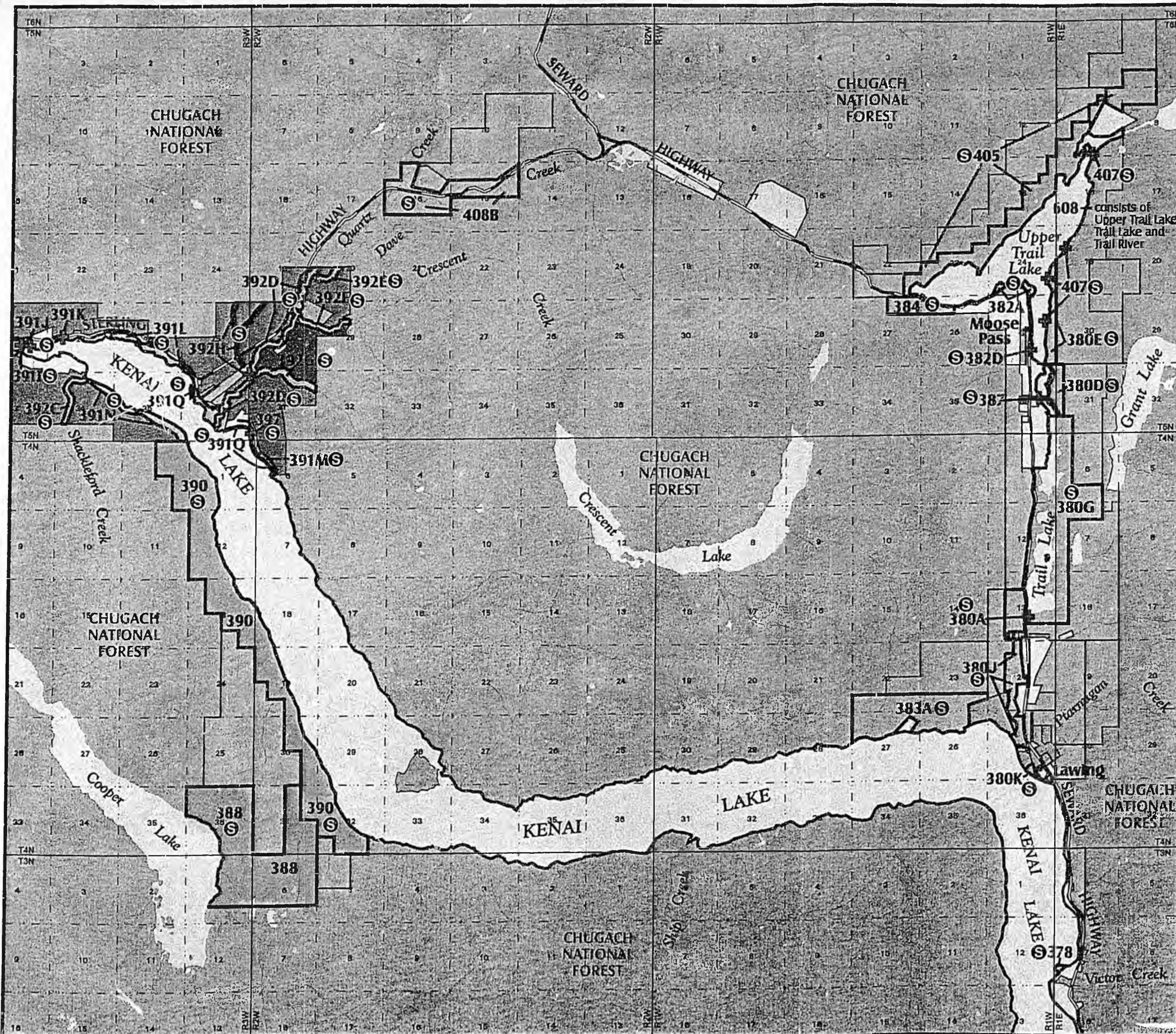


**HB**

**165**

## Map 2 Kenai Lake



### LEGEND

#### Affected Parcels:

- Parcels affected by Proposed Leasehold Location Order and Special Use designation

#### Land Ownership:

- ANY COLOR KRSMA - Managed by Alaska State Parks
- Other State Owned
- Borough
- Borough selected
- Municipal (City of Kenai, City of Soldotna)
- Federal (Nat'l. Forest, Refuge, Wilderness)
- Private

#### Projects:

- Recreation projects
- Restoration projects

#### Proposed Additions to KRSMA:

- State
- State parcels smaller than 2 acres

#### Map features

- Main roads

Note 1: Parcel numbers reference the revised Kenai River Comprehensive Management Plan (December 1997).

Note 2: See also Table 1, attached, for further parcel description.



22-LS0389J  
Luckhaupt  
5/1/02

SENATE CS FOR CS FOR HOUSE BILL NO. 165( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES LANCASTER, Scalzi

A BILL  
FOR AN ACT ENTITLED

1 "An Act relating to the Kenai River Special Management Area; and providing for an  
2 effective date."

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

4 \* Section 1. The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 PURPOSE. The purpose of this Act is to further the implementation of the Kenai  
7 River Comprehensive Management Plan by making additions of certain state-owned land and  
8 water as described in this Act to the Kenai River Special Management Area.

9 \* Sec. 2. AS 41.21.502(a)(4)(L) is amended to read:

- 10 (L) Other Lower River Land
- 11 Township 5 North, Range 9 West, Seward Meridian
- 12 Section 22: Lots 4, 9, 10, NE1/4SW1/4
- 13 Township 5 North, Range 10 West, Seward Meridian
- 14 Section 6: Lot 8

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Section 7: Lots 5 - 7, 15

Section 18: Lots 1, 2, 4 - 6,

Tract A, Larry's Fishing Hole Subdivision, Plat

No. 90-42

Government Lots 4 - 7, 10 - 13

NE1/4SW1/4

E1/2NW1/4

Section 19:

Tracts A and B, Timberland Terrace Phase 1

Subdivision, Plat 97-26

Lot 4, Kobylarz Subdivision, according to the

official plat filed under Plat No. 92-24, Kenai

Recording Office

Beginning at the section corner common to

Sections 19, 20, 29, and 30, Township 5 North,

Range 10 West, Seward Meridian, traverse west

along the section line common to Sections 19 and

30 a distance of 1320 feet, thence north along the

1/16 section line a distance of 1420 feet to Corner

No. 1 and the point of beginning, thence west 100

feet to Corner No. 2, thence north to the thalweg

of the Kenai River and Corner No. 3, thence east

along the thalweg of the Kenai River to the point

of intersection with 1/16 section line and Corner

No. 4, thence south along the 1/16 section line to

Corner No. 1, and the point of beginning, located

in the Kenai Recording District, as may be

modified by a record of survey accepted by the

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Lot 16

Section 30: Tracts A, J, and K, Channel Shores

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Subdivision, Plat No. 85-102

Section 31: Lots 2, 3, and 11, excluding the following subdivisions, as shown in record of survey no. 96-7: Halcyon Subdivision, Lot 1, Block 1, plat of survey no. K-1706; Halcyon Subdivision Lot 5, Block 1, plat of survey no. 73-9; Halcyon Subdivision plat of survey no. 76-75; Halcyon Subdivision Addition No. 4, plat of survey no. 77-47; Halcyon Subdivision Addition No. 5, plat of survey no. 77-82; Halcyon Subdivision No. 3, plat of survey no. 78-25; Halcyon Subdivision Amended Plat Lot 1-B, Block 1, plat of survey no. 78-96; Halcyon Subdivision Addition No. 7, plat of survey no. 79-155; Halcyon Subdivision Addition No. 8, plat of survey no. 83-174; Halcyon Subdivision Addition No. 9, plat of survey no. 84-47; Halcyon Subdivision No. 10, plat of survey no. 84-244; Halcyon Subdivision No. 9, plat of survey no. 86-98RS; Halcyon Subdivision No. 9, plat of survey no. 86-99RS; Halcyon Subdivision No. 11, plat of survey no. 92-41; Halcyon Subdivision No. 8 Amended, plat of survey no. 92-72; and Halcyon Subdivision No. 12, plat of survey no. 93-8; and excluding that portion of Government Lot 3 east of Daisy Drive conveyed by warranty deed recorded March 10, 1989, in book 345, page 15, Kenai Recording Office.

Section 32: Lot 1-B-1, ASLS No. 97-25, a subdivision of Lot 1-B, Fisherman's Square Subdivision, Addition No. 1, within the W1/2SW1/4;

Section 33: Lot 6-B, Mullen Homestead River Addition Phase 1, Plat No. 97-89;

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Section 34: Lot 7, NE1/4SE1/4

Township 5 North, Range 11 West, Seward Meridian

Section 1: Lots 9 and [LOT] 10

Section 11: Tract A-1A, Cone Tracts; Lot 3, excluding that portion north of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision and SE1/4NW1/4, and the N1/2NW1/4, excluding that portion of the south right-of-way boundary of the Beaver Loop Road and all land west of and including the Cone Tracts A-1A and A-1B Subdivision

Section 12: Lots 1 - 3, 7 - 10, 13

N1/2SE1/4

SE1/4NE1/4

NE1/4SW1/4

N1/2SW1/4SE1/4

Section 13: Lot 1

SW1/4NW1/4

Section 14: Lots 2, 7

Section 16: Lots 1 - 10

SE1/4

NW1/4NW1/4

SE1/4SW1/4.

Section 24: That portion of Lot 11 within LSH 148

Section 25: Lot 3

Section 36: That strip of land between the line of ordinary high water of the Kenai River and EPF 21-11, Block 1

\* Sec. 3. AS 41.21.502(a) is amended by adding new paragraphs to read:

(5) all state-owned land in the Seward Recording District that is

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located in the following parcels:

(A) Cooper Landing

Township 5 North, Range 3 West, Seward Meridian

Section 28: Tract B of ASLS 91-6

Lot 3 of USS 2523

That portion of Tract A of USS 5105 lying between Lot 4 of USS 2523 and Tract A of USS 2361 and the south boundary of the Sterling Highway

That portion of Tract A of USS 5105 lying south of USS 3306, north and west of USS 2524, east of USS 2524, west of USS 2523, and south of Bean Creek Road

That portion of Tract A of USS 5105 lying south and west of USS 3306, north and west of USS 2524, and north and west of ASLS 81-197

That portion of Tract B of USS 5105 lying south of the Kenai River and north of the Sterling Highway right-of-way

Section 29: Tract B of ASLS 91-6

That portion of Tract A of USS 5105 lying south of Bean Creek right-of-way excluding ASLS 96-6

That portion of Tract A of USS 5105 lying south and west of USS 3306 and south and west of ASLS 81-183

Tract D of USS 5105

Lot 5 of USS 2527

Section 30: Tract E

That portion of Tract B of USS 5105 within the SE1/4SE1/4SE1/4, NE1/4SE1/4SW1/4

That portion of Tract B of USS 5105 within the S1/2SE1/4 lying north of the Kenai River excluding

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USS 1442 E1/2NE1/4NW1/4, W1/2W1/2,  
W1/2E1/2W1/2

Section 31: Lots 1, 12

That portion of Tract B of USS 5105 within the  
NE1/4NE1/4 lying south of the Kenai River and  
north of the Sterling Highway

Section 32: That portion of Tract B of USS 5105 within  
the NW1/4NW1/4 lying south of the Kenai River and  
north of the Sterling Highway

Township 5 North, Range 4 West, Seward Meridian

Section 35: That portion of USS 1559 within the N1/2  
and lying north of the Kenai River

That portion of the E1/2NE1/4 lying north and east of  
USS 3392, south of the Kenai River, and north of  
the Sterling Highway

That portion of the S1/2N1/2NE1/4 and that portion  
of the E1/2E1/2NW1/4 lying south of the Kenai  
River

