

ALASKA LEGISLATURE COMMITTEE FILES 1901-1902 0072

1928

SRES

SB 796

1928

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SENATE RESOURCES COMMITTEE
LEGISLATION CHECKLIST

SB 796

BILL NUMBER

IDENTIFICATION:

BILL NAME: "An Act establishing the Alaska Chilkat Bald Eagle Preserve; and providing for an effective date."

SPONSOR(S): Ray

RELATED BILLS PENDING: SB 582 (?)
HB 881

DATE INTRODUCED: 2/16/82

REFERRALS Resources

INITIAL RESEARCH:

INITIAL BILL SUMMARY COMPLETED

SUMMARY BY LEGAL DIVISION:
DEPT. OF LAW SUMMARY:

Revised 4/2

SPONSOR CONTACTED FOR BACKUP MATERIALS:

FISCAL NOTE:

3/24 None - Per Red Stoops

AGENCY RESPONSE:

Red Stoops
3/24 Sharon? info + fiscal notes - None
map + knowledge
delivered 3/25 or 26

OTHER INTERESTED SENATORS OR REPS. NOTIFIED:

BACKGROUND RESEARCH:

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES:

RESPONSES FROM INTERESTED PERSONS AND/OR GROUPS:

2/26 - Agreement letter *2/1 - Terry Fowler amendment memo*
3/15 - Petition from Klukwan - opposed (62 of pop. of 135)
4/1 - Chris letter in support - letter city of Homer re: Eagle + SB 582

OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, LAWS:

HEARING PREPRATION:

CHAIRMAN BRIEFED:

DATE AND PLACE SET: *4/7*

STAFF MEMO TO COMMITTEE:

TELECONFERENCE *4/7* *Sharon* *Sharon* *Amelia*

BACKGROUND MATERIAL DISTRIBUTED

PSA/PRESS RELEASE

LIST OF WITNESSES:

SUGGESTED AMENDMENTS/CS DRAFTED:

notify - Paul Wellman 766-2234
- Sarah Gillis 586-1432, Ext. 258
- Terry Fowler, Upper House Judicial Committee - 460

Amendment number _____

To CS for Sponsor Substitute for Senate Bill 796 (Finance)

Page 5, line 12

After the word "egress.", add the following:

Any permittee, licensee, or other party, person, organization, or other entity which is designated by the private landowner or holder of valid existing rights to exercise the rights of access and egress granted to the private landowner or holder of valid existing rights under this section shall be allowed to exercise such rights.

Page 5, line 18

After the word "preserve.", add the following:

The term valid existing rights shall include but not be limited to valid mining rights, existing mineral leases and subsurface rights.

Page 13, line 27

After the word "section.", delete the last sentence of subsection (a) in its entirety.

Page 14, line 1

Delete "may" and replace with "shall" *The Governor shall appoint members to the council*

Page 19, line 17

Delete "in AS 38.04.910" *Deletes per seum*

Page 20, line 13

Delete the words "and roadside structures"

amth 2

Using CS for Sponsor Substitute for Senate Bill #796 (Finance) as the latest draft;

On Page 19, lines 23 and 24: Change "The management plan shall be based on an existing operational level inventory . . ." to "The management plan should be based on a current operational level inventory completed within the last ten years and updated as future inventory information becomes available."

This was the language contained in the original draft prepared for Senator Ray, and supported by all parties to the consensus.

On Page 4, line 14: Change AS 41.20.506 (a) to AS 41.20: 506 (a) and (b).

On Page 4, line 29: " " " " " " "

On Page 5, line 20: " " " " " "

When these sections were renumbered in recent drafts, the reference to purposes contained in both sections was inadvertently dropped.

APP W.C.

Am # 1

AMENDMENT to CSSB 796 F

In sec. 41.20.507 (d), delete the period and insert a comma and add the following:

and, "subject to the provisions of section 2 of the Bald Eagle Protection Act, 16 U.S.C. 668a, which authorize the Secretary of the Interior to permit the taking of bald eagles for the religious purposes of Indian tribes.

Page 14,
line 19.

adopted

We therefore petition the Legislature to consider the following:

*State loose
all it can
and still
working on
adjudication
now and then
the lands.*

1. Native allotments: We request the State to remove all protests & contests filed against native allotment applications, subject to valid existing rights, made pursuant to the Act of May 17, 1906 (34 Stat. 197 as amended) which were pending before the Department of the Interior on or before December 18, 1971 and which qualify for approval under Section 905 of the Alaska National Interest Lands Conservation Act. Public Law 96-487. Dec. 2, 1980.

