

HB

131

DATE: 4/19/91

FURTHER: Finance

DATE TURNED INTO OFFICE: 5-18-91

Resources Committee considered HOUSE BILL NO. 131

"An Act amending the area within designated marine park units of the Alaska state park system, and adding marine park units to the Alaska state park system."

and recommended: *S it be a ph*

replace with S CS HTS 131 (PES) same title
 or adopt _____ CS _____ new title
 attached amendment(s) technical
 _____ title change
and report it
in next issue follows letter of intent adopted (HB only)

- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

p H P F N

ATTACHES NEW FISCAL NOTE(S):

fiscal note(s) _____ Dept/Date: _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:

fiscal note(s) _____ Dept/Date: _____

zero fiscal note(s) _____

Eqg 3/29/91

DNGR 2/28/91

Governor's bill w/fiscal note

SIGNING DO PASS:

1 Sen Cook

2 [Signature]

OTHER RECOMMENDATIONS:

2 J.P. Shaff - No No Pass -

[Signature] (No Pass)

Chair: Signature and Recommendation



ALASKA OUTDOOR COUNCIL, INC.

MAY 15 1991

May 15, 1991

Senator Lloyd Jones, Chairman
Senate Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Senator Jones:

The Alaska Outdoor Council reviewed and took positions on legislation of interest during its annual meeting in April.

The Council considered House Bill 131 carefully and decided to support the bill. Council delegates concluded that the overall outdoor recreation benefits including continued hunting, trapping, and fishing opportunities, boating, tourism, and scenic values warranted designation of the Channel Islands as part of the state marine parks system. Delegates also expressed the view that, in general, additional park facilities development would not be desirable because they would detract from the area's general attractiveness and would lead to restrictions on existing uses.

We encourage the Senate Resources Committee and the Legislature to pass HB 131.

Sincerely,

Richard H. Bishop
Legislative Affairs

cc: Representative Fran Ulmer
Representative Bill Hudson
Senator Jim Duncan

FISCA . NOTE

No. 2

Bill Version: HB 131

(H) Publish Date: 3/29/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: 03/18/91

Department Affected: Fish and Game

Title: Marine Park Additions

BRL: Habitat

Component: Habitat

Sponsor: Representative Ulmer

Requestor: _____

COMPONENT SERIAL NO.

	4	8	6
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Expenditures/Revenues: (Thousands of Dollar)

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

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: no impact in current year

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Frank Rue, Director

Phone: 465-4105

Division: Division of Habitat

Date: 03/18/91

Approved by Commissioner: [Signature]

Agency: Department of Fish and Game

Date: 3/19/91

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

STATE OF ALASKA
1991 LEGISLATIVE SESSION

No. _____
 Bill Version: HB 131
 (H) Publish Date: 3/13/91

Revision Date: 4-Mar-91
 Title: Additions to Marine Parks in Juneau Area
 Sponsor: Representative Ulmer
 Requestor: House Resources

Department Affected: Natural Resources
 BRU: Parks & Recreation Management
 Components: Parks Management
 COMPONENT SERIAL NO. 452

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 of Current year impact: Negligible

ANALYSIS:
 HB 131 will have a net-zero impact. The existing statute AS 41.21.302) requires that a plan be written within five years of a marine park's establishment. Work on a plan will be deferred until later in the five year term. Help in managing the new marine park will be sought from local volunteers.

Prepared by: Pete Panarese Phone: 762-7602
 Division: Parks & Outdoor Recreation Date: 4-Mar-91
 Approved by Commissioner: Harold Hein Date: 28-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

DIVISION OF PARKS & OUTDOOR RECREATION

WALTER J. HICKEL, GOVERNOR

400 WILLOUGHBY, 5th FLOOR
JUNEAU, ALASKA 99801-1381
PHONE: (907) 465-4563

April 4, 1991

Senator Jim Duncan
P.O. Box V
Juneau, AK 99811

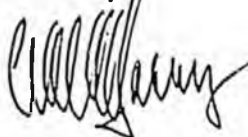
Dear Senator Duncan:

In response to your request for a revised legal description for SB 214 (Juneau Marine Parks Bill) to reduce the water acreage, I am submitting the attached and noted draft changes. The effects of these changes are noted on the map also enclosed. The acreages would change as follows:

<u>Juneau Channel Islands</u>	<u>Land</u>	<u>Water</u>	<u>Land & Water Total</u>
SB214 & HB131 as introduced	3,387	11,013	14,400
In this draft	3,387	6,933	10,320
Reductions		(4,080)	(4,080)
<u>Shelter Island Addition</u>			
SB214 & HB131 as introduced	3,573	5,387	8,960
In this draft	3,573	2,547	6,120
Reductions		(2,840)	(2,840)
<u>Shelter Island State Marine Park</u>			
Reduction from existing water acreage		(1,040)	
TOTAL REDUCTION, this draft		(7,960)	
GRAND TOTAL SB214/HB131 (as introduced)	6,960	16,400	23,360
GRAND TOTAL SB214/HB131 (if amended)	6,960	9,480	16,440

If you need any more information or assistance please call.