That portion of the S1/2NE1/4 lying south of the  
Kenai River, excluding USS 3392

Section 36: Lot 1 of USS 7286

That portion of the N1/2 lying between the south  
bank of the Kenai River and the north side of the  
Sterling Highway right-of-way

That portion of the N1/2S1/2NE1/4 and  
NE1/4SE1/4NW1/4 lying south of the Sterling  
Highway

That portion of the N1/2 lying north of the Kenai  
River

(B) Kenai Lake

Township 3 North, Range 1 East, Seward Meridian

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Section 7: SW1/4, lying north and west of USS 9002,  
excluding USS 1774  
Township 4 North, Range 1 West, Seward Meridian  
Section 22: S1/2S1/2  
Section 23: S1/2S1/2, excluding USS 7391  
Section 25: Lot 8  
Section 26: N1/2, excluding USS 7391  
Section 27: N1/2, excluding USS 2065  
Township 4 North, Range 2 West, Seward Meridian  
Section 6: Lots 1 and 2, excluding ASLS 85-399, and  
that portion conveyed under ADL 201307  
Tract D of ASLS 85-339  
Township 4 North, Range 3 West, Seward Meridian  
Section 1: Tract D of ASLS 85-339  
Township 5 North, Range 2 West, Seward Meridian  
Section 31: Tracts A, B, C, and D of ASLS 85-339  
Township 5 North, Range 3 West, Seward Meridian  
Section 25: That portion of Tract A of USS 5105 lying  
south of the Sterling Highway right-of-way  
Section 26: That portion of Tract A of USS 5105 lying  
south of the Sterling Highway right-of-way, excluding  
PLO 829  
Section 27: That portion of Tract A of USS 5105 lying  
south of the Sterling Highway right-of-way and west  
of USS 2521 Tract A  
That portion of Tract A of USS 5105 lying south of  
the Sterling Highway right-of-way and west of USS  
2934 and south and east of ASLS 80-103  
Section 34: That portion of Tract B of USS 5105 lying  
east of ASLS 79-126 and between the north side of  
Snug Harbor Road and the south side of Kenai Lake

1 Section 36: Tracts B and E of ASLS 85-339  
 2 That portion of Tract A of USS 5105 within the  
 3 NW1/4 lying south and west of the Sterling  
 4 Highway right-of-way, excluding ASLS 85-339  
 5 (C) Quartz Creek Lowlands  
 6 Township 5 North, Range 2 West, Seward Meridian  
 7 Section 15: S1/2N1/2  
 8 Section 16: S1/2N1/2, NE1/4NW1/4, NW1/4NE1/4  
 9 excluding Unit 408A of the Kenai Area Plan, N1/2S1/2  
 10 (D) Upper and Lower Trail Lakes  
 11 Township 4 North, Range 1 East, Seward Meridian  
 12 Section 6: Lots 1 - 6, 8, 9, SE1/4SW1/4, SW1/4SE1/4  
 13 Section 7: Lots 1, 2, 5, 6, NW1/4NE1/4, NE1/4NW1/4  
 14 Section 18: Lots 1 - 3  
 15 Township 4 North, Range 1 West, Seward Meridian  
 16 Section 1: Lots 1, 4 - 8, and that portion of Lot 3 within  
 17 the SE1/4  
 18 Section 12: Lots 1 - 4, 7, 8, 11, 12, Those portions of  
 19 Lots 5 and 6 as shown on state status plats  
 20 Section 13: Tract B of ASLS 86-6  
 21 Lot 1  
 22 That portion of USS 1778 and USS 7391 lying within  
 23 the N1/2SE1/4  
 24 Township 5 North, Range 1 East, Seward Meridian  
 25 Section 5: S1/2SW1/4  
 26 Section 7: Lot 1, SE1/4 of Lot 2, Lots 5, 7, 9 - 14  
 27 Section 8: N1/2NW1/4  
 28 Section 18: Lots 2 - 7  
 29 Section 19: Lot 2  
 30 Section 31: That portion within the W1/2 of Lots 1, 2, 5  
 31 Lot 6

- 1 Township 5 North, Range 1 West, Seward Meridian  
 2 Section 13: Lots 1 - 4, E1/2NE1/4NE1/4,  
 3 S1/2SW1/4NE1/4, NW1/4SE1/4  
 4 Section 22: Lot 2, S1/2NE1/4SE1/4  
 5 Section 23: S1/2 of Lot 1, Lots 2 - 5, S1/2SE1/4NW1/4  
 6 Section 24: Lots 1 - 3, 6 - 8, portions of Lots 4 and 5 as  
 7 shown on state status plats  
 8 Section 25: Lots 1, 2, 6 - 9, 14  
 9 Tract I of USS 2529  
 10 Block 7 of USS 2676  
 11 Section 26: That portion of Lot 2 USS 7371 within state  
 12 selection NFCG 192  
 13 Lot 3 of USS 7371  
 14 Section 27: Lot 1, NW1/4NE1/4  
 15 Section 36: Lot 4  
 16 Those portions of Lots 1, 5, and 6 excluding a  
 17 lakeshore buffer 200 feet from the line of ordinary  
 18 high water of Upper Trail Lake  
 19 (6) all state-owned shorelands and water known as Trail River and  
 20 Upper and Lower Trail Lakes within the following parcels:  
 21 Township 4 North, Range 1 East, Seward Meridian  
 22 Sections 6, 7, 18  
 23 Township 4 North, Range 1 West, Seward Meridian  
 24 Sections 1, 12, 13, 24, 25  
 25 Township 5 North, Range 1 East, Seward Meridian  
 26 Sections 7, 18, 19, 31  
 27 Township 5 North, Range 1 West, Seward Meridian  
 28 Sections 13, 22 - 27, 36  
 29 (7) all state-owned shorelands and water within the riparian corridor of  
 30 the state-owned land 200 feet landward from the line of ordinary high water on each  
 31 side of each of the following waterways:

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(A) Cooper Creek  
Township 5 North, Range 3 West, Seward Meridian  
Section 31

(B) Bean Creek  
Township 5 North, Range 3 West, Seward Meridian  
Sections 29, 30

(C) Shackelford Creek  
Township 5 North, Range 3 West, Seward Meridian  
Section 34

(D) Quartz Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 19, 20, 29, 30  
Township 5 North, Range 3 West, Seward Meridian  
Section 36

(E) Daves Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 19, 20

(F) Crescent Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 29, 30

(G) Dry Creek  
Township 5 North, Range 2 West, Seward Meridian  
Sections 30, 31

\* Sec. 4. AS 41.21.502(a)(5) is amended by adding a new subparagraph to read:

(E) Additional Trail River lands  
Township 4 North, Range 1 West, Seward Meridian  
Section 13: Portions of lots 4, 5, and 7 that are east of  
the Seward Highway right-of-way and west of Lower  
Trail Lake; Portions of Lots 7, 8, and 9 that are within  
the 200 feet of the Trail River ordinary high water line  
or within the 100-year flood boundary for the river,

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whichever is greater;

Section 24: Portions of lots 3, 4, 7, 8, and 11 within 200 feet of the Trail River ordinary high water line or within the 100-year flood boundary for the river, whichever is greater;

Lots 2, 5, and 10

Section 25: Portions of lots 3 and 5 that are within 200 feet of the Trail River and Kenai Lake ordinary high water lines or within the 100-year flood boundary for the river and lake, whichever is greater; in this subparagraph, the 100-year flood boundary is that shown on the Federal Emergency Management Agency Flood Boundary and Floodway Map for this area, dated May 19, 1981;

\* Sec. 5. AS 41.21.502(c) is amended to read:

(c) The mineral estate in the state-owned land and water described in (a) of this section is open to [EXCEPT FOR] oil and gas leasing under AS 38.05.180. The [, THE] mineral estate in the state-owned [STATE-OWNED] land and water described in (a)(1) - (4) [(a)] of this section is closed to mineral entry under AS 38.05.181 - 38.05.275.

\* Sec. 6. Sections 1 - 3 and 5 of this Act take effect immediately under AS 01.10.070(c).

\* Sec. 7. Section 4 of this Act takes effect on the date that the commissioner of natural resources notifies the revisor of statutes and the lieutenant governor that the selection by the Kenai Peninsula Borough of the land added to the Kenai River Special Management Area by sec. 4 of this Act has been denied or relinquished under AS 29.65.

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: CSHB165(RES)  
 ( ) Publish Date: \_\_\_\_\_  
 Dept. Affected: Natural Resources  
 BRU: Parks & Recreation Mgt  
 Component: Parks Management  
 Component Number: 452

Revision Date/Time (Note if correction): 05/01/02  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (S) STA

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: None  
 Check this box if funding for this bill is included in the Governor's FY2003 budget proposal: [ ]

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Jim Stratton, Director Phone 269-8700  
 Division: Parks and Outdoor Recreation Date/Time 1-May-02  
 Approved by: Pat Pourchot Date 1-May-02  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

Column for Peninsula Clarion, 3/30/01

LOCKING UP LAND FOR PUBLIC USE  
by Les Palmer

Rep. Ken Lancaster recently introduced HB 165, a bill that would add state-owned lands along the Kenai River and its tributaries to the Kenai River Special Management Area (KRSMA).

This idea was hatched 15 years ago, but couldn't be put forward until state and borough land selections had been completed. That accomplished, it's time to protect these lands.

In 1985, the Lands Subcommittee of the KRSMA Advisory Board met 38 times, part of the long process of writing the first comprehensive management plan for the river. As a member of that body, I well remember why we wanted those lands in the special management area. Left alone, they would be administered by the Department of Natural Resources.

Unfortunately, DNR historically has been less than a perfect landlord. Only after squatters' cabins had proliferated on state lands along Cook Inlet and in the Caribou Hills did this agency take notice that anything was amiss. Judging by its dismal record -- and it's not likely to change -- "DNR" could well mean "Department of No Responsibility."

The inclusion of state-owned lands in the special management area would give them at least minimal protection. Such enforcement as would be necessary would be administered by State Parks, which has year-round staff on the peninsula.

The best reasons for including these additional lands can be found in the 1984 act establishing the Kenai River Special Management Area, in Section 1, Findings: "The river's fishery and wildlife are its most important resources. The highest priority uses of the river and its adjacent land derive from its fishery and wildlife resources, which must be protected and preserved to ensure their renewability and continued usefulness."

Since the Kenai River Special Management Area is in effect a state park, some people will no doubt object to "locking up" more land. To that I say, if you're locking up lands for public fishing, hunting and recreation, lock away! That's the kind of locking up we need more of. The grim alternative is privatization, a true lock-up.

Water quality is another, even more important, reason for protection of these lands. Pollutants in the upper watershed pollute the entire Kenai River. A chemical spill in the Trail lakes or upper Kenai Lake could become a disaster beyond measure.

While serving on the Lands Committee, I was also a real estate broker and developer of recreational properties. At the time, my first thought about those lands along Kenai Lake and the Trail lakes was that they would make nice future home or cabin sites. But I had second thoughts. I decided such development wasn't worth the risk.

The lower 50 miles of the Kenai had already been allocated to private development, along with quite a lot of the upper watershed and lands

Peninsula Clarion 3/30/01

along several important tributaries. The Lands Subcommittee concluded that the state lands in the upper watershed should be added to the special management area, which would protect them from most kinds of development, but leave them open for public recreation. Both the Lands Subcommittee and the Kenai River Advisory Board unanimously adopted this recommendation.

That was 15 years ago. The reasons for including those lands are even more important today.

We can't allow ourselves to forget the importance of the Kenai. We must not allow ourselves to take it for granted. Those of us who love the Kenai must regularly remind one another and our elected officials that the river is valuable, but also vulnerable. Protecting the lands along the Kenai is an investment in the river's future.

And our future.

