponen, Leman, Martin, M.A.Miller, Parnell, R.Phillips, Ulmer

**Introduced: 3/8/91
Referred: Resources, Finance**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the addition of land to the Anchorage Coastal Wildlife Refuge."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 16.20.031(a) is amended by adding a new paragraph to read:**

4 **(8) Township 13 North, Range 3 West, Seward Meridian**

5 **Section 31: N1/2SW1/4NW1/4 Parcel 25**

6 **N1/2SE1/4NW1/4 Tract A Doubletree Center Subdivision**

7 **N1/2S1/2NW1/4NW1/4 Parcel 28**

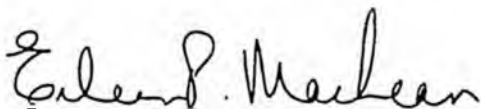
8 **South 375 feet of Government Lot 1 except that portion included within**
9 **the boundaries of the Pyhala Subdivision according to plat P - 197.**

HOUSE Finance

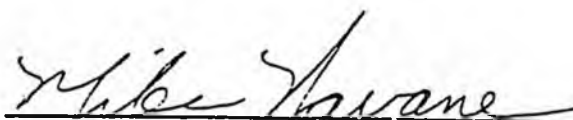
LETTER OF INTENT

HOUSE BILL 200

It is not the intent of the Legislature that passage of HB 200 creates an implied commitment of State funds for acquisition of remaining privately owned parcels in the Business Park Wetlands.



Co-Chair Eileen MacLean
House Finance Committee



Co-Chair Mike Navarra
House Finance Committee

Adopted by the House 4/24/91

State of Alaska

Committees

CO-CHAIR, HOUSE JUDICIARY
VICE-CHAIR, HOUSE LABOR AND COMMERCE
HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES



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465-4968/4986
(SESSION)

914 CLAY COURT
ANCHORAGE, ALASKA 99503
(907) 276-6844

Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

MEMORANDUM

TO: Senator Pat Pourchot
Co-Chair, Senate Finance Committee

FROM: Representative Max Gruenberg *Max*

DATE: May 18, 1991

RE: Scheduling HB 200, the Business Park Wetlands Bill

I would very much appreciate it if you would schedule HB 200 for a hearing as soon as it is possible.

HB 200 adds the Business Park Wetlands (approximately 30 acres) to the Anchorage Coastal Wildlife Refuge. The Business Park Wetlands are an incredibly productive nesting area for waterfowl. Funds for the purchase of the property inside the Business Park Wetlands have been donated by such groups as Ducks Unlimited and Exxon Corporation.

If you have any questions about the bill, please contact me or my Legislative Assistant, Mark Handley at ext. 4968.

Thank you very much.

PROPOSED ADDITION TO
ANCHORAGE COASTAL WILDLIFE REFUGE
(Taken from Business Park Wetlands Coalition Brochure)

The Business Park Wetlands is a 28-acre open space in Anchorage's highly-developed south midtown. It is an isolated, partially disturbed bog remnant of what was, until the late-1970's, a vast interwoven complex of ponds and wetland habitats stretching from near Potter Drive north to the old Fish Creek basin near West 36th Avenue. Portions of the area have been filled and do not currently function as wetland habitat.

The area supports three wetlands plant communities and numerous ponds that contain open water all summer. A small section of mixed birch and cottonwood forest stands in the area's southwest corner. Most of the wetlands plant communities contain ericaceous shrubs including leatherleaf and Labrador tea, and sweetgale, and dwarf birch. Sedges, grasses, rushes, and various mosses are common understory species.

In late spring 1989, upwards of 20 pairs of Canada Geese nested in the Business Park Wetlands. The large number of nests is three to four times higher per unit area than other comparable Anchorage Wetlands. In early spring, it is common to see more than 100 ducks and geese at a time on the meltwater ponds. The area is also home to one of four significant mew gull colonies remaining in the Anchorage Bowl, as well as many mallards, northern shovelers, American wigeons, plovers, dowitchers, and other birds. Over

thirty avian species have been observed in the wetlands during the summer months.

Located in close proximity to several major thoroughfares, the Business Park Wetlands provides a quiet and surprisingly remote oasis for eating lunch, viewing the abundant waterbird population, or just watching the change of seasons. It is an important and well-used open space for neighborhood residents and those working in the adjacent business and industrial areas. On many a nice day, area residents or workers can be found walking, jogging, or sitting along the wetland's perimeter. Greater Anchorage area residents also use the area, especially for viewing wildlife and bring their families to observe the geese and goslings.

