

HB

70

<TARGET><BILL>HB 70</BILL><SUBJECT>HB
70</SUBJECT><COMM>SCRA29</COMM></TARGET>

SENATE COMMITTEE REPORT

DATE: 2/25/15

FURTHER: Resources

DATE TURNED
IN TO OFFICE: 3/19/15

Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 70(RES)

HB 70 CREAMER'S FIELD REFUGE

"An Act adding land and water to the Creamer's Field Migratory Waterfowl Refuge."

and recommends:

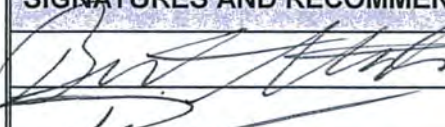

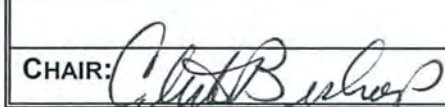
- be replaced with SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
DFG			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	STEGOMAN			✓	
	EVAN			✓	
Anna Mackinnon	MACKINNON			✓	
CHAIR: 	Bishop	✓			



Representative Adam Wool

Alaska State Legislature

District 5 Fairbanks

Chena Ridge • College • University West • Geist • UAF Campus • South Van Horn
Cripple Creek • Richardson • Parks Highway • Airport • Dale • Lakeview

MEMORANDUM

Date: February 3, 2015

From: Representative Adam Wool

To: Senator Click Bishop, Chair, Senate Community and Regional Affairs Committee

Re: Hearing Request for House Bill 70

I respectfully request that House Bill 70 concerning Creamer's Field Waterfowl Refuge be scheduled for a hearing in the Senate Community and Regional Affairs Committee. I have enclosed the version that passed the House, the attached zero fiscal note, and supporting documents. Please contact me or David Dunsmore of my staff at 465-4976 if you have any questions or concerns with this bill.

Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read "Adam Wool".



Representative Adam Wool

Alaska State Legislature

District 5 Fairbanks

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House Bill 70

Expanding Creamer's Field

House Rules Scheduling Request Packet Table of Contents

- 1: House Resources Committee Substitute Version E (3 pages)
- 2: Zero Fiscal Note HB070-DFG-WCD-01-29-15 (2 pages)
- 3: Sponsor Statement for HB 70 (1 page)
- 4: Creamer's Field Land Status Map (1 page)
- 5: Excerpt from Creamer's Field Migratory Waterfowl Refuge Management plan (3 pages)
- 6: Current Language of AS 16.20.039 (2 pages)
- 7: Letter of Support from the Alaska Chapter of the Wildlife Society (1 page)

CS FOR HOUSE BILL NO. 70(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 2/13/15

Referred: Rules

Sponsor(s): REPRESENTATIVES WOOL, Kawasaki, Josephson, Gara

A BILL

FOR AN ACT ENTITLED

1 **"An Act adding land and water to the Creamer's Field Migratory Waterfowl Refuge."**

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

3 *** Section 1.** AS 16.20.039(a) is repealed and reenacted to read:

4 (a) The following state-owned land and water is established as the Creamer's
5 Field Migratory Waterfowl Refuge:

6 (1) commencing at the Section Corner on the Fairbanks Base Line
7 common to Sections 33 and 34, Township 1 North, Range 1 West, Fairbanks
8 Meridian, Point of Beginning, thence East along the Fairbanks Base Line 4703.30 feet,
9 thence South 0 degrees 00 minutes 16 seconds West 235.67 feet to the south bank of a
10 tributary of Isabella Creek, thence along the south bank of the tributary to Isabella
11 Creek North 70 degrees 59 minutes 51 seconds West 525.44 feet, continuing North 88
12 degrees 22 minutes 22 seconds West 85.48 feet to the confluence with the south bank
13 of Isabella Creek, thence along the south bank of Isabella Creek South 85 degrees 27
14 minutes 47 seconds West 209.43 feet, continuing South 68 degrees 10 minutes 59
15 seconds West 220.04 feet, continuing South 65 degrees 19 minutes 35 seconds West