\* \* \*

Want to learn more about the Kenai River and how you can help it to remain one the best salmon-producing streams on earth? Visit the Kenai River Center, 514 Funny River Road; or call 260-4882; or, visit the river center on the Internet at:  
[www.borough.kenai.ak.us/KenaiRiverCenter](http://www.borough.kenai.ak.us/KenaiRiverCenter)

Les Palmer is a freelance writer who lives in Sterling.

Introduced by:	Navarre
Date:	02/02/99
Action:	Adopted
Vote:	7 Yes, 2 No

<b>KENAI PENINSULA BOROUGH</b>
--------------------------------

<b>RESOLUTION 99-013</b>
--------------------------

**A RESOLUTION URGING THE ALASKA STATE LEGISLATURE  
INCLUDE ADDITIONAL STATE LAND INTO THE  
KENAI RIVER SPECIAL MANAGEMENT AREA**

**WHEREAS**, the Alaska State Legislature established the Kenai River Special Management Area in 1984 to preserve and protect important fish and wildlife habitat and resources and to provide for recreational opportunities; and

**WHEREAS**, the Alaska Department of Natural Resources in cooperation with the Kenai River Special Management Area Advisory Board developed the 1986 Kenai River Comprehensive Management Plan; and

**WHEREAS**, in December 1997 a revised Kenai River Comprehensive Management Plan was adopted by the Commissioner of Natural Resources based on recommendations from the Kenai River Special Management Area Advisory Board; and

**WHEREAS**, the revised plan has recommended the additional State-owned lands and tributaries adjacent to the Kenai River be included in the boundary of the Kenai River Special Management Area; and

**WHEREAS**, Goal 3.9 of the Kenai Peninsula Borough Comprehensive Plan is to provide quality outdoor recreational areas and opportunities for Borough residents and visitors; and

**WHEREAS**, Goal 4.3 of the Kenai Peninsula Borough Coastal Management Program recommends public lands be retained for public open space or recreation areas; and

**WHEREAS**, the addition of these State lands and tributaries meets the goals and objectives of these Borough plans;

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

**SECTION 1.** The Kenai Peninsula Borough Assembly supports the addition of State land adjacent to the

Kenai River and the addition of Kenai River tributaries into the boundaries of the Kenai River Special Management Area.

**SECTION 2.** The Alaska State Legislature is urged to introduce legislation to amend Alaska Statute 41.21.500 and to expand the boundaries of the Kenai River Special Management Area to include the 9,681 acres identified in the 1997 Kenai River Comprehensive Management Plan.

**SECTION 3.** That copies of this resolution shall be provided to The Honorable Tony Knowles, Governor, State of Alaska; the Honorable John Shively, Commissioner of Alaska Department of Natural Resources; the Honorable Brian Porter, Speaker of the House, Alaska House of Representatives; the Honorable Drue Pearce, Senate President, Alaska State Senate; Representative Gary Davis, Representative Hal Smalley, Representative Scott Ogan, Representative Jerry Sanders, Senator John Torgerson, and Senator Jerry Ward.

**SECTION 4.** This resolution shall take effect immediately upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF FEBRUARY, 1999.**

## **New Proposed Land Additions For the Kenai River Special Management Area**

### **Background**

During public meetings to revise the Kenai River Comprehensive Management Plan and subsequent review of DNR's Kenai Area Plan, comments clearly suggested that the State should manage the Kenai River as a watershed system. The health of the entire Kenai River system, including its many communities, depends upon sustaining adequate water quality and quantity, and healthy riparian fish and wildlife habitat throughout the watershed's basin. The region's economy depends on the \$37 million in direct spending by non-locals visiting the Kenai River. River guides, RV Park owners, motels, B&B and restaurant operators, car and boat rental dealers, and many other local Kenai Peninsula businesses depend upon a healthy Kenai River for economic sustainability.

### **Proposal**

The Kenai River Special Management Area (KRSMA), under the direction from the Alaska Legislature (AS 41.21.500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation. To provide the protection and management called for in the management plan revision, 7938 acres of general state lands, 11 upper Kenai River or Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes are proposed to be legislatively added to the boundary of KRSMA. This includes almost all of the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities.

### **Where are these lands?**

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail Lakes, and Trail River. Of key importance are numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary.

### **Why now?**

During the creation of the KRSMA in 1984, the State had not yet received title from the federal government to lands surrounding Upper and Lower Trail Lakes, Trail River, and adjacent lands around the upper Kenai River and Kenai Lake. The original Kenai River Comprehensive Management Plan directed the State to designate these lands for the KRSMA once they became available. Since that time, these lands have been conveyed to the State. The recent plan revision re-emphasizes the intent that these important habitat and recreation lands and waters should be included in the boundaries of the Special Management Area.

Background

**Future Management:** Facility development for most of the new land additions would not be consistent with KRSMA's intent: to preserve and protect the important fish and wildlife resources and habitat of the river and adjacent area. However, the KRSMA enabling legislation has directed Parks to manage and to provide for quality recreation. Some recreational development, primarily improved access, is appropriate, but the exact sites have not been selected. Recreational demands and user conflicts already occur on several access sites within the proposed additions. Examples of such areas include the Upper Trail Lake boat launch (also known as the "Ball Diamond"), and the Kenai Lake "Snail-a-thon Beach." Conceptually, the Division could enter into cooperative management agreements with the Cooper Landing and Moose Pass communities to care for these popular sites with minimal cost to the State. Basic sanitary facilities are greatly needed at these sites along with a clear management presence to deter negative behavior by some visitors. Without the lands being legislatively added to KRSMA, no solutions can be pursued to solve some of the most immediate problems at specific sites.

# New Proposed Land Additions for the Kenai River Special Management Area

## Background

During public meetings to revise the Kenai River Comprehensive Management Plan (KRCMP) and subsequent public review of the Kenai Area Plan, comments clearly suggested that the State should manage the Kenai River as a watershed system. The health of the entire Kenai River system, including its many communities, depends on sustaining adequate water quality and quantity, and healthy riparian fish and wildlife habitat throughout the watershed's basin. The region's economy depends on the \$37 million in direct spending by non-locals visiting the Kenai River. River guides, RV Park owners, motels, B&B and restaurant operators, car and boat rental dealers, and many other local Kenai Peninsula businesses depend upon a healthy Kenai River for economic sustainability.



## Proposal

The Kenai River Special Management Area (KRSMA), under direction from the Alaska Legislature (AS 41.21.500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation, Department

of Natural Resources. To provide the protection and management called for in the management plan revision, 7938 acres of general state lands, 11 upper Kenai River or Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes must be legislatively added to the boundary of KRSMA. This includes almost all the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife, and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities. No new facilities are planned for the proposed additional lands.



## Why now?



During the creation of the KRSMA in 1984, the State had not yet received title from the federal government to lands surrounding Upper and Lower Trail lakes, Trail River, and adjacent lands around the upper Kenai River and Kenai Lake. The original Kenai River Comprehensive Management Plan directed the state to designate these lands for the KRSMA once they became available. Since that time, these lands have been conveyed to the state. The recent plan revision re-emphasizes the intent that these important habitat lands and waters should be included in the boundaries of the Special Management Area.

## Where are these lands?

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail lakes, and Trail River in the Moose Pass area. Of key importance are the numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary. The mineral closing order for the KRSMA does not include those streams north of Cooper Creek.

Downstream from Skilak Lake are a few limited additions proposed, primarily lands acquired as habitat and recreation lands under the Exxon Valdez Oil Spill settlement funding, or isolated tracts of state land overlooked during the 1984 KRSMA legislation.



# Alaska State Legislature

**SESSION ADDRESS:**  
State Capitol  
Juneau, Alaska 99801-1182  
Phone (907) 465-2693  
Toll Free 800-463-2693  
Fax 907-465-3835



**INTERIM ADDRESS:**  
35477 Suite 101-B Spur Hwy  
Soldotna, Alaska 99669  
Phone 907-260-5236  
Fax 907-260-3044

## Representative Ken Lancaster District 8

Sponsor Statement  
For

HOUSE BILL 165

"An Act relating to the Kenai River Special Management Area;"

The Kenai River Special Management Area (KRSMA), under direction from the Alaska Legislature (AS 41.2.1500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation, Department of Natural Resources. To provide the protection and management called for in the management plan revision, 7,938 acres of general state lands, 11 upper Kenai River or Kenai lake tributaries, and the waters of Upper and Lower Trail Lakes must be legislatively added to the boundary of KRSMA. This includes almost all the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife, and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities. No new facilities are planned for the proposed additional lands.

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail lakes, and Trail River in the Moose Pass area. Of key importance are the numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary. The mineral closing order for the KRSMA does not include those streams north of Cooper Creek.

Downstream from Skilak Lake there are a few limited additions proposed, primarily lands acquired as habitat and recreation lands under the Exxon Valdez Oil Spill settlement funding, or isolated tracts of state land overlooked during the 1984 KRSMA legislation.

This bill will transfer State lands to the Kenai River Comprehensive Management Area.

E-Mail: [Representative\\_Ken\\_Lancaster@legis.state.ak.us](mailto:Representative_Ken_Lancaster@legis.state.ak.us)

Cooper Landing • Bear Creek • Funny River • Hope • Moose Pass • Ridgeway • Seward • Soldotna • Sterling  
Listening to you – Getting things done.

*Alaska State Legislature*

*SESSION ADDRESS:*  
State Capitol  
Juneau, Alaska 99801-1182  
Phone (907) 465-2693  
Toll Free 800-463-2693  
Fax 907-465-3835



*INTERIM ADDRESS:*  
35477 Suite 101-B Spur Hwy  
Soldotna, Alaska 99669  
Phone 907-260-5236  
Fax 907-260-3044

*Representative Ken Lancaster*  
*District 8*

January 31, 2002

MEMORANDUM

To: <sup>Gene</sup> Senator Gene Therriault, Chairman  
Senate State Affairs Committee

From: <sup>Ken</sup> Representative Ken Lancaster

Subject: House Bill 165 – “An Act relating to the Kenai River Special Management Area”

I would like to request a committee hearing on House Bill 165. Enclosed for your information is a copy of the bill along with the back-up material. If you have any questions, please let me know.