The local hydrology has been altered by onsite and adjacent development. Groundwater input to this system is necessary to maintain the wetland's habitats and open water in critical dry periods. Adjacent properties currently use the site as a winter snow dump. Existing onsite drains affect the hydrology. Any additional change or loss of the area's groundwater will further degrade the wetland's functions and viability.

The Business Park Wetlands is owned by four separate owners. Three parcels are private land and one has been acquired by the Municipality of Anchorage as mitigation for the Port development project. Because the state refuge is composed only of state lands,

these parcels would become part of the refuge only at such time as they were acquired by the state from willing owners.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box Y, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

April 9, 1991

SUBJECT: Anchorage Coastal Wildlife Refuge (HB 200)(W.O. 17LS-0825)

TO: Representative Max Gruenberg
Attn: Mark Handley

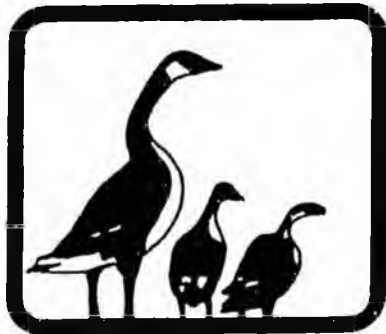
FROM: Jerry Luckhaupt *JLP*
Legislative Counsel

Mark Handley of your staff has asked what is the effect of HB 200's expansion of the legal description of the Anchorage Coastal Wildlife Refuge: is all the land within the legal description to be included in the refuge so that, in effect, HB 200 works as a condemnation proceeding for all privately owned lands within the legal description? The answer is no.

HB 200 amends AS 16.20.031(a) by the addition of a new paragraph that extends the legal description of the Anchorage Coastal Wildlife Refuge. This extension of the legal description only includes within the refuge the "state-owned land and water" within the legal description, including the addition made by HB 200. AS 16.20.031(a). The state and the City of Anchorage may not acquire privately owned land within the legal description of the Anchorage Coastal Wildlife Refuge by eminent domain for inclusion within the refuge. AS 16.20.031(e). The Department of Fish and Game and the City of Anchorage may acquire privately owned land within the refuge "by purchase, exchange, or otherwise, except by eminent domain." No condemnation, or acquisition by eminent domain, of all lands within the legal description is contemplated by, nor permitted by, the bill and the existing statute.

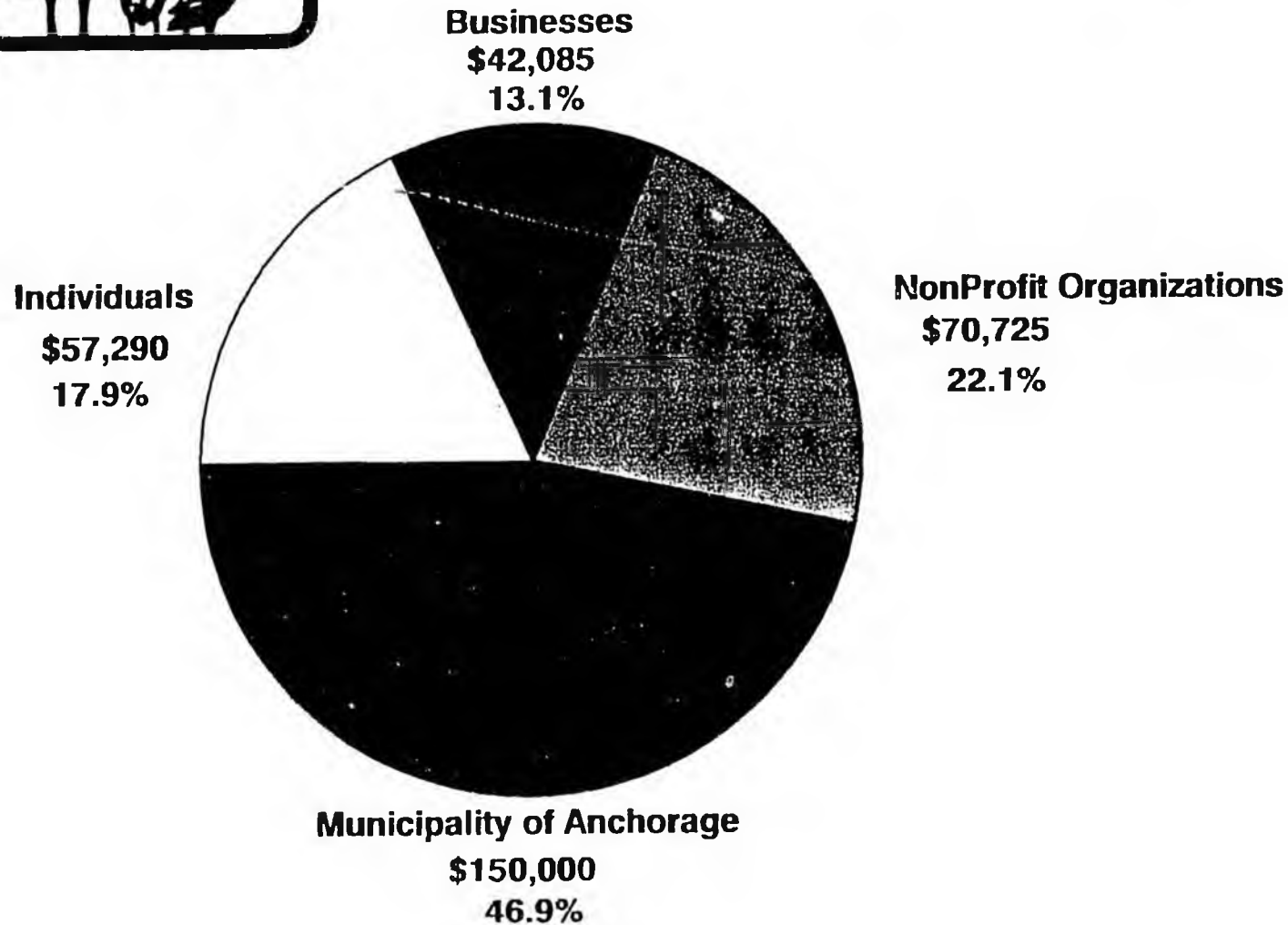
I hope this short discussion addresses your concerns.