1 434.66 feet to the northwestern boundary to Tract No. 5 of instruction number 60-
2 4556 (Plat, recorded June 21, 1960) in the Fairbanks Recorder's Office, thence South
3 53 degrees 52 minutes 05 seconds West 1228.34 feet along the westerly boundary of
4 the Subdivision of Tract No. 5 from the Charles Creamer Property, thence South 35
5 degrees 00 minutes 05 seconds West 300.08 feet to the northerly boundary of Lemeta
6 Subdivision, thence along the north boundary of the Lemeta Subdivision North 89
7 degrees 52 minutes 58 seconds West 646.40 feet to the northern College Road right-
8 of-way, thence along the north edge of the College Road right-of-way North 71
9 degrees 53 minutes 31 seconds West 688.05 feet, thence North 18 degrees 21 minutes
10 30 seconds East 12 feet, continuing on a 2 degree 17 minute 26 second curve to the
11 right 415.49 feet, continuing North 62 degrees 07 minutes 30 seconds West 275.16
12 feet, thence North 27 degrees 52 minutes 30 seconds East 10.00 feet, continuing on a 2
13 degree 26 minute 29 second curve to the left 473.08 feet, thence leaving the College
14 Road right-of-way North 0 degrees 03 minutes East 611.23 feet to the Fairbanks Base
15 Line, thence North 89 degrees 56 minutes 34 seconds East along the Fairbanks Base
16 Line 200.03 feet to the Section Corner common to Sections 33 and 34 on the
17 Fairbanks Base Line and the Point of Beginning, containing 83.7 acres, more or less;

18 (2) the W1/2SW1/4 and the SE1/4SW1/4 of Section 27; the S1/2 of
19 Section 28; the portions of the S1/2SE1/4 lying southerly of the Farmers Loop Road
20 right-of-way and the SE1/4SE1/4NE1/4SE1/4 of Section 29; all of Section 34; and the
21 W1/2 and the W1/2E1/2 of Section 35, all in Township 1 North, Range 1 West,
22 Fairbanks Meridian;

23 (3) Tract B-2 and Tract C of Alaska State Land Survey No. 83-62 in
24 Section 33, Township 1 North, Range 1 West, Fairbanks Meridian, according to Plat
25 No. 83-272 as filed in the Fairbanks Recording District on December 20, 1983, and as
26 modified by the public utility easement vacation plat filed in the Fairbanks Recording
27 District on February 22, 1985, as Plat No. 85-27;

28 (4) the SW1/4SW1/4 of Section 26 in Township 1 North, Range 1
29 West, Fairbanks Meridian (also known as a portion of Tax Lot 2600);

30 (5) the SE1/4 of Section 27 in Township 1 North, Range 1 West,
31 Fairbanks Meridian excepting therefrom:

1 (A) all that portion lying within Air Park Subdivision according
2 to the plat filed November 20, 1976, as Plat No. 78-206 Fairbanks Recording
3 District; Replat Lot 7 Block 1 Air Park Subdivision and Air Park Subdivision
4 First Addition according to the plat filed April 2, 1979, as Plat No. 79-56
5 Fairbanks Recording District; Air Park Second Addition, according to the plat
6 filed November 26, 1979, as Plat No. 79-264 and amended plat filed May 15,
7 1980, as Plat No. 80-86 Fairbanks Recording District; Air Park Subdivision
8 Third Addition according to the plat filed June 14, 1993, as Plat No. 93-160
9 Fairbanks Recording District; and

10 (B) the West 240 feet as conveyed to Sherman Field Airstrip
11 Owner's Association, Inc., by Bargain and Sale Deed recorded January 19,
12 1989, in Book 606, Page 586, Fairbanks Recording District;

13 (6) the E1/2SW1/4SE1/4NW1/4, W1/2SE1/4SE1/4NW1/4, and the
14 portions of E1/2NW1/4SE1/4NW1/4 and the W1/2NE1/4SE1/4NW1/4 lying southerly
15 of Farmers Loop Road right-of-way, according to the Department of Transportation
16 and Public Facilities Project RS-0644(13)/60384, as Plat No. 2008-89, Fairbanks
17 Recording District, all lying within Section 28 in Township 1 North, Range 1 West,
18 Fairbanks Meridian;

19 (7) the E1/2SW1/4 and the NW1/4SW1/4 within Section 26 in
20 Township 1 North, Range 1 West, Fairbanks Meridian.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSHB 70(RES)
Fiscal Note Number:	1
(H) Publish Date:	2/13/2015

Identifier: HB070-DFG-WCD-01-29-15
 Title: CREAMER'S FIELD REFUGE
 Sponsor: WOOL
 Requester: House Resources Committee

Department: Department of Fish and Game
 Appropriation: Wildlife Conservation
 Allocation: Wildlife Conservation
 OMB Component Number: 473

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Initial version of the fiscal note.