I look forward to having the legislation scheduled.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: CSHB 165(RES)  
 (H) Publish Date: 4/5/01  
 Dept. Affected: Natural Resources  
 BRU: Minerals, Land & Water Dev.  
 Component: Title Defense & Acquis.  
 Component Number: 2459

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (H) RES

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: None

Check this box if funding for this bill is included in the Governor's FY2002 budget proposal: [ ]

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai River Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Bob Locffler Phone 269-8600  
 Division: Mining, Land and Water Date/Time 23-Mar-01  
 Approved by: Pat Pourchot Date 23-Mar-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 165(RES)  
 (H) Publish Date: 4/5/01  
 Dept. Affected: Natural Resources  
 BRU: Parks & Recreation Mgt  
 Component: Parks Management  
 Component Number: 452

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (H) RES

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: None

Check this box if funding for this bill is included in the Governor's FY2002 budget proposal: [ ]

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Jim Stratton, Director Phone 269-8700  
 Division: Parks and Outdoor Recreation Date/Time 23-Mar-01  
 Approved by: Pat Pourchot Date 23-Mar-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

**QUARTZ CREEK HOMEOWNERS' ASSOCIATION**  
P.O. Box 815, Cooper Landing, AK 99572  
907-595-2129

**RESOLUTION SUPPORTING HB 165**  
March 31, 2001

**Whereas, HB 165 will protect important land parcels adjacent to Quartz Creek Homeowners' Association (QCHA) properties, by including these parcels in the Kenai River Special Management Area, and**

**Whereas, the members of the QCHA have been stewards of the subject land parcels beginning as early as 1947, and following establishment of the QCHA in 1958, and**

**Whereas, the members of the QCHA now extend into the 4<sup>th</sup> generation, and have individually and collectively worked with the residents of Cooper Landing; and local, state, and federal agencies to plan for the future of the area; and**

**Whereas, the members of the QCHA understand that the natural setting and habitat of the alpine area around QCHA properties and Cooper Landing is very fragile and cannot be randomly developed without initiating undesirable and irreversible changes, which will greatly reduce property values and other personal values related to the natural setting, and**

**Whereas, inclusion of the important land parcels listed in HB 165, as parkland within the Kenai River Special Management Area will prevent loss of property values and other personal values related to the natural setting.**

**Therefore, the Quartz Creek Homeowners' Association strongly supports passage of HB 165.**

# FOCL

Friends of Cooper Landing

---

Post Office Box 815  
Cooper Landing, Alaska 99572

**FRIENDS OF COOPER LANDING  
RESOLUTION 2001-01  
REGARDING HB 165  
March 30, 2001**

**Whereas, HB 165 seeks to add lands adjacent to critical waters in the Cooper Landing area to the Kenai River Special Management Area, and**

**Whereas, the residents of Cooper Landing have participated in years of planning efforts that produced the Kenai River Comprehensive Management Plan, the Kenai Area Plan, and the Cooper Landing Land Use Plan, and**

**Whereas, the residents of Cooper Landing recognize the importance of preserving habitat, preventing water pollution, and retaining public recreational access to these waters and the Kenai Lake shore, and**

**Whereas, additional development of the Kenai Lake shore will destroy habitat, introduce water pollution, and restrict public access, and**

**Whereas, the health of Kenai River and all of its tributaries is a critical factor in maintaining robust commercial and sport salmon fisheries, and trout fisheries; and traditional incomes on the Kenai Peninsula, and**

**Whereas, the economy of Cooper Landing is totally based on tourism and outdoor activities, which are dependent upon retaining the natural waters, habitat, and viewshed of the area, and**

**Whereas, addition of the land parcels described in HB 165 to the Kenai River Special Management Area will prevent negative impacts, which is critical to both the present economy and the future vitality of Cooper Landing; and is supported by a majority of Cooper Landing residents.**

**Therefore, the Friends of Cooper Landing strongly support passage of HB 165 and gratefully thank Peninsula legislators for its introduction.**

Friends of Cooper Landing, P.O. Box 815, Cooper Landing, Alaska 99752  
Bob Baldwin, President, 907-595-2129; 250-3913  
<[cooperlanding@alaska.com](mailto:cooperlanding@alaska.com)>

*-- Our focal point is Cooper Landing --*

3-26-01

Representative Ken Lancaster,  
A quick note (since I can't  
take part in to-morrow tele conference)  
to support land additions  
to KRSMA. I'm especially  
concerned with protecting  
Kenai Lake, Kenai River, &  
tributaries of both. Our Snail-  
a-thon Beach site is in Unit 390 -  
a site very important to Cooper  
Landing. Helen Rhode Memorial  
Park is in Unit 391 (can't recall  
sub-section <sup>letter</sup> ~~number~~) and is also  
an important community  
maintained and supported  
KRSMA property - our welcome  
to all passing through on the  
Sterling Highway.

Sincerely

Monal Painter

POB 711  
Cooper Landing, AK 99572  
(907) 595-1248  
painter@arctic.net



**COOPER LANDING COMMUNITY CLUB, INC.**  
Library, Park, Cemetery, Ambulance Squad, Dall Homemakers, Gun Club  
P.O. Box 508 Cooper Landing, AK 99572

February 1, 1999

Chris Degernes, Kenai Area Superintendent  
Department of Natural Resources      Division of Parks and Outdoor Recreation  
P.O. Box 1247  
Soldotna, AK 99669

Dear Chris:

The Cooper Landing Community Club voted to endorse the accompanying Resolution in Support of Expanding the Kenai River Special Management Area during our last meeting on Jan. 28, 1999. Sixteen members were present; there was one dissenting vote. Notice of this possible action appeared on agendas posted the week before at the post office, library, and at the Shrew's Nest. Agendas were passed out at the Cooper Landing Advisory Planning Commission meeting on Jan. 21. The agenda item read: " 10 b. State Parks Chris Degernes, Jim Richardson, David Rhode: Consider endorsing addition of State lands to KRSMA as outlined in KRSMA plan available at the library and previously endorsed by CLAPC."

As you know, Jim H. Richardson and David Rhode made the presentation aided by maps of the lands in question. Several people entered into the discussion. One of the concerns was that the Dept. of Transportation lot adjacent to the old Community Hall site near Mile 49 (for which the Community Club holds patent) would be put into KRSMA. Several members of the community have been wanting to have that piece added to the old Hall site which is to become a museum site. It was explained that while this is also state land, it is managed by DOT and so is not a part of KRSMA lands.

Another concern expressed was that this was taking land away from ownership by the public. It was explained that these lands are already DNR lands and they are not borough selectable lands nor state lands that would be earmarked for settlement.

Hope you are feeling well now---we missed your participation!

Sincerely,

Mona Painter, president

painter@arctic.net

**A Resolution in Support of Expanding  
the  
Kenai River Special Management Area**

**WHEREAS,** the Kenai River Special Management Area (KRSMA) was established in 1984 to preserve and protect the important fish and wildlife habitat and resources of the Kenai River watershed and to provide for recreational opportunities; and

**WHEREAS,** certain state owned lands adjacent to the Kenai River were combined with the waters of Kenai River, Kenai Lake and Skilak Lake to form the KRSMA; and

**WHEREAS,** the Kenai River Comprehensive Management Plan was revised in December, 1997 and recommended the addition of a number of new state owned parcels and tributaries to the KRSMA; and

**WHEREAS,** these land parcels adjacent to Kenai Lake, Cooper Lake, Upper and Lower Trail Lakes, plus a number of Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes and Trail River all combine to provide additional protection of fish and wildlife resources and habitat, as well as provide an opportunity manage recreational activities in a larger area of the Kenai River watershed;

**NOW, THEREFORE, BE IT RESOLVED BY** the Cooper Landing Community Club:

We hereby urge the Alaska Legislature to expand the Kenai River Special Management Area by adding the lands and waters identified in the 1997 Kenai River Comprehensive Management Plan. Such lands and waters are to be managed consistently with the mandate within Alaska Statutes Section 41.21.500.

Approved:

Monal Painter, president

Jan. 28, 1999  
Date



Printed On Recycled Paper

March 30, 2001

TO: Representative Lancaster  
FAX: 907-465-3835

RE: Kenai River Special Management Area

Dear Representative Lancaster,

As a tour operator doing business on the Kenai River, we fully support the expansion of the Kenai River Special Management Area.

Our main base of summer operations is in Cooper Landing. We provide rafting trips on the upper Kenai and through the Kenai River Canyon. We also offer day trip and multi day fishing packages along the upper and lower Kenai. We recognize that our guests appreciate the fine quality of this river environment. It is imperative that the fish habitat and wildlife resources be protected. The riparian ecosystem must remain intact in order to provide quality recreational opportunities – especially for those who are willing to spend money to experience a river with wild attributes.

The Kenai River Comprehensive Management Plan recommended the addition of new state owned parcels and tributaries to the KRSMA. By doing so, the intent of providing additional fish and wildlife resource protection will be accomplished. Quality recreational opportunities will simultaneously be expanded. This is good for business and good for the environment.

Respectfully,

Kirk Hoessle  
President

Cc: Representative Drew Scalzi  
Senator John Torgerson




**KENAI PENINSULA**  
**Learning Center**

*At the Scenic Trail Lake Lodge*

Date: 4/1/00

To: Rep. Ken Lancaster (fax 907-465-3835)  
Rep. Drew Scalzi (fax 907-465-3472)  
Sen. John Torgerson (fax 907-465-4779)  
Dir. Jim Stratton (fax 269-8907)

From: Justin Ripley 

Re: Support for KRSMA Additions

As the owners of the Trail Lake Lodge located in scenic Moose Pass, we recognize the need to protect the area's watershed resources and corresponding recreational opportunities. We therefore support the 1997 Management Plan additions to KRSMA to the extent that they accomplish such protection.

Thank you for your attention to this matter. If you have any questions regarding our operations in Moose Pass, please do not hesitate to call me at 907-245-0900.

P.O. BOX 221011  
ANCHORAGE, AK 99522

(907) 245-0200  
(907) 245-0300 FAX

Justin@2alaska.net  
www.2alaska.net

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## COOPER LANDING FISH AND GAME ADVISORY COMMITTEE

P.O. BOX 721  
COOPER LANDING, AK 99572  
PHONE: (907) 595-1540  
FAX: (907) 595-1540

April 6, 2001

Honorable Ken Lancaster  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

Dear Representative Lancaster,

At its scheduled and advertised meeting of April 3, 2001, the Cooper Landing Fish and Game Advisory Committee took public comment, discussed and voted on agenda item HB 165, KRSMA additions. Our recorded vote was 6 members in support of HB 165 and 2 members opposed to HB 165.

Those supporting HB 165 felt these land and water additions support public future access and recreational opportunity, the sustainability of future fish and wildlife resources, and the protection of fish and wildlife habitat. Those opposed felt that this legislation was not politically viable and that future public access, use and development of these lands and waters could be needlessly protected and restricted by adding these lands and waters to KRSMA.

We hope that our comments both pro and con are useful during the debate on HB 165. If we can be of further assistance on this issue, please contact Bill Stockwell at 595-1540.

Sincerely,



Bill Stockwell, Chair

cc: Senator John Torgerson  
Representative Drew Scalzi  
Ted Wellman, KRSMA Advisory Board President  
ADF&G Board Support Section

APR 4 - 2001



# ALASKA FLYFISHERS

Winners of the 1994 McKenzie Cup



March 31, 2001

Representative Lancaster  
State Capitol, Room 421  
Juneau Alaska 99801-1182

Dear Representative Lancaster:

I am writing you on behalf of the Alaska Fly Fishers (AFF) regarding an issue which we feel is important to a large number of Alaskans. That issue is the habitat and resources related to the Kenai River and Russian River and their tributaries. According to a study published by UAA/ISER at the request of ADF & G, the Kenai and Russian Rivers were the most popular fishing sites in the State of Alaska, with 14% of the total fishing trips in the State being to this destination. Of the total households in the Anchorage and Kenai areas 75,163 households reported they had fished during the three years previous to the study being conducted. In 1993 approximately 540 million dollars were spend on sports fishing in Alaska and I'm confident that number has increased significantly by now.

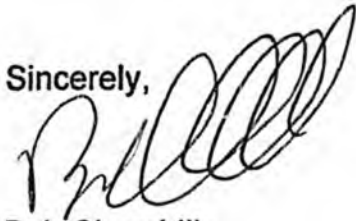
AFF is a nonprofit organization that has approximately 500 members. The majority of our members are located in Southcentral Alaska, including the Kenai Peninsula. When AFF was formed in 1973 one of our primary objectives was to protect and enhance the fisheries resources in Alaska. It is not our intent to "lock up lands", but to make sure the lands are available for use by the broadest number of people consistent with responsible use of the habitat. Examples of these types of actions directly related to the Kenai Peninsula, include our members are active members of Fish & Game Advisory Committees, sit on task forces related to habitat and resource issues on the Kenai River, and in 1992 initiated a Kenai River Cleanup which takes place each fall.

It is our understanding that the legislature is considering areas on the Kenai Peninsula for inclusion in the State of Alaska Park through HB 165. It is also our understanding this effort is made to insure these lands are put into uses consistent with the Kenai River Comprehensive Management Plan adopted in December of 1997. We have reviewed the text of HB 165, discussed these issues with the Chair of the Cooper Landing Fish & Game Advisory Committee and one of the members of the Kenai River Board. We encourage the legislature to consider the importance of the habitat and resources of this area prior to taking any action or failing to take action regarding this area.

