

HB

80

DATE: 3/4/91

FURTHER: Finance

~~2/25/91~~ 3/1/91

DATE TURNED INTO OFFICE: 2-25-91

Resources Committee considered HOUSE BILL NO. 80

*Or*  
"An Act modifying the boundaries of the Creamer's Field Migratory Waterfowl Refuge; and providing for an effective date."

and recommended: *and a majority of the committee recommends do pass*

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):**  
 Dept/Date:  
 fiscal note(s) \_\_\_\_\_  
 \_\_\_\_\_  
 zero fiscal note(s) \_\_\_\_\_  
 \_\_\_\_\_  
 appropriation-no fiscal note

**APPROVES PREVIOUS:**  
 Dept/Date:  
 fiscal note(s) \_\_\_\_\_  
 \_\_\_\_\_  
 zero fiscal note(s) *ADF+g*  
*2/25/91*  
 Governor's bill w/fiscal note

**SIGNING DO PASS:**

*Jim G. Cottler*  
*Frank J. ...*  
*...*  
*Kirk Halford*

**OTHER RECOMMENDATIONS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*...*  
 Chair: Signature and Recommendation

# Alaska State Legislature

REPRESENTATIVE  
MARK BOYER

VICE-CHAIRMAN  
HOUSE FINANCE COMMITTEE



House of Representatives

FAIRBANKS

1098 LAKEVIEW TERRACE  
FAIRBANKS, ALASKA 99701  
(907) 456-6473

JUNEAU

P.O. BOX V  
STATE CAPITOL  
JUNEAU, ALASKA 99811  
(907) 465-3466

## MEMORANDUM

DATE: March 4, 1991

TO: Senator Lloyd Jones, Chairman  
Senate Resources Committee

FROM: Representative Mark Boyer *MB*

RE: Scheduling of HB 80

I would like to respectfully request that you schedule HB 80, Creamers Field Migratory Waterfowl Refuge, for a hearing at your earliest convenience.

I've attached a copy of the bill and back-up information. The map included clearly outlines the boundaries of the refuge. As you will note from the Fish and Game memorandum, this bill is simply a technical bill. HB 80 ratifies the land exchange that took place between the University of Alaska and the Tanana Valley Fair Association five years ago. Under state law, the Legislature is required to ratify any state land exchange within five year. The deadline to ratify the new lands added to the refuge is July 16, 1991.

A letter from the Land Division at the University explains this exchange and it is included in this packet also. Position papers from the Department of Fish and Game and the Department of Natural Resources are attached.

The bill passed the House on Friday, March 1, by a vote of 31-0. If you have additional questions please don't hesitate to call my office at 465-3467. Thanks for your assistance and early scheduling of HB 80.

# Alaska State Legislature

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Letter of Intent for HB 80 - "An Act modifying the boundaries of Creamer's Field Migratory Waterfowl Refuge"

It is the intent of the Legislature that no new facilities for the Department of Fish and Game be planned or constructed within the boundaries of Creamer's Field Migratory Waterfowl Refuge. The Department of Fish and Game should begin long-range planning to move activities, which are not refuge related, to locations outside the current refuge boundaries.

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 of Current year impact:

ANALYSIS: (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:

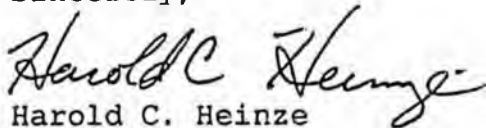
Subject: HB 80, which modifies the boundaries of the Creamer's Field Migratory Waterfowl Refuge.

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

# State of Alaska

## Legislatively Designated Areas



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.

<b>Fish &amp; Game Designations (AS 16.20)</b>	<b>Statute</b>	<b>Acres</b>
<b>Sanctuaries</b>		
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
	<b>Total sanctuary acres</b>	<b>94,113</b>
<b>Game Refuges</b>		
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
	<b>Total refuge acres</b>	<b>1,314,044</b>
<b>Critical Habitat Areas</b>		
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
Clam 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
	<b>Total critical habitat acres</b>	<b>1,395,583</b>
<b>Forestry Designations (AS 41.15-17)</b>		
Haines State Forest Resource Management Area .....	(AS 41.15.300-330) .....	247,000
Tanana Valley State Forest .....	(AS 41.17.400) .....	1,786,000
	<b>Total forestry acres</b>	<b>2,033,000</b>

# DEPARTMENT OF FISH AND GAME POSITION PAPER

Bill No: HB 80

Sponsor: Representative Boyer

Division: Habitat

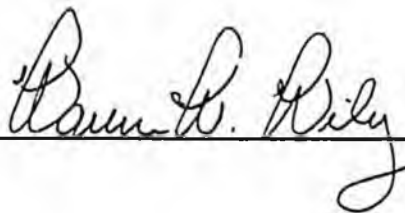
Bill Title: An Act modifying the boundaries of the Creamer's Field  
Migratory Waterfowl Refuge

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



Date 2-14-91



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 <i>Frank Rue</i> Frank Rue, Director	DATE 1/30/91	COMMISSIONER'S SIGNATURE <i>Walter B. Wilson</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: <input checked="" type="checkbox"/> NONE <input type="checkbox"/> 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.