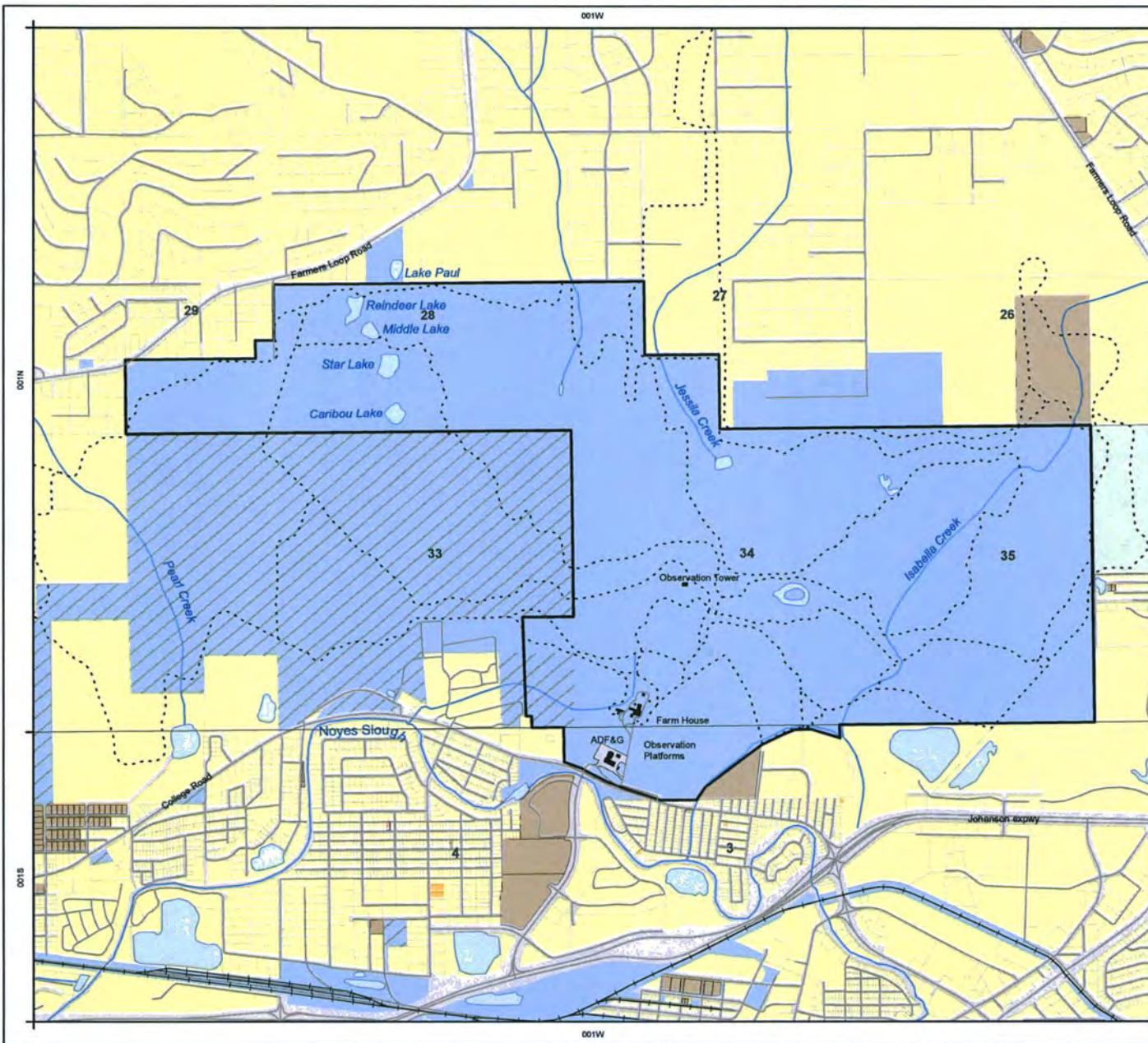
Prepared By:	Bruce Dale, Acting Director	Phone:	(907)861-2101
Division:	Wildlife Conservation	Date:	01/28/2015 08:40 PM
Approved By:	Sunny Haight, Administrative Services Director	Date:	01/29/15
Agency:	Fish and Game		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

House Bill 70 will amend the legal boundary description for Creamer's Field Waterfowl Refuge to include lands that have either deed restrictions or management rights directing that they be managed as a part of the Refuge until such a time as they can be included in the Refuge's statutory boundary language. The addition of these parcels of land to the Refuge's statutes will not require any additional funding.