Sincerely,



William W. Garry
Regional Manager

Attachments: map and new legal description
cc: Harold Heinze, Commissioner
Neil Johannsen, Director

Alaska State Legislature

HOUSE OF REPRESENTATIVES



REPRESENTATIVE FRAN ULMER

MEMORANDUM

April 19, 1991

TO: Senator Lloyd Jones, Chairman
Senate Resources Committee

FROM: Rep. Fran Ulmer

RE: HB 131 - "An act amending the area within designated marine park units of the Alaska state park system, and adding marine park units to the Alaska State Park system."

I am requesting a hearing on this bill at your earliest convenience. This legislation is virtually identical to SP 114, which was modified and passed out of your committee on April 12th. I have reviewed the CS and have no objections to the Committee revising HB 131 in the same manner.

Channel Islands Marine Parks Designation

This legislation designates 16 islands in the Juneau area as the Channel Islands State Marine Park, in accordance with present statutory authority under AS 41.21.300

The Channel Islands State Marine Park Bill is based on the recommendation of the of the Juneau Area State Parks Advisory Board and the Division of Parks and Recreation which have stated that such a designation is necessary to ensure that these areas are managed for the purposes outlined by the state when it selected these areas from the federal government under the Statehood Act. Creation of the Channel Island Marine Park is included in the Advisory Board's annual request to the legislature.

This designation is also a result of last year's legislative resolution, SCR 42, calling for development of a Marine Park network along the Inside Passage. The resolution directed the State of Alaska to work cooperatively with the Province of British Columbia and the U.S. Forest Service in development of the network. British Columbia has already developed an Inside Passage Strategic Plan for establishing a marine parks system that stretches from Vancouver Island to Prince Rupert .

District 4B — Juneau

P.O. Box V • Juneau, Alaska 99811-3100 • (907) 465-4947



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The main purpose of a Marine Park is to maintain fish and wildlife values, support and promote tourism and recreation, and preserve the cultural and scenic values of the area.

The designation of a marine park protects and maintains all present activities such as boating, hunting, fishing, hiking, camping, mining and trapping. It also prohibits the sale or disposal of land by the state.

HB 131 is truly parks with a small "p". But I believe it's a designation that promises long term benefits for both Alaska's residents and visitors.

Thank you for your prompt consideration.

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SUPPORTERS OF HB 131 - CHANNEL ISLAND MARINE PARKS

DEPARTMENT OF NATURAL RESOURCES/DIVISION OF PARKS

JUNEAU AREA STATE PARKS ADVISORY BOARD

CITY AND BOROUGH OF JUNEAU

ALASKA ENVIRONMENTAL LOBBY

JUNEAU CONVENTION AND VISITORS BUREAU

NATIONAL AUDOBAN SOCIETY - JUNEAU CHAPTER

TAKU CONSERVATION SOCIETY

PHIL HOLDSWORTH - FORMER COMMISSIONER OF DNR

a:hb131sen.res

7-LS0671NG
Chenoweth
4/29/91

SENATE CS FOR HOUSE BILL NO. 131 (RESOURCES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ULMER

A BILL

FOR AN ACT ENTITLED

1 "An Act amending the area within designated marine park units of the Alaska state park
2 system, and adding marine park units to the Alaska state park system."

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

4 * Section 1. AS 41.21.304(11), is amended to read:

5 (11) Shelter Island: the following described parcels excluding submerged land
6 seaward of the 20 fathom bathymetric line:

7 Township 39 South, Range 63 East, Copper River Meridian

8 Section 13: E1/2

9 Section 24: E1/2

10 Township 39 South, Range 64 East, Copper River Meridian

11 Section 18

12 Section 19

13 Section 29

14 Section 30: Excluding USS 354

- 1 Section 31
- 2 Section 32
- 3 Section 33

Township 40 South, Range 64 East, Copper River Meridian

- 4 Section 4
- 5 Section 5
- 6 Section 6
- 7 Section 7
- 8 Section 8
- 9 Section 9
- 10 Section 10
- 11 Section 15
- 12 Section 16
- 13 Section 17
- 14 Section 21: NE1/4NE1/4
- 15 Section 22: N1/2:

17 * Sec. 2. AS 41.21.304 is amended by adding a new paragraph to read:

18 (34) Juneau Channel Islands: the following described parcels excluding
 19 submerged land seaward of the 20 fathom bathymetric line:

20 Township 38 South, Range 63 East, Copper River Meridian

- 21 Section 13
- 22 Section 25: E1/2
- 23 Section 29: S1/2
- 24 Section 32: E1/2
- 25 Section 33: SW1/4

26 Township 38 South, Range 64 East, Copper River Meridian

- 27 Section 18: SW1/4
- 28 Section 19
- 29 Section 20: W1/2SW1/4
- 30 Section 29: NW1/4NW1/4
- 31 Section 30: N1/2, SW1/4

- 1 Township 39 South, Range 63 East, Copper River Meridian
- 2 Section 4
- 3 Section 9
- 4 Section 10
- 5 Section 11
- 6 Section 13: SW1/4SW1/4
- 7 Section 14
- 8 Section 15
- 9 Section 16
- 10 Section 22
- 11 Section 23
- 12 Section 24: W1/2
- 13 Township 39 South, Range 64 East, Copper River Meridian
- 14 Section 8: SE1/4
- 15 Section 9: SW1/4
- 16 Section 16
- 17 Section 17: NE1/4
- 18 Section 34: S1/2, excluding tract A-5
- 19 Township 40 South, Range 64 East, Copper River Meridian
- 20 Section 1: NW1/4
- 21 Section 3: NE1/4
- 22 Section 36: SE1/4SE1/4
- 23 Township 40 South, Range 65 East, Copper River Meridian
- 24 Section 28: SW1/4
- 25 Section 31: SW1/4SW1/4
- 26 Section 32: E1/2
- 27 Section 33: W1/2
- 28 Section 34: W1/2E1/2, W1/2
- 29 Township 41 South, Range 65 East, Copper River Meridian
- 30 Section 1: NE1/4
- 31 Section 2

1
2
3
4
5

Section 3: NE1/4
Section 11
Township 41 South, Range 66 East, Copper River Meridian
Section 5: NW1/4, NW1/4NW1/4NE1/4
Section 6: NW1/4.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS & OUTDOOR RECREATION

WALTER J. HICKEL, GOVERNOR

400 WILLOUGHBY, 5th FLOOR
JUNEAU, ALASKA 99801-1381
PHONE: (907) 465-4563

April 15, 1991

Senator Lloyd Jones
Rm. 30, Capitol, P.O. Box V
Juneau, Alaska 99811

Dear Senator Jones:

This letter is in response to your request for clarification on the regulations concerning commercial fishing in marine parks. The Department of Fish and Game (ADF&G) through the Board of Fisheries regulates all true "commercial fishing" within the state, as defined in A.S. 16.05.940. Our state park regulations specifically exclude all "lawful commercial fishing operations conducted aboard vessels operating in saltwater and not using stationary gear or dredges" from any permitting requirement in this department (11 AAC 12.300).

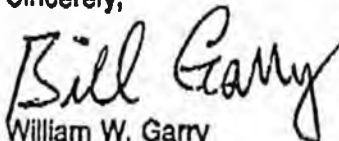
Fishing guides who take clients sportfishing are not considered to be engaged in "commercial fishing" by the Board of Fisheries, however, the legislature passed a law requiring that all charter sportfishing vessels be registered with the Commercial Fisheries Entry Commission (A.S. 16.05.490). Therefore, the ADF&G does exert some control over charter vessels already.

Charter vessels that guide sportfishing clients are engaged in a "commercial activity" as defined in Department of Natural Resources regulation 11 AAC 12.340 (19). When that guiding occurs within a unit of the state park system we currently do require commercial permits of those guides in areas such as the Kenai River Special Management Area, Kachemak Bay State Park, and many other heavily-used Kenai Peninsula parks. Most of our approximately 400 commercial permittees statewide are sportfishing guides.

At this time we have not required commercial permits for sportfishing guides within marine parks. This is based upon the fact that we have not provided any facility improvement or visitor service in most of the marine parks. As long as the ADF&G has some knowledge of charter fishing businesses within and around marine parks, and we have no active management, we will maintain a passive position with regard to permitting of commercial sportfishing guides within marine parks. One of the purposes behind the marine park system is to "maintain fish and wildlife resources and lawful existing uses of these resources". The existing use levels within marine parks do not demand active management.

If you need any further information or clarification please call.

Sincerely,



William W. Garry
Regional Manager

NFCG SELECTION
JUNEAU CHANNEL ISLANDS