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 BRU: Habitat

Requestor: Creamer's Field Migratory Waterfowl Refuge Component: \_\_\_\_\_

Sponsor: Representative Royer

Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 

4	8	6
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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
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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: Bruce H. Paden Phone: 465-4105

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).

# Alaska State Legislature

REPRESENTATIVE  
MARK BOYER

HOUSE FINANCE COMMITTEE



House of Representatives

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Letter of Intent for HB 80 - "An Act modifying the boundaries of Creamer's Field Migratory Waterfowl Refuge"

It is the intent of the Legislature that no new facilities for the Department of Fish and Game be planned or constructed within the boundaries of Creamer's Field Migratory Waterfowl Refuge. The Department of Fish and Game should begin long-range planning to move activities, which are not refuge related, to locations outside the current refuge boundaries.

MEMORANDUM

STATE OF ALASKA  
DEPARTMENT OF FISH AND GAME

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

DATE: December 14, 1990

COMMISSIONER'S OFFICE  
**RECEIVED**  
DEC 18 1990

FILE NO:

THRU: Christian A. Smith  
Regional Supervisor

TELEPHONE: 456-5156

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.

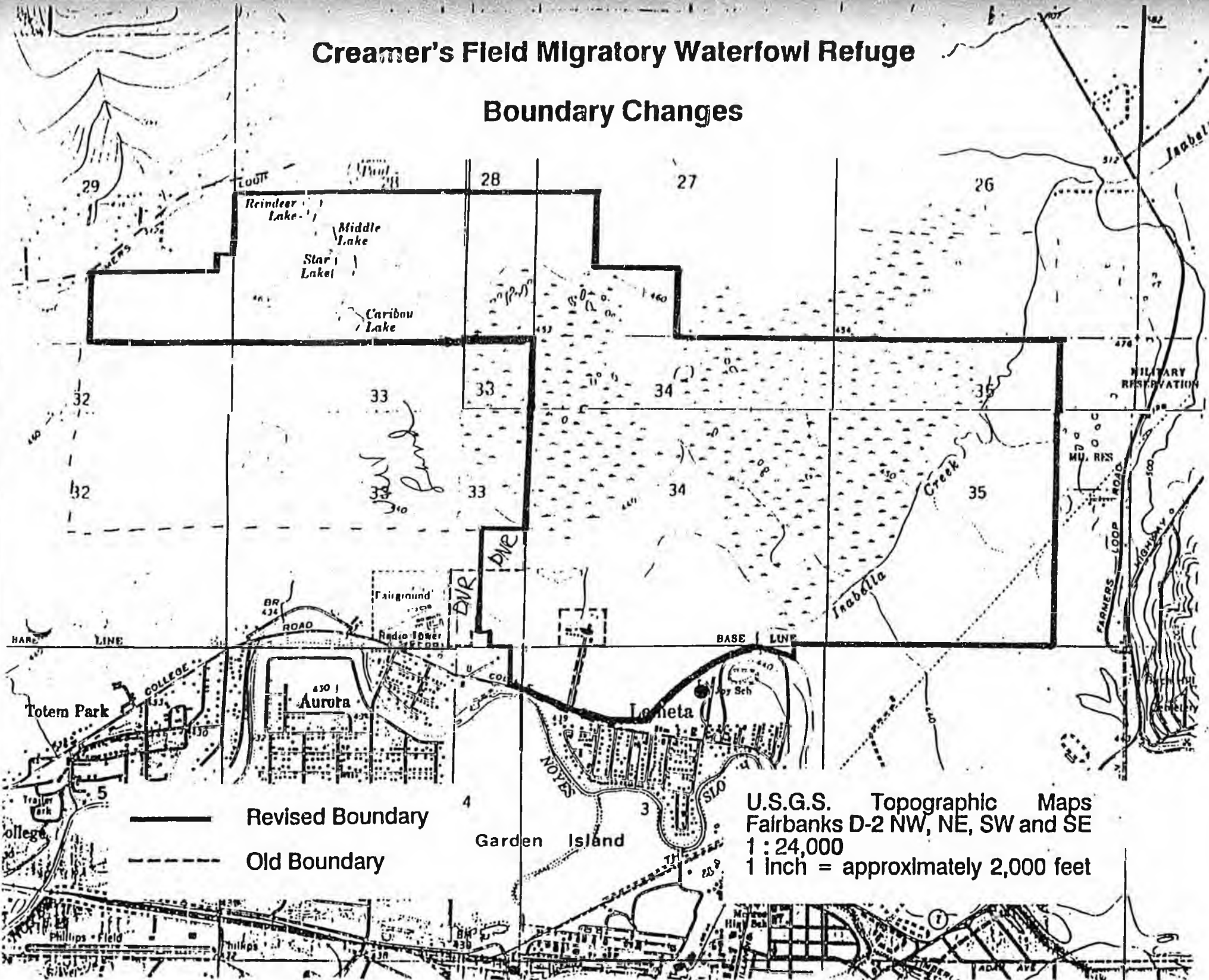
If you need additional information, please contact me at 474-7421.

Very Truly Yours,

Martin Epstein  
Director

# 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