Creamer's Field Migratory Wildfowl Refuge

Legend

Creamer's Field Boundary

Landstatus

Federal Lands

BLM

State Lands

State of Alaska

University of Alaska

Other Lands

Private

City of Fairbanks

Fairbanks North Star Borough

Trail



Map Produced by
State of Alaska
Dept. of Fish and Game
Date: 9/28/2010



0 0.5 1 Miles





Representative Adam Wool

Alaska State Legislature

District 5 Fairbanks

Chena Ridge • College • University West • Geist • UAF Campus • South Van Horn
Cripple Creek • Richardson • Parks Highway • Airport • Dale • Lakeview

House Bill 70 Expanding Creamer's Field

House Bill 70 adds four state-owned parcels to the Creamer's Field Migratory Waterfowl Refuge in Fairbanks. This land is currently managed by the Department of Fish and Game (ADF&G) under the Creamer's Field Management plan and several refuge trails cross the refuge boundaries into these parcels.

Creamer's Field is a unique only-in-Alaska attraction that is just a short five minute drive from downtown Fairbanks. Active farming continues on over 100 acres and local residents and the refuge is renowned for its world class bird watching opportunities. Locals and visitors enjoy year round recreation at Creamer's Field including dog mushing, cross country skiing, skijoring, hiking, hunting, and trapping. Creamer's Field is also the home to the popular Camp Habitat summer camp for local youth, and the annual Tanana Valley Sandhill Crane Festival.

The history of Creamer's Field dates back to the early days of Fairbanks when Charles Hinckley brought three cows from Nome to open a dairy. Hinckley paid for his passage from Nome by selling milk to his fellow sternwheeler passengers. In 1928, the Creamer family purchased the land from Hinckley and continued dairy operations until selling the property in 1966. The historic dairy buildings remain on the site and are listed in the National Register of Historic Places.

When the Creamers put the dairy on the market, the Fairbanks community raised funds to purchase it so it could be preserved as a community landmark. The refuge continues as public private partnership with the Friends of Creamer's Field, a 501(c)(3) charitable organization, working with the department to provide educational activities at the refuge.

The four parcels to be added to the refuge were acquired at various times since 2001 and passage of House Bill 70 will formally protect these lands and ensure they are available for future generations to use for hunting, trapping, mushing, walking, and learning.



THE WILDLIFE SOCIETY
ALASKA CHAPTER

5800 Kalgin Drive

23 January 2015

The Alaska Chapter of The Wildlife Society is a professional society founded in 1971. With over 200 members, the Alaska Chapter is one of the largest chapters of The Wildlife Society, an international organization representing wildlife biologists and managers employed by state, federal, and borough resource agencies, academic institutions, non-governmental conservation organizations, and private industry. Our mission is to enhance the ability of wildlife professionals to conserve biological diversity, sustain productivity, and ensure responsible use of wildlife resources in Alaska for the benefit of society.

The Honorable Benjami Nageak and Dave Talerico
House Resources Committee
Alaska State Legislature
Juneau, AK 99801-1182

Dear Representatives Nageak and Talerico,

I am writing in support of HB 70, "An act adding additional land and water to the Creamer's Field Migratory Waterfowl Refuge." This bill adds land that is already owned by the state to the Creamer's Field Refuge. It does not increase land ownership by the state, nor does it impose an additional financial burden on the state.

These lands border the refuge and were conveyed by private entities to the state with the intent that they be included within the refuge boundaries. Although the state now owns the land, the Alaska Department of Fish and Game has no management authority over them without legislative action. Thus, ADF&G cannot undertake habitat improvements or manage public access.