GPL:lmb
91-106.lmb



Anchorage Business Park Wetlands Sources of Contributions

Total Raised to Date: \$320,100



BUSINESS AND OTHER MAJOR SUPPORTERS ANCHORAGE BUSINESS PARK WETLANDS

Alaska Mill and Feed
Alyeska Pipeline Service Company
Municipality of Anchorage
Anchorage Daily News
Arco Foundation
Arctic Welding Supply
Ashburn & Mason
AT Publishing, Inc.
Black-Smith & Richards
BP Exploration
Chevron USA Inc.
Cold Weather Contractors, Inc.
Dave's Appliance Repair
Dimond Chiropractic Center
Don Chemical Company
Earthscape
The Esteck Group
Law Office of Charles Evans
Exxon Co. USA
HDR Engineering
Jack White Company
Jon Issacs & Associates
Kodiak Bed & Breakfast
Kumin Associates Inc.
Landmark & Associates
Moore Business Forms
The Nature Conservancy
Security Aviation, Inc.
Law Office of Brock Shamberg, P.C.
Stewart Title Co.
Jim Thiele, CFP
Thomas Head & Greisen CPAs
TimeFrame
TRF/Brayton
Waterfowl USA

Submitted by: Chairman Kubitz
Prepared by: Assembly Utility
Budget Analyst
For Reading: March 26, 1991

Anchorage, Alaska
AR NO. 91-60

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE RECOGNIZING THE
BUSINESS PARK WETLANDS AND ENDORSING THE GROUP'S LEGISLATIVE
REQUEST

WHEREAS, the Business Park Wetlands Coalition is a successful
public-private partnership dedicated to preserving wetlands within
an urban setting; and

WHEREAS, as a partnership, the Business Park Wetlands
Coalition has raised nearly \$170,000 from corporations, businesses
and individuals and received a \$150,000 appropriation from the
Municipality of Anchorage which also furthered development at the
Port of Anchorage; and

WHEREAS, the Business Park Wetlands Coalition successfully
purchased 5.3 acres and envisions purchasing almost 25 additional
acres; and

WHEREAS, the Business Park Wetlands is one of the most
productive waterfowl breeding areas in urban Anchorage and because
of its location provides unique educational, recreational and
tourism opportunities; and

WHEREAS, the Alaska State Legislature made an appropriation of
\$150,000 to this project in 1990 that Governor Cowper subsequently
vetoed; and

WHEREAS, the Business Park Wetlands Coalition requests State
funding to match private and public monies raised to complete the
second and third phases of their acquisition program.

NOW, THEREFORE, the Anchorage Assembly resolves:

Section 1: That the Anchorage Assembly endorses the Business
Park Wetlands and supports the Business Park Wetlands Coalition's
legislative request.

Section 2: That the public-private partnership aspect of the
Business Park Wetlands offers the public sector leverage by
continuing to attract significant amounts of private and nonprofit
sector dollars to replace diminishing public dollars.

PASSED AND APPROVED by the Anchorage Assembly this 2nd
day of April, 1991

Chair

ATTEST:

Reuben E. Giddens
Municipal Clerk

Jan. Kubitz
Chair
AM 312-91