We are very concerned about insuring the use these lands are consistent with the enhancement of the habitat and resources of the rivers and drainage's in this area (Trail Lakes, Kenai River, etc.). The Kenai River and it's tributaries are valuable and irreplaceable that if lost would have an extremely negative impact on Alaska and many Alaskans. This is clearly supported by the data contained in, "Economics of Sport Fishing In Alaska" published by the Institute of Social and Economic Research of UAA referenced earlier.

Therefore, it is our hope that whatever action is taken by the legislature is consistent with the enhancement of the habitat and fisheries resources of this area. This will provide an exception fisheries resource for Alaskan's and our visitors. This is not only for the inherent value of these lands and waters, but for the dollars in brings in to support Alaskan and for the enjoyment it provides for many of us.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Churchill", written in a cursive style.

Bob Churchill  
President



APR 17 2001

COOK INLET  
AQUACULTURE ASSOCIATION

40610 KALIFORNSKY BEACH ROAD  
KENAI, AK 99611  
(907) 283-5761  
FAX: (907) 283-9433  
email: [ciaa@ptialaska.net](mailto:ciaa@ptialaska.net)

April 10, 2001

Representative Ken Lancaster  
Alaska House of Representatives  
State Capitol  
Juneau, AK 99801-1182

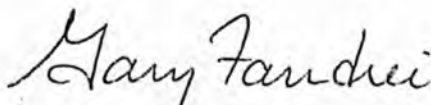
Rc: Resolution in Support of Expanding the Kenai River Special Management Area.

Dear Representative Lancaster:

Attached, for your consideration, is a resolution supporting expansion of the Kenai River Special Management Area.

The Cook Inlet Aquaculture Association (CIAA) passed this resolution at its March 31, 2001 Board of Director's meeting. CIAA seeks protection of self-perpetuating salmon stocks and their habitat through planning, permitting and enforcement processes. We feel expansion of the Kenai River Special Management Area supports this objective and encourage your support of the legislation permitting the expansion.

Sincerely,

  
Gary Fandrei, Executive Director

File: Legislature/Correspondence

SALMON ENHANCEMENT TODAY MEANS BETTER SALMON FISHING TOMORROW



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**COOK INLET  
AQUACULTURE ASSOCIATION**

40610 KALIFORNSKY BEACH ROAD  
KENAI, AK 99611  
(907) 283-5761  
FAX: (907) 283-9433  
email: claa@ptialaska.net

**A Resolution in Support of Expanding  
The  
Kenai River Special Management Area**

**Whereas,** the Kenai River Special Management Area (KRSMA) was established in 1984 to preserve and protect the important fish and wildlife habitat and resources of the Kenai River watershed and to provide for recreational opportunities; and

**Whereas,** certain state owned lands adjacent to the Kenai River were combined with the waters of Kenai River, Kenai Lake and Skilak Lake to form the KRSMA; and

**Whereas,** in 1996-97, the KRSMA Advisory Board conducted an extensive public process to update and revise the original 1986 Kenai River Comprehensive Management Plan, which included a recommendation to add a number of new state owned parcels and tributaries to the KRSMA; and

**Whereas,** these land parcels adjacent to Kenai Lake, Cooper Lake, Upper and Lower Trail Lakes, plus a number of Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes and Trail River all combine to provide additional protection of fish and wildlife resources and habitat, as well as provide an opportunity to manage activities in a larger area of the Kenai River watershed; and

**Whereas,** one of the goals of CIAA is to seek protection of salmon habitat through active participation (testimony, committee work, data input, etc.) in planning, permitting and enforcement processes; and

**Whereas,** it is the mission of the Cook Inlet Aquaculture Association (CIAA) to protect self-perpetuating salmon stocks and the habitats upon which they depend;

**NOW, THEREFORE BE IT RESOLVED BY THE COOK INLET AQUACULTURE ASSOCIATION:**

We hereby urge the Alaska Legislature to expand the Kenai River Special Management Area by adding the lands and waters identified in the 1997 Kenai River Comprehensive Management Plan. Such lands and waters are to be managed consistently with the mandate within Alaska Statute Section 41.21.500.

Approved:

David Martin, President, CIAA Board of Directors

April 6, 2001

Date

SALMON ENHANCEMENT TODAY MEANS BETTER SALMON FISHING TOMORROW



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**Subject: House press releases 04102001: HB 156, HB 111, HB 34, HB 156**

**Date: Tue, 10 Apr 2001 19:20:40 -0800**

**From: Dan Saddler <Dan\_Saddler@legis.state.ak.us>**

**Organization: House Majority**

**To: media <lsncdrs+media@legis.state.ak.us>,  
reps <lsncdrs+housemajlegs@legis.state.ak.us>,  
people <lsncdrs+people@legis.state.ak.us>, staff <lsncdrs+hmajstaff@legis.state.ak.us>**

File

Alaska State Legislature  
House of Representatives  
Representative Ken Lancaster

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-2693 Phone  
(907) 465-3835 Fax

FOR IMMEDIATE RELEASE: April 10, 2001  
CONTACT: Rep. Ken Lancaster, (907) 465-2693

**House Passes Kenai River Area Expansion  
HB 165 Would Help State Better Manage Popular Watershed**

(JUNEAU) – The House today passed legislation that would help the state better manage the Kenai River watershed to protect not only environmental quality, but also the region’s recreational and commercial industries that depend on a healthy river system.

Rep. Ken Lancaster (R-Soldotna) sponsored House Bill 165, which would expand the Kenai River Special Management Area (KRSMA) to include an additional 7,938 acres of land and water.

“The health of the entire Kenai River system, including its many communities, depends upon sustaining adequate water quality and healthy wildlife habitat throughout the watershed basin,” he said. “Now that the federal government has conveyed this land to the state, the Legislature needs to make this designation to assure good management practices and to protect this key element of the Kenai Peninsula’s natural resources.”

The Legislature created the KRSMA as a unit of the state parks system in 1984, and during public testimony on revisions of the area’s comprehensive management plan, it became clear the state could do a better job of managing the area if it included the entire watershed, Lancaster said.

The bill would expand the KRSMA to encompass almost all of the public lands and waters that contribute to sustaining the river’s fish and wildlife. It includes 200 feet of riverbank along each side of 11 upper Kenai River or Kenai lake tributaries, and the waters of the Upper and Lower Trail Lakes.

A healthy Kenai River, and access to it, is at the heart of the Kenai Peninsula’s fishing, boating, camping and sightseeing businesses, and the improved management afforded by expansion of the management area should help protect and enhance the local economy, Lancaster said.

HB 165 moves next to the Senate for consideration.

Alaska State Legislature

SESSION ADDRESS:  
State Capitol  
Juneau, Alaska 99801-1182  
Phone (907) 465-2693  
Toll Free 800-463-2693  
Fax 907-465-3835



INTERIM ADDRESS:  
35477 Suite 101-B Spur Hwy  
Soldotna, Alaska 99669  
Phone 907-260-5236  
Fax 907-260-3044

Representative Ken Lancaster  
District 8

May 3, 2001

MEMORANDUM

To: Senator <sup>Gene</sup> Therriault, Chairman  
Senate State Affairs

From: <sup>Ken</sup> Representative Ken Lancaster

Subject: House Bill 165 – “An Act relating to the Kenai River Special Management Area”

I would like to request a hearing in the Senate State Affairs Committee for HB 165. I have attached the necessary back-up material for this legislation.

If you have any questions, please let me know.

# Alaska State Legislature

**SESSION ADDRESS:**  
State Capitol  
Juneau, Alaska 99801-1182  
Phone (907) 465-2693  
Toll Free 800-463-2693  
Fax 907-465-3835



**INTERIM ADDRESS:**  
35477 Suite 101-B Spur Hwy  
Soldotna, Alaska 99669  
Phone 907-260-5236  
Fax 907-260-3044

## Representative Ken Lancaster District 8

Sponsor Statement  
For

HOUSE BILL 165

"An Act relating to the Kenai River Special Management Area;"

The Kenai River Special Management Area (KRSMA), under direction from the Alaska Legislature (AS 41.2.1500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation, Department of Natural Resources. To provide the protection and management called for in the management plan revision, 7,938 acres of general state lands, 11 upper Kenai River or Kenai lake tributaries, and the waters of Upper and Lower Trail Lakes must be legislatively added to the boundary of KRSMA. This includes almost all the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife, and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities. No new facilities are planned for the proposed additional lands.

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail lakes, and Trail River in the Moose Pass area. Of key importance are the numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary. The mineral closing order for the KRSMA does not include those streams north of Cooper Creek.

Downstream from Skilak Lake there are a few limited additions proposed, primarily lands acquired as habitat and recreation lands under the Exxon Valdez Oil Spill settlement funding, or isolated tracts of state land overlooked during the 1984 KRSMA legislation.

This bill will transfer State lands to the Kenai River Comprehensive Management Area.

E-Mail: [Representative\\_Ken\\_Lancaster@legis.state.ak.us](mailto:Representative_Ken_Lancaster@legis.state.ak.us)

Cooper Landing • Bear Creek • Funny River • Hope • Moose Pass • Ridgeway • Seward • Soldotna • Sterling  
Listening to you – Getting things done.

## **New Proposed Land Additions For the Kenai River Special Management Area**

### **Background**

During public meetings to revise the Kenai River Comprehensive Management Plan and subsequent review of DNR's Kenai Area Plan, comments clearly suggested that the State should manage the Kenai River as a watershed system. The health of the entire Kenai River system, including its many communities, depends upon sustaining adequate water quality and quantity, and healthy riparian fish and wildlife habitat throughout the watershed's basin. The region's economy depends on the \$37 million in direct spending by non-locals visiting the Kenai River. River guides, RV Park owners, motels, B&B and restaurant operators, car and boat rental dealers, and many other local Kenai Peninsula businesses depend upon a healthy Kenai River for economic sustainability.

### **Proposal**

The Kenai River Special Management Area (KRSMA), under the direction from the Alaska Legislature (AS 41.21.500), is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation. To provide the protection and management called for in the management plan revision, 7938 acres of general state lands, 11 upper Kenai River or Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes are proposed to be legislatively added to the boundary of KRSMA. This includes almost all of the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities.

### **Where are these lands?**

The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail Lakes, and Trail River. Of key importance are numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary.

### **Why now?**

During the creation of the KRSMA in 1984, the State had not yet received title from the federal government to lands surrounding Upper and Lower Trail Lakes, Trail River, and adjacent lands around the upper Kenai River and Kenai Lake. The original Kenai River Comprehensive Management Plan directed the State to designate these lands for the KRSMA once they became available. Since that time, these lands have been conveyed to the State. The recent plan revision re-emphasizes the intent that these important habitat and recreation lands and waters should be included in the boundaries of the Special Management Area.

**Future Management:** Facility development for most of the new land additions would not be consistent with KRSMA's intent: to preserve and protect the important fish and wildlife resources and habitat of the river and adjacent area. However, the KRSMA enabling legislation has directed Parks to manage and to provide for quality recreation. Some recreational development, primarily improved access, is appropriate, but the exact sites have not been selected. Recreational demands and user conflicts already occur on several access sites within the proposed additions. Examples of such areas include the Upper Trail Lake boat launch (also known as the "Ball Diamond"), and the Kenai Lake "Snail-a-thon Beach." Conceptually, the Division could enter into cooperative management agreements with the Cooper Landing and Moose Pass communities to care for these popular sites with minimal cost to the State. Basic sanitary facilities are greatly needed at these sites along with a clear management presence to deter negative behavior by some visitors. Without the lands being legislatively added to KRSMA, no solutions can be pursued to solve some of the most immediate problems at specific sites.