2. That all historical and burial sites selected through the ANSCA be protected from further vandalism and destruction by the Department of Transportation, city governments and others.

3. That all State entities be instructed that disputes over the Roads and Rights of Way that exist without approval over Native lands be resolved.

4. That the proposed Fish & Wildlife Advisory Council for the Klukwan area be recognized as the Advisory Board for Preserve Management in addition to its normal functions, rather than create a new board.

5. That our traditional and subsistence use of the entire area not be infringed upon nor neglected to a point where our lands would become inaccessible and

6. That maintenance, snow removal, construction of improvements, drainage ditches, culverts, etc.) be on a regular year-round basis as State law specifies for the public roadways in the Klukwan area.

*Page 2
line 29*

5-10

Page 4

*outside
jurisdiction*

*Letter from DNR & DOT + T&H
on 11/11/80
Alaska State of Lands*

HAINES STATE FOREST RESOURCE MANAGEMENT AREA
Legal description of that portion west of Chilkoot Inlet.

All Lands encompassed by:

U.S. Survey 3708, TRACT A, B and C; excluding U.S.M.S. 2206

Township 28 South, Range 56 East of the Copper River Meridian

Section 29: that portion of the N1/2 lying East of U.S.S. 3708.

Section 34: SE1/4 and NW1/4.

Those Mental Health Lands (MH-153) approved in the State Selection letter from BLM dated August 26, 1974, described as follows:

Beginning at corner No. 1 of this tract which is common to angle point No. 5 of U.S. Survey 3708, thence north $02^{\circ}13'51''$ west, 52.639 chains along the survey line to corner No. 2 of this tract which is common to angle point No. 6 of U.S. Survey 3708, thence north $12^{\circ}01'18''$ west, 13.346 chains to corner No. 3 of this tract which is common with angle point No. 7 of U.S. Survey 3708, thence north $53^{\circ}57'42''$ west, 537.070 chains to corner No. 4 of this tract which is common to angle point No. 7-A of U.S. Survey 3708, thence south $0^{\circ}0'30''$ east, 63.06 chains to corner No. 5 of this tract, thence south, $53^{\circ}57'42''$ east, 542.00 chains to corner No. 1 of this tract and angle point No. 5, U.S. Survey 3708, the point of beginning.

Township 28 South, Range 57 East of the Copper River Meridian

A11

Township 28 South, Range 58 East of the Copper River Meridian

A11

Township 29 South, Range 57 East of the Copper River Meridian

Section 36: That portion of Lots 1, 5, 6 and 10 lying east of U.S.S.
3708.

Township 29 South, Range 58 East of the Copper River Meridian

A11

Township 29 South, Range 59 East of the Copper River Meridian

All

Township 29 South, Range 60 East of the Copper River Meridian

Sections 19 through 36

Township 30 South, Range 57 East of the Copper River Meridian

Section 1: That portion of Lot 1 lying east of U.S.S. 3708.

Township 30 South, Range 58 East of the Copper River Meridian

That portion lying east and south of U.S.S. 3708.

Township 30 South, Range 59 East of the Copper River Meridian

Sections 1 through 10: All.

Section 12: All

Sections 14 through 23: All

Section 27: That portion lying west of the Haines
Corporation Boundary

Sections 28 through 31: All

Section 33: All

Township 31 South, Range 58 West of the Copper River Meridian

A11

Township 31 South, Range 59 East of the Copper River Meridian

Sections 6 through 8: All
Sections 16 through 22: All
Sections 27 through 34: All

Township 32 South, Range 59 East of the Copper River Meridian

Sections 3 through 33: All

Sections 34 through 36: That portion lying north of the
Tongass National Forest Boundary.