Creamer's Field is a valued refuge. Thousands of Alaskans and out-of-state visitors come to the refuge each year to view migratory birds and experience the outdoors. Your efforts will help ensure that the quality of the refuge remains undiminished.

I hope that you and others on the Resources Committee will support this legislation and forward it for consideration by other members of the House.

Sincerely,

/s/ Grant Hilderbrand
Grant Hilderbrand
President, Alaska Chapter of The Wildlife Society

Creamer's Field Migratory Waterfowl Refuge

Interim Management Plan March 1993

Prepared by:

Alaska Department of Fish and Game Divisions of Wildlife Conservation and Habitat and Restoration

Carl Rosier, Commissioner
Alaska Department of Fish and Game

David Kelleyhouse, Director
Division of Wildlife Conservation

Frank Rue, Director
Habitat and Restoration Division

Creamer's Field Migratory Waterfowl Refuge Interim Management Plan

PREFACE

Creamer's Field Migratory Waterfowl Refuge encompasses approximately 1,790 acres of state-owned land in the heart of the Fairbanks community. It is known best for the fields adjacent to College Road that attract large numbers of migrating waterfowl each spring, and provide open, pastoral views of the old Creamer's Dairy site. Thousands of people stop to view waterfowl and other wildlife from the roadside parking/viewing area off College Road each spring. After the waterfowl have left Creamer's for nesting grounds, many Fairbanksans and visitors continue to use the refuge for a variety of outdoor activities, or to simply enjoy the peaceful scenery.

Activities on the refuge include agriculture, research, wildlife watching, photography, walking, working-dog training, hunting, trapping, cross-country skiing, dog mushing, skijoring, and snowmachining. As tourism increases in Fairbanks, Creamer's is seeing more use by visitors from other areas, both individuals and tour groups. The regional headquarters for the Alaska Department of Fish and Game (the department or ADF&G) is located on the refuge, next to College Road (see Map One).

Historically, waterfowl viewing at Creamer's Field began when dairy activities first started to attract migrating birds about 1910. The cleared fields with their residual grain and forage crops, and with manure spread on them, melted out early in the spring, providing shallow ponds and feed for waterfowl. Fairbanksans soon learned that excellent spring viewing of these birds was available from Ester Road (what College Road was first called) where it passed Creamer's Dairy. Local news media always featured (and still does) pictures and stories about this wondrous spring migration event along with news about the breakup of interior rivers.

When the dairy fields were put up for sale in 1966, Fairbanks residents who recognized their value for wildlife habitat and open space for the growing community came together to find a way to acquire the property for the public. In 1967 these people, operating through the Alaska Conservation Society, started a fund drive and collected enough money to buy an "option to purchase." This option held the land open until the state obtained federal Pittman-Robertson funds and state funds appropriated by the legislature to purchase the fields (about 250 acres). The Creamer family was anxious to see the dairy fields go to public ownership, and supported this effort by keeping the land off the open real estate market. The fund drive occurred just after the devastating 1967 flood, and its success at this difficult time shows the dedication of Fairbanksans to the concept of keeping Creamer's for wildlife.

Following the purchase, ADF&G worked with the Alaska Department of Natural Resources to get 1,500 acres of adjacent state land, together with the dairy fields, administratively designated as the Fairbanks Wildlife Management Area, in order to protect the wildlife habitat values of the entire area. In 1979 the Alaska Legislature

Creamer's Field Migratory Waterfowl Refuge Interim Management Plan

STATUTORY PURPOSES OF THE REFUGE

(see Appendix A for full text)

1. To provide protection and enhancement of habitat for migratory birds with special emphasis on waterfowl (Alaska Statutes (AS) 16.20.039(c)(1)).
2. To provide opportunity to view, photograph and study various species of plants, wildlife and geological features typical to Interior Alaska (AS 16.20.039(c)(2)).
3. To promote the above purposes by the development of a management plan for the refuge (AS 16.20.039(d)).

AS 16.29.039(d) further directs that recreational and agricultural activity is expressly permitted within the refuge if consistent with the management plan.