# FISCAL NOTE

**STATE OF ALASKA**  
**2001 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 165  
 ( ) Publish Date: \_\_\_\_\_  
 Dept. Affected: Natural Resources  
 BRU: Minerals, Land & Water Dev.  
 Component: Title Defense & Acquis.  
 Component Number: 2459

Revision Date/Time (Note if correction): \_\_\_\_\_  
 Title: Kenai River Special Management Area  
 Sponsor: Reps. LANCASTER, Scalzi  
 Requester: (H) RES

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2001) cost: None

Check this box if funding for this bill is included in the Governor's FY2002 budget proposal: [ ]

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill transfers management of the listed parcels from Division of Mining, Land & Water to Division of Parks as additions to the Kenai River Special Management Area. These additions were envisioned in both the 1997 Revised Kenai River Comprehensive Management Plan, adopted by DNR in 1997, and the Kenai Area Plan adopted by DNR last year. There is no fiscal impact on this division.

Prepared by: Bob Loeffler Phone 269-8600  
 Division: Mining, Land and Water Date/Time 23-Mar-01  
 Approved by: Pat Pourchot Date 23-Mar-01  
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office



APR 17 2001

COOK INLET  
AQUACULTURE ASSOCIATION

40610 KALIFORNKY BEACH ROAD  
KENAI, AK 99611  
(907) 283-5761  
FAX: (907) 283-9433  
email: [ciaa@ptialaska.net](mailto:ciaa@ptialaska.net)

April 10, 2001

Representative Ken Lancaster  
Alaska House of Representatives  
State Capitol  
Juneau, AK 99801-1182

Re: Resolution in Support of Expanding the Kenai River Special Management Area.

Dear Representative Lancaster:

Attached, for your consideration, is a resolution supporting expansion of the Kenai River Special Management Area.

The Cook Inlet Aquaculture Association (CIAA) passed this resolution at its March 31, 2001 Board of Director's meeting. CIAA seeks protection of self-perpetuating salmon stocks and their habitat through planning, permitting and enforcement processes. We feel expansion of the Kenai River Special Management Area supports this objective and encourage your support of the legislation permitting the expansion.

Sincerely,

Gary Fandrei, Executive Director

File: Legislature/Correspondence

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AQUACULTURE ASSOCIATION**

40610 KALIFORNISKY BEACH ROAD  
KENAI, AK 99611  
(907) 283-5761  
FAX: (907) 283-9433  
email: [ciaa@ptlalaska.net](mailto:ciaa@ptlalaska.net)

**A Resolution in Support of Expanding  
The  
Kenai River Special Management Area**

**Whereas,** the Kenai River Special Management Area (KRSMA) was established in 1984 to preserve and protect the important fish and wildlife habitat and resources of the Kenai River watershed and to provide for recreational opportunities; and

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**Whereas,** in 1996-97, the KRSMA Advisory Board conducted an extensive public process to update and revise the original 1986 Kenai River Comprehensive Management Plan, which included a recommendation to add a number of new state owned parcels and tributaries to the KRSMA; and

**Whereas,** these land parcels adjacent to Kenai Lake, Cooper Lake, Upper and Lower Trail Lakes, plus a number of Kenai Lake tributaries, and the waters of Upper and Lower Trail Lakes and Trail River all combine to provide additional protection of fish and wildlife resources and habitat, as well as provide an opportunity to manage activities in a larger area of the Kenai River watershed; and

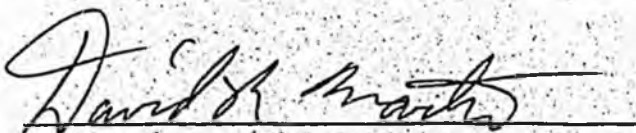
**Whereas,** one of the goals of CIAA is to seek protection of salmon habitat through active participation (testimony, committee work, data input, etc.) in planning, permitting and enforcement processes; and

**Whereas,** it is the mission of the Cook Inlet Aquaculture Association (CIAA) to protect self-perpetuating salmon stocks and the habitats upon which they depend;

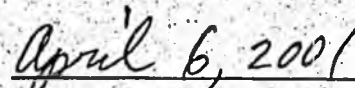
**NOW, THEREFORE BE IT RESOLVED BY THE COOK INLET AQUACULTURE ASSOCIATION:**

We hereby urge the Alaska Legislature to expand the Kenai River Special Management Area by adding the lands and waters identified in the 1997 Kenai River Comprehensive Management Plan. Such lands and waters are to be managed consistently with the mandate within Alaska Statute Section 41.21.500.

Approved:



David Martin, President, CIAA Board of Directors

  
Date

**SALMON ENHANCEMENT TODAY MEANS BETTER SALMON FISHING TOMORROW**



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# ALASKA FLYFISHERS

Winners of the 1994 McKenzie Cup



March 31, 2001

Representative Lancaster  
State Capitol, Room 421  
Juneau Alaska 99801-1182

Dear Representative Lancaster:

I am writing you on behalf of the Alaska Fly Fishers (AFF) regarding an issue which we feel is important to a large number of Alaskans. That issue is the habitat and resources related to the Kenai River and Russian River and their tributaries. According to a study published by UAA/ISER at the request of ADF & G, the Kenai and Russian Rivers were the most popular fishing sites in the State of Alaska, with 14% of the total fishing trips in the State being to this destination. Of the total households in the Anchorage and Kenai areas 75,163 households reported they had fished during the three years previous to the study being conducted. In 1993 approximately 540 million dollars were spend on sports fishing in Alaska and I'm confident that number has increased significantly by now.

AFF is a nonprofit organization that has approximately 500 members. The majority of our members are located in Southcentral Alaska, including the Kenai Peninsula. When AFF was formed in 1973 one of our primary objectives was to protect and enhance the fisheries resources in Alaska. It is not our intent to "lock up lands", but to make sure the lands are available for use by the broadest number of people consistent with responsible use of the habitat. Examples of these types of actions directly related to the Kenai Peninsula, include our members are active members of Fish & Game Advisory Committees, sit on task forces related to habitat and resource issues on the Kenai River, and in 1992 initiated a Kenai River Cleanup which takes place each fall.

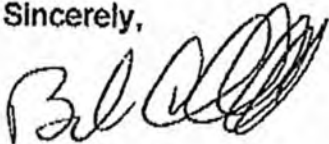
It is our understanding that the legislature is considering areas on the Kenai Peninsula for inclusion in the State of Alaska Park through HB 165. It is also our understanding this effort is made to insure these lands are put into uses consistent with the Kenai River Comprehensive Management Plan adopted in December of 1997. We have reviewed the text of HB 165, discussed these issues with the Chair of the Cooper Landing Fish & Game Advisory Committee and one of the members of the Kenai River Board. We encourage the legislature to consider the importance of the habitat and resources of this area prior to taking any action or failing to take action regarding this area.

ALASKA FLYFISHERS • P.O. BOX 90011 • ANCHORAGE, ALASKA 99509

We are very concerned about insuring the use these lands are consistent with the enhancement of the habitat and resources of the rivers and drainage's in this area (Trail Lakes, Kenai River, etc.). The Kenai River and it's tributaries are valuable and irreplaceable that if lost would have an extremely negative impact on Alaska and many Alaskans. This is clearly supported by the data contained in, "Economics of Sport Fishing In Alaska" published by the Institute of Social and Economic Research of UAA referenced earlier.

Therefore, it is our hope that whatever action is taken by the legislature is consistent with the enhancement of the habitat and fisheries resources of this area. This will provide an exception fisheries resource for Alaskan's and our visitors. This is not only for the inherent value of these lands and waters, but for the dollars in brings in to support Alaskan and for the enjoyment it provides for many of us.

Sincerely,



Bob Churchill  
President

File

**adn.com**

Anchorage Daily News

## Group buys land along Kenai River

**HABITAT: Conservation Fund purchases 'Wally's hole,' described as a bear magnet.**

By Jon Little  
Anchorage Daily News

(Published April 9, 2001)

Soldotna -- A growing patchwork of protected brown bear habitat along a Kenai River tributary near Sterling has expanded with The Conservation Fund's announcement that it bought six riverfront lots in thick spruce woods where the Killey River joins the Kenai.

There, biologists say, spawned out salmon carcasses pile up every summer, attracting a number of hungry brown bears. Kenai River anglers know the spot as "Wally's hole."

The largely undeveloped waterfront on the southern bank of the Kenai faces the Kenai Keys, a subdivision on the river's accessible northern shore that is packed with recreational cabins and buzzing with boats and anglers each summer.

"Apparently folks over there love to watch the bears gamboling in the stinking fish," said Brad Meiklejohn, the fund's Alaska representative.

He said the fund had worked on buying the land since 1995 from its owner, Wallace J. Wellenstein of Anchorage. Wellenstein was interested in protecting the property but took some persuading, Meiklejohn said.

Wellenstein could not be reached for comment.

This purchase, concluded last week, is the third in a recent series of conservation land deals along the Killey River.

In 1997, The Nature Conservancy accepted a 40-acre donation from the owner of a 1949 Killey River homestead that borders the Kenai National Wildlife Refuge. The conservancy closed a deal a year ago with the Alaska Mental Health Trust Authority to buy 160 more acres along the river.

At only 8 acres, this latest purchase is much smaller but is significant because the shoreline is such a bear magnet and because Kenai riverfront lots are selling as fast as developers can build new cabins, Meiklejohn said.

Just one lot has a tiny shack, he said; the rest are untouched.

The Killey River area has attracted conservationists since the mid-1990s, when biologists identified the

area as critical habitat for the Kenai Peninsula's isolated population of brown bears.

It's a largely undeveloped zone between Sterling and Skilak Lake where the bodies of millions of spawned-out red salmon collect each summer. Bears congregate to fatten up for winter, according to Sean Farley, a state research biologist who heads an interagency brown bear study team.

Money for the purchase was provided by the Richard and Rhoda Goldman Fund of San Francisco. A sale price was not disclosed.

The Conservation Fund, a national nonprofit organization, has made more than 70 real estate deals in Alaska, most of them for habitat protection. Many have been along the Kenai and Anchor rivers, near Kachemak Bay and near Lake Clark.

Reporter Jon Little can be reached at [jlittle@adn.com](mailto:jlittle@adn.com) or at 907-260-5248.

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Column for Peninsula Clarion, 3/30/01

#### LOCKING UP LAND FOR PUBLIC USE

by Les Palmer

Rep. Ken Lancaster recently introduced HB 165, a bill that would add state-owned lands along the Kenai River and its tributaries to the Kenai River Special Management Area (KRSMA).

This idea was hatched 15 years ago, but couldn't be put forward until state and borough land selections had been completed. That accomplished, it's time to protect these lands.

In 1985, the Lands Subcommittee of the KRSMA Advisory Board met 38 times, part of the long process of writing the first comprehensive management plan for the river. As a member of that body, I well remember why we wanted those lands in the special management area. Left alone, they would be administered by the Department of Natural Resources.

Unfortunately, DNR historically has been less than a perfect landlord. Only after squatters' cabins had proliferated on state lands along Cook Inlet and in the Caribou Hills did this agency take notice that anything was amiss. Judging by its dismal record -- and it's not likely to change -- "DNR" could well mean "Department of No Responsibility."

The inclusion of state-owned lands in the special management area would give them at least minimal protection. Such enforcement as would be necessary would be administered by State Parks, which has year-round staff on the peninsula.

The best reasons for including these additional lands can be found in the 1984 act establishing the Kenai River Special Management Area, in Section 1, Findings: "The river's fishery and wildlife are its most important resources. The highest priority uses of the river and its adjacent land derive from its fishery and wildlife resources, which must be protected and preserved to ensure their renewability and continued usefulness."

Since the Kenai River Special Management Area is in effect a state park, some people will no doubt object to "locking up" more land. To that I say, if you're locking up lands for public fishing, hunting and recreation, lock away! That's the kind of locking up we need more of. The grim alternative is privatization, a true lock-up.

Water quality is another, even more important, reason for protection of these lands. Pollutants in the upper watershed pollute the entire Kenai River. A chemical spill in the Trail lakes or upper Kenai Lake could become a disaster beyond measure.