MANAGEMENT GOALS

(Mission Statement)

The Creamer's Field Migratory Waterfowl Refuge is managed to protect and enhance wildlife habitat, with special emphasis on waterfowl and other migratory birds, to promote conservation of wildlife, and to provide for compatible public uses. The management goals for the refuge are:

1. To protect and enhance the quality and diversity of habitat for wildlife with special emphasis on waterfowl and other migratory birds.
2. To protect and enhance the opportunity to view, photograph and gain an understanding of ecosystems, including wildlife species, plant species, geological and other features typical of Interior Alaska.
3. To encourage opportunities for public education about terrestrial and aquatic ecosystems, wildlife, habitat, historical resources and other related topics.
4. To allow other public uses that are consistent with the above statutory purposes and management goals.

Sec. 16.20.039. Creamer's Field Migratory Waterfowl Refuge.

(a) The following state-owned land and water is established as the Creamer's Field Migratory Waterfowl Refuge:

(1) commencing at the Section Corner on the Fairbanks Base Line common to Sections 33 and 34, T1N R1W Fairbanks Meridian, thence east along the Fairbanks Base Line 4703.30', thence S0 00' 16"W 235.67' to a tributary of Isabella Creek, thence along the south bank of the tributary to Isabella Creek N70 59' 51"W 525.44', thence N88 22' 22"W 85.48', thence along the south bank of Isabella Creek S85 27' 47"W 209.43', thence S68 10' 59"W 220.04', thence S65 19' 35"W 434.66', thence S53 52' 05"W 1228.34', thence S35 00' 05"W 300.08' to the Lemeta Subdivision, thence along the north boundary of the Lemeta Subdivision N89 52' 58"W 646.40' to the College Road right-of-way, thence along the north edge of the College Road right-of-way N71 53' 31"W 688.05', thence N18 21' 30"E 12', thence on a 2 17' 26" curve to the right 415.49', thence N62 07' 30"W 275.16', thence N27 52' 30"E 10.00', thence on a 2 26' 29" curve to the left 473.08', thence leaving the College Road right-of-way N0 03' E 611.23' to the Fairbanks Base Line, thence N89 56' 34"E along the Fairbanks Base Line 200.03' to the Section Corner common to Sections 33 and 34 on the Fairbanks Base Line and the point of beginning, containing 83.7 acres, more or less;

(2) the W1/2 SW1/4 and the SE1/4 SW1/4 of Section 27; the S1/2 of Section 28; the S1/2 SE 1/4 and the SE1/4 SE1/4 NE1/4 SE1/4 of Section 29; all of Section 34; and the W1/2 and the W1/2 E1/2 of Section 35, all in T1N R1W Fairbanks Meridian;

(3) Tract B-2 and Tract C of Alaska State Land Survey No. 83-62 in Section 33, T1N R1W Fairbanks Meridian, according to Plat No. 83-272 as filed in the Fairbanks Recording District on December 20, 1983, and as modified by the public utility easement vacation plat filed in the Fairbanks Recording District on February 22, 1985, as Plat No. 85-27.

(b) The land and water described in (a)(1) of this section is subject to an easement for water and sewer lines given to the City of Fairbanks, along a portion of the southern boundary of the tract, more particularly described as follows: commencing at the Section Corner on the Fairbanks Base Line common to Sections 33 and 34, T1N R1W Fairbanks Meridian, thence N89 55' W 200.01', thence S0 03' W 611.23', thence easterly on a 2 26' 29" curve to the right a distance of approximately 201' to the intersection with the section line common to Sections 3 and 4 T1S R1W Fairbanks Meridian, and the start of the easement, the easement being 20' wide entirely to the left of the line being now described: continue easterly on a 2 26' 29" curve to the right 272', thence S27 52' 30"W 10', thence S62 07' 30"E 275.16', thence on a 2 17' 26" curve to the left 402.96', thence N11 01' E 75.62', thence S71 38' 30"E 965.11', thence S89 52' 58"E approximately 378.00' to the end of the easement, being a point of the boundary of the land and water described in (a)(1) of this section.

(c) The Creamer's Field Migratory Waterfowl Refuge is established to provide the following:

(1) protection and enhancement of habitat for migratory birds with special emphasis on waterfowl;

(2) opportunity to view, photograph, and study various species of plants, wildlife and geological features typical to interior Alaska.

(d) The department shall develop a management plan for the land described in (a) of this section to promote the purposes described in (c) of this section. Recreational and agricultural activity is expressly permitted within the land described in (a) of this section if consistent with the management plan adopted by the department.