While serving on the Lands Committee, I was also a real estate broker and developer of recreational properties. At the time, my first thought about those lands along Kenai Lake and the Trail lakes was that they would make nice future home or cabin sites. But I had second thoughts. I decided such development wasn't worth the risk.

The lower 50 miles of the Kenai had already been allocated to private development, along with quite a lot of the upper watershed and lands

along several important tributaries. The Lands Subcommittee concluded that the state lands in the upper watershed should be added to the special management area, which would protect them from most kinds of development, but leave them open for public recreation. Both the Lands Subcommittee and the Kenai River Advisory Board unanimously adopted this recommendation.

That was 15 years ago. The reasons for including those lands are even more important today.

We can't allow ourselves to forget the importance of the Kenai. We must not allow ourselves to take it for granted. Those of us who love the Kenai must regularly remind one another and our elected officials that the river is valuable, but also vulnerable. Protecting the lands along the Kenai is an investment in the river's future.

And our future.

\* \* \*

Want to learn more about the Kenai River and how you can help it to remain one the best salmon-producing streams on earth? Visit the Kenai River Center, 514 Funny River Road; or call 260-4882; or, visit the river center on the Internet at:

[www.borough.kenai.ak.us/KenaiRiverCenter](http://www.borough.kenai.ak.us/KenaiRiverCenter)

Les Palmer is a freelance writer who lives in Sterling.

**QUARTZ CREEK HOMEOWNERS' ASSOCIATION**  
P.O. Box 815, Cooper Landing, AK 99572  
907-595-2129

**RESOLUTION SUPPORTING HB 165**  
March 31, 2001

**Whereas, HB 165 will protect important land parcels adjacent to Quartz Creek Homeowners' Association (QCHA) properties, by including these parcels in the Kenai River Special Management Area, and**

**Whereas, the members of the QCHA have been stewards of the subject land parcels beginning as early as 1947, and following establishment of the QCHA in 1958, and**

**Whereas, the members of the QCHA now extend into the 4<sup>th</sup> generation, and have individually and collectively worked with the residents of Cooper Landing; and local, state, and federal agencies to plan for the future of the area; and**

**Whereas, the members of the QCHA understand that the natural setting and habitat of the alpine area around QCHA properties and Cooper Landing is very fragile and cannot be randomly developed without initiating undesirable and irreversible changes, which will greatly reduce property values and other personal values related to the natural setting, and**

**Whereas, inclusion of the important land parcels listed in HB 165, as parkland within the Kenai River Special Management Area will prevent loss of property values and other personal values related to the natural setting.**

**Therefore, the Quartz Creek Homeowners' Association strongly supports passage of HB 165.**

# FOCL

Friends of Cooper Landing

---

Post Office Box 815  
Cooper Landing, Alaska 99572

**FRIENDS OF COOPER LANDING  
RESOLUTION 2001-01  
REGARDING HB 165  
March 30, 2001**

**Whereas, HB 165 seeks to add lands adjacent to critical waters in the Cooper Landing area to the Kenai River Special Management Area, and**

**Whereas, the residents of Cooper Landing have participated in years of planning efforts that produced the Kenai River Comprehensive Management Plan, the Kenai Area Plan, and the Cooper Landing Land Use Plan, and**

**Whereas, the residents of Cooper Landing recognize the importance of preserving habitat, preventing water pollution, and retaining public recreational access to these waters and the Kenai Lake shore, and**

**Whereas, additional development of the Kenai Lake shore will destroy habitat, introduce water pollution, and restrict public access, and**

**Whereas, the health of Kenai River and all of its tributaries is a critical factor in maintaining robust commercial and sport salmon fisheries, and trout fisheries; and traditional incomes on the Kenai Peninsula, and**


**Whereas, the economy of Cooper Landing is totally based on tourism and outdoor activities, which are dependent upon retaining the natural waters, habitat, and viewshed of the area, and**

**Whereas, addition of the land parcels described in HB 165 to the Kenai River Special Management Area will prevent negative impacts, which is critical to both the present economy and the future vitality of Cooper Landing; and is supported by a majority of Cooper Landing residents.**

**Therefore, the Friends of Cooper Landing strongly support passage of HB 165 and gratefully thank Peninsula legislators for its introduction.**

Friends of Cooper Landing, P.O. Box 815, Cooper Landing, Alaska 99752  
Bob Baldwin, President, 907-595-2129; 250-3913  
<[cooperlanding@alaska.com](mailto:cooperlanding@alaska.com)>

-- Our focal point is Cooper Landing --

Printed On Recycled Paper ALASKA WILDLAND  
March 30, 2001

TO: Representative Lancaster  
FAX: 907-465-3835

RE: Kenai River Special Management Area

Dear Representative Lancaster,

As a tour operator doing business on the Kenai River, we fully support the expansion of the Kenai River Special Management Area.

Our main base of summer operations is in Cooper Landing. We provide rafting trips on the upper Kenai and through the Kenai River Canyon. We also offer day trip and multi day fishing packages along the upper and lower Kenai. We recognize that our guests appreciate the fine quality of this river environment. It is imperative that the fish habitat and wildlife resources be protected. The riparian ecosystem must remain intact in order to provide quality recreational opportunities – especially for those who are willing to spend money to experience a river with wild attributes.

The Kenai River Comprehensive Management Plan recommended the addition of new state owned parcels and tributaries to the KRSMA. By doing so, the intent of providing additional fish and wildlife resource protection will be accomplished. Quality recreational opportunities will simultaneously be expanded. This is good for business and good for the environment.

Respectfully,



Kirk Hoessle  
President

Cc: Representative Drew Scalzi  
Senator John Torgerson



**KENAI PENINSULA**  
**Learning Center**

*At the Scenic Trail Lake Lodge*

Date: 4/1/00

To: Rep. Ken Lancaster (fax 907-465-3835)  
Rep. Drew Scalzi (fax 907-465-3472)  
Sen. John Torgerson (fax 907-465-4779)  
Dir. Jim Stratton (fax 269-8907)

From: Justin Ripley

Re: Support for KRSMA Additions

As the owners of the Trail Lake Lodge located in scenic Moose Pass, we recognize the need to protect the area's watershed resources and corresponding recreational opportunities. We therefore support the 1997 Management Plan additions to KRSMA to the extent that they accomplish such protection.

Thank you for your attention to this matter. If you have any questions regarding our operations in Moose Pass, please do not hesitate to call me at 907-245-0900.

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## COOPER LANDING FISH AND GAME ADVISORY COMMITTEE

P.O. BOX 721  
COOPER LANDING, AK 99572  
PHONE: (907) 595-1540  
FAX: (907) 595-1540

April 6, 2001

Honorable Ken Lancaster  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182

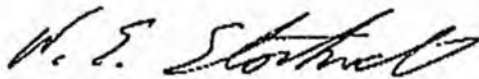
Dear Representative Lancaster,

At its scheduled and advertised meeting of April 3, 2001, the Cooper Landing Fish and Game Advisory Committee took public comment, discussed and voted on agenda item HB 165, KRSMA additions. Our recorded vote was 6 members in support of HB 165 and 2 members opposed to HB 165.

Those supporting HB 165 felt these land and water additions support public future access and recreational opportunity, the sustainability of future fish and wildlife resources, and the protection of fish and wildlife habitat. Those opposed felt that this legislation was not politically viable and that future public access, use and development of these lands and waters could be needlessly protected and restricted by adding these lands and waters to KRSMA.

We hope that our comments both pro and con are useful during the debate on HB 165. If we can be of further assistance on this issue, please contact Bill Stockwell at 595-1540.

Sincerely,



Bill Stockwell, Chair

cc: Senator John Torgerson  
Representative Drew Scalzi  
Ted Wellman, KRSMA Advisory Board President  
ADF&G Board Support Section

Introduced by:	Navarre
Date:	02/02/99
Action:	Adopted
Vote:	7 Yes, 2 No

<b>KENAI PENINSULA BOROUGH</b>
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<b>RESOLUTION 99-013</b>
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**A RESOLUTION URGING THE ALASKA STATE LEGISLATURE  
INCLUDE ADDITIONAL STATE LAND INTO THE  
KENAI RIVER SPECIAL MANAGEMENT AREA**

**WHEREAS**, the Alaska State Legislature established the Kenai River Special Management Area in 1984 to preserve and protect important fish and wildlife habitat and resources and to provide for recreational opportunities; and

**WHEREAS**, the Alaska Department of Natural Resources in cooperation with the Kenai River Special Management Area Advisory Board developed the 1986 Kenai River Comprehensive Management Plan; and

**WHEREAS**, in December 1997 a revised Kenai River Comprehensive Management Plan was adopted by the Commissioner of Natural Resources based on recommendations from the Kenai River Special Management Area Advisory Board; and

**WHEREAS**, the revised plan has recommended the additional State-owned lands and tributaries adjacent to the Kenai River be included in the boundary of the Kenai River Special Management Area; and

**WHEREAS**, Goal 3.9 of the Kenai Peninsula Borough Comprehensive Plan is to provide quality outdoor recreational areas and opportunities for Borough residents and visitors; and

**WHEREAS**, Goal 4.3 of the Kenai Peninsula Borough Coastal Management Program recommends public lands be retained for public open space or recreation areas; and

**WHEREAS**, the addition of these State lands and tributaries meets the goals and objectives of these Borough plans;

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

**SECTION 1.** The Kenai Peninsula Borough Assembly supports the addition of State land adjacent to the

Kenai River and the addition of Kenai River tributaries into the boundaries of the Kenai River Special Management Area.

**SECTION 2.** The Alaska State Legislature is urged to introduce legislation to amend Alaska Statute 41.21.500 and to expand the boundaries of the Kenai River Special Management Area to include the 9,681 acres identified in the 1997 Kenai River Comprehensive Management Plan.

**SECTION 3.** That copies of this resolution shall be provided to The Honorable Tony Knowles, Governor, State of Alaska; the Honorable John Shively, Commissioner of Alaska Department of Natural Resources; the Honorable Brian Porter, Speaker of the House, Alaska House of Representatives; the Honorable Drue Pearce, Senate President, Alaska State Senate; Representative Gary Davis, Representative Hal Smalley, Representative Scott Ogan, Representative Jerry Sanders, Senator John Torgerson, and Senator Jerry Ward.

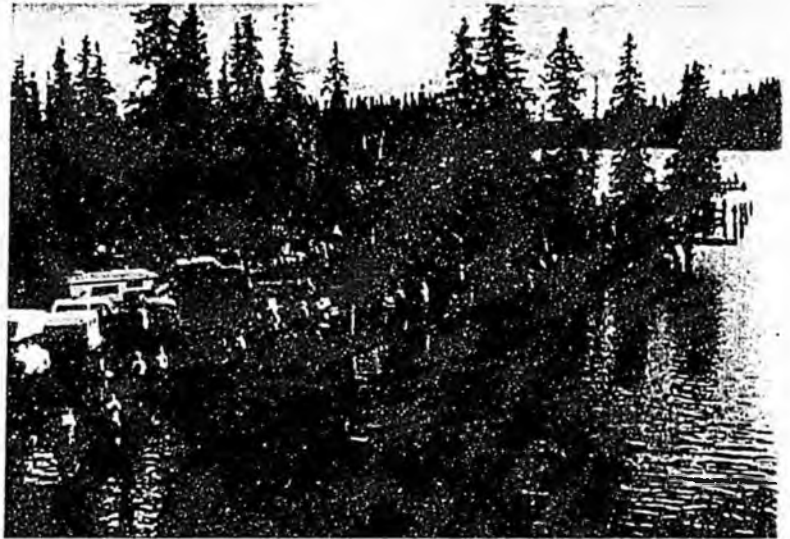
**SECTION 4.** This resolution shall take effect immediately upon adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF FEBRUARY, 1999.**

# New Proposed Land Additions for the Kenai River Special Management Area

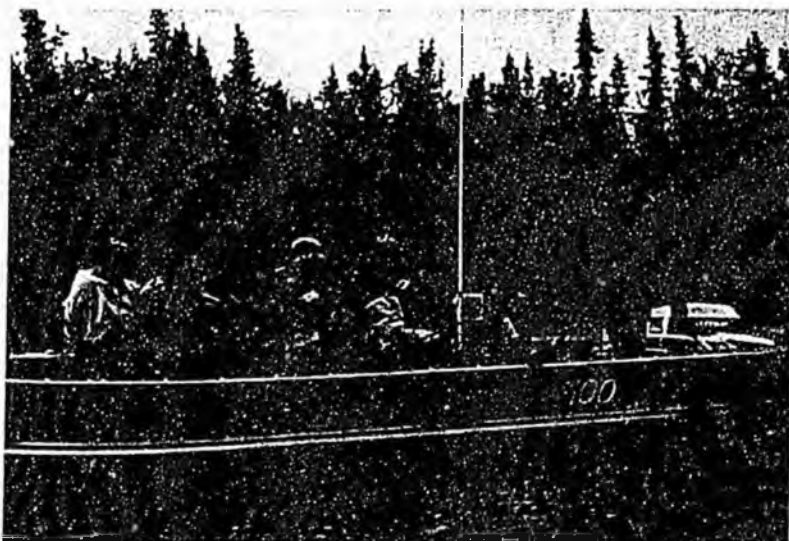
## Background

During public meetings to revise the Kenai River Comprehensive Management Plan (KRCMP) and subsequent public review of the Kenai Area Plan, comments clearly suggested that the State should manage the Kenai River as a watershed system. The health of the entire Kenai River system, including its many communities, depends on sustaining adequate water quality and quantity, and healthy riparian fish and wildlife habitat throughout the watershed's basin. The region's economy depends on the \$37 million in direct spending by non-locals visiting the Kenai River. River guides, RV Park owners, motels, B&B and restaurant operators, car and boat rental dealers, and many other local Kenai Peninsula businesses depend upon a healthy Kenai River for economic sustainability.



## Proposal

The Kenai River Special Management Area (KRSMA), under direction from the Alaska Legislature (AS 41.21.50) is managed as a unit of the Alaska State Park system by the Division of Parks and Outdoor Recreation, Department of Natural Resources. To provide the protection and management called for in the management plan revision, 7938 acres of general state lands, 11 upper Kenai River or Kenai Lake tributaries, and the water of Upper and Lower Trail Lakes must be legislative added to the boundary of KRSMA. This includes almost all the public lands and waters that contribute to sustaining the Kenai River's important fish, wildlife, and recreational resources. The level and consistency of management to adequately protect the valuable resources of these lands and waters is currently not possible without KRSMA designation. Existing park staff assigned to KRSMA is adequate to cover additional management responsibilities. No new facilities are planned for the proposed additional lands.



## Why now?



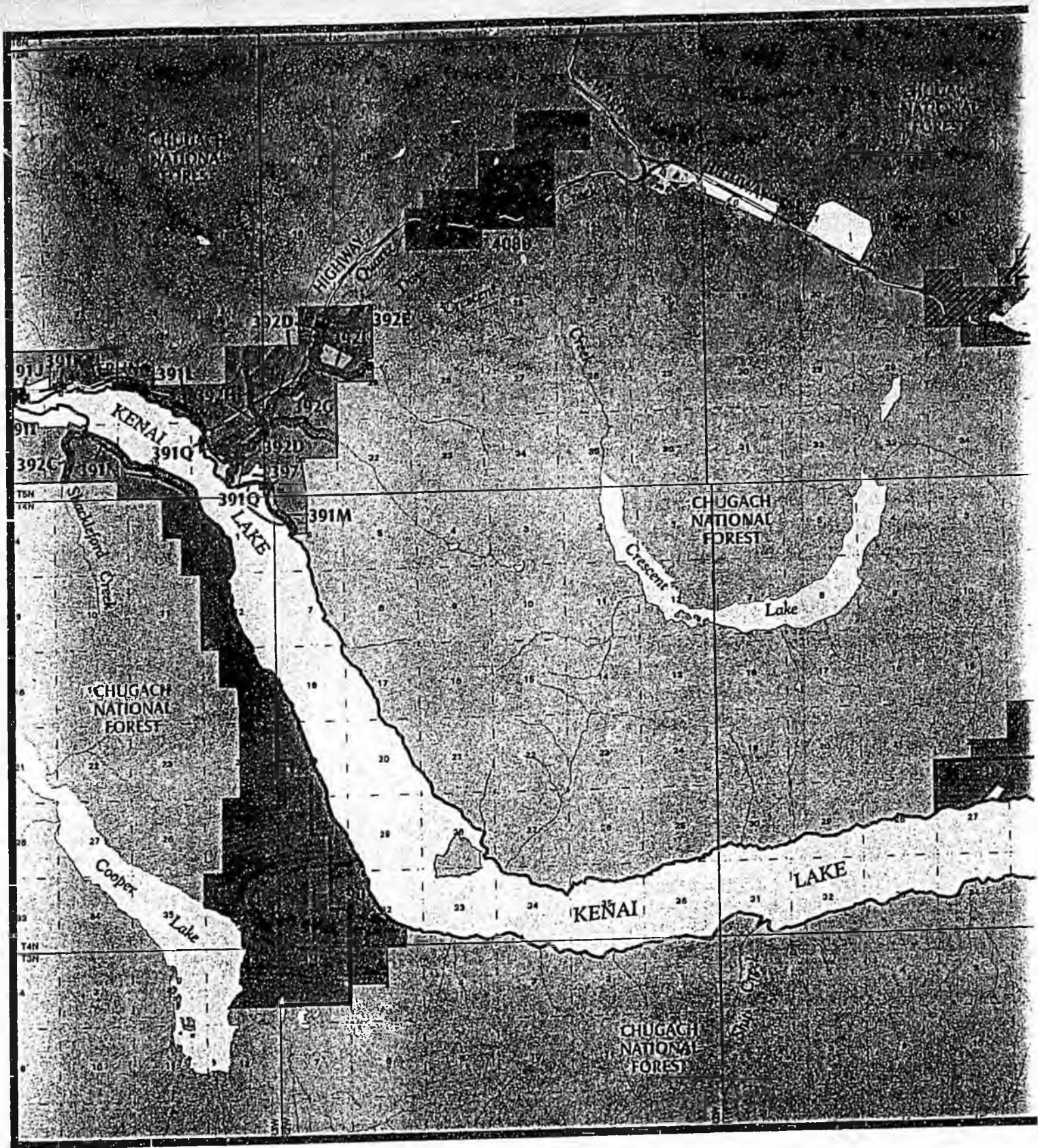
During the creation of the KRSMA in 1984, the State had not yet received title from the federal government to lands surrounding Upper and Lower Trail lakes, Trail River, and adjacent lands around the upper Kenai River and Kenai Lake. The original Kenai River Comprehensive Management Plan directed the state to designate these lands for the KRSMA once they became available. Since that time, these lands have been conveyed to the state. The recent plan revision re-emphasizes the intent that these important habitat lands and waters should be included in the boundaries of the Special Management Area.

## Where are these lands?

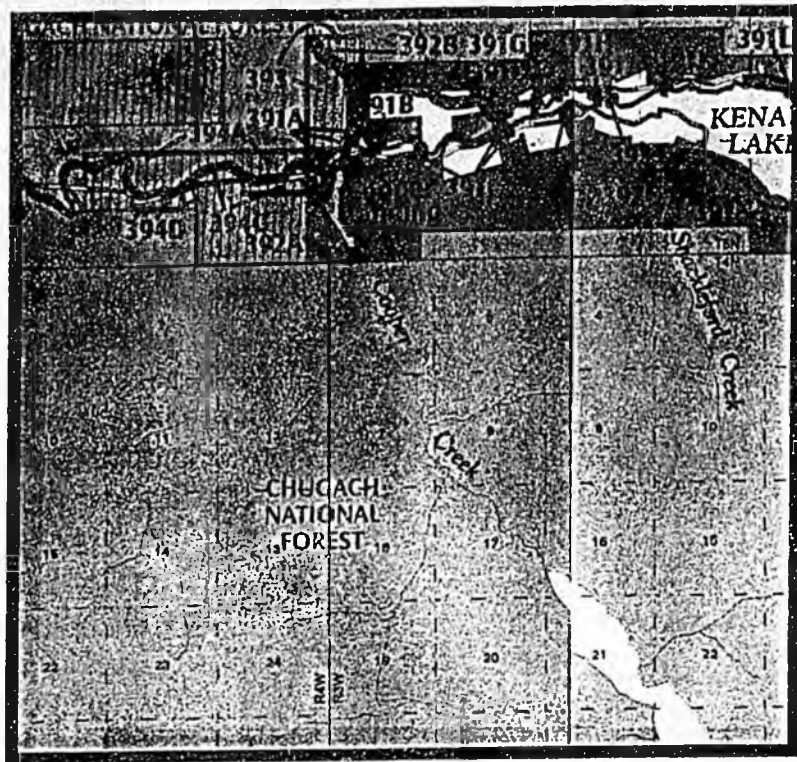
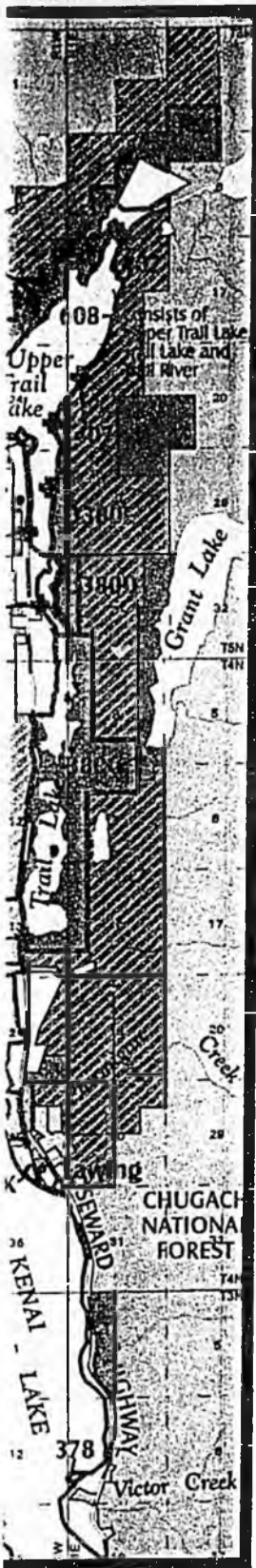
The largest blocks of proposed lands are on the south side of Kenai Lake along Snug Harbor Road and up to Cooper Lake, and around much of Upper and Lower Trail lakes, and Trail River in the Moose Pass area. Of key importance are the numerous tributary streams draining into the upper Kenai River and Kenai Lake. These are important contributors to the watershed's fishery and water resources. A 200-foot corridor has been retained along each side of most of the tributaries and is proposed for KRSMA addition, along with each tributary. The mineral closing order for the KRSMA does not include those streams north of Cooper Creek.

Downstream from Skilak Lake are a few limited additions proposed, primarily lands acquired as habitat and recreation lands under the Exxon Valdez Oil Spill settlement funding, or isolated tracts of state land overlooked during the 1984 KRSMA legislation.











Kenai Lake



# Upper River Segment

## LEGEND

### Land Ownership:

-  ANY COLOR KRSMA - Managed by Alaska State Parks
-  Other State Owned
-  Borough
-  Borough selected
-  Federal (Nat'l. Forest, Refuge, Wilderness)
-  Private

### Proposed Additions to KRSMA:

-  State
-  State parcels smaller than 2 acres

### Map features

-  Main roads