PROPOSED ALASKA BALD EAGLE PRESERVE
LEGAL DESCRIPTION

Township 26 South, Range 55 East of the Copper River Meridian

Section 12: that portion within USS 3708

Section 13

Section 23: S1/2SE1/4, NE1/4SE1/4, E1/2NW1/4SE1/4, SE1/4NE1/4

Sections 24 and 25

Section 26: E1/2

Section 33: SE1/4SE1/4SE1/4

Section 34: SE1/4, E1/2NE1/4, SE1/4SW1/4, E1/2SW1/4NE1/4,
E1/2SW1/4SW1/4, SW1/4SW1/4SW1/4, SE1/4NE1/4SW1/4

Section 35

Section 36: NW1/4, N1/2SW1/4, W1/2W1/2NE1/4, NW1/4SE1/4, N1/2SW1/4SW1/4,
SW1/4SW1/4SW1/4, NW1/4SE1/4SW1/4, NE1/4NW1/4NE1/4

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 27 South, Range 55 East of the Copper River Meridian

Section 2: NW1/4, NW1/4SW1/4, W1/2NE1/4SW1/4, N1/2SW1/4SW1/4, NW1/4SE1/4SW1/4, SW1/4SW1/4SW1/4, except USS 3744

Section 3

Section 4: E1/2SW1/4NE1/4, E1/2SE1/4SW1/4, SE1/4NE1/4, S1/2NE1/4NE1/4, SE1/4, NE1/4NE1/4NE1/4

Section 8: S1/2S1/2SE1/4, N1/2SE1/4SE1/4, SE1/4SE1/4SW1/4

Section 9: E1/2, E1/2NW1/4, S1/2S1/2SW1/4, N1/2NE1/4SW1/4, NW1/4SW1/4SW1/4, SE1/4NE1/4SW1/4

Section 10: W1/2, W1/2W1/2NE1/4

Section 15: W1/2, W1/2SE1/4, SW1/4NE1/4, S1/2NW1/4NE1/4, NW1/4NW1/4NE1/4

Section 16: E1/2, NW1/4, N1/2SW1/4, E1/2SE1/4SW1/4, NW1/4SE1/4SW1/4

Section 17: N1/2NE1/4, SE1/4NE1/4, E1/2NE1/4NW1/4, N1/2NE1/4SE1/4, NE1/4SW1/4NE1/4, SE1/4NE1/4SE1/4

Section 21: E1/2, E1/2SW1/4, E1/2E1/2NW1/4, SW1/4SE1/4NW1/4, SE1/4SW1/4SW1/4

Section 22: W1/2, W1/2E1/2, W1/2E1/2SE1/4, W1/2SE1/4NE1/4, SW1/4NE1/4NE1/4

Section 26: W1/2SW1/4, W1/2E1/2SW1/4, SW1/4NW1/4, S1/2NW1/4NW1/4, NW1/4NW1/4NW1/4

Section 27

Section 28: E1/2, E1/2W1/2, E1/2W1/2W1/2

Section 33: N1/2NE1/4, SE1/4NE1/4, NE1/4SE1/4, E1/2NE1/4NW1/4, E1/2SW1/4NE1/4, E1/2NW1/4SE1/4, N1/2SE1/4SE1/4, NW1/4SW1/4NE1/4, SE1/4SE1/4SE1/4

Section 34

Section 35: W1/2, SE1/4, SW1/4NE1/4, S1/2NW1/4NE1/4, S1/2SE1/4NE1/4, NW1/4NW1/4NE1/4, NW1/4SE1/4NE1/4

Section 36: W1/2SW1/4SW1/4

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 28 South, Range 55 East of the Copper River Meridian

Section 1: SW1/4, S1/2SW1/4NW1/4

Section 2

Section 3: NE1/4, N1/2SE1/4, N1/2NW1/4, SE1/4NW1/4, SE1/4SE1/4,
N1/2SW1/4NW1/4, NE1/4NE1/4SW1/4

Section 4: E1/2NE1/4NE1/4

Section 10: that portion of Mosquito Lake

Section 11: N1/2, N1/2SE1/4, SE1/4SE1/4, NE1/4SW1/4SE1/4 and that
portion of Mosquito Lake in the SW1/4, except USS 3431

Section 12

Section 13: E1/2, NE1/4NW1/4, E1/2SE1/4NW1/4, E1/2NW1/4NW1/4,
NW1/4NW1/4NW1/4, NW1/4SE1/4NW1/4

Section 15: that portion of Mosquito Lake

Section 19: Lot 13

Section 24: E1/2E1/2, NE1/4NW1/4NE1/4

Section 25: Lots 9-11 and 16

Section 26: that portion of Lot 5 and NE1/4NW1/4, south of the Haines
Highway and Lots 1, 12 and 17

Section 27: Lots 5-8, 10, 13, 18, 19 and 22

Section 28: except S1/2S1/2, S1/2N1/2SE1/4, S1/2NE1/4SW1/4 and that
portion north of the Haines Highway

Section 29: except S1/2S1/2S1/2, NE1/4SE1/4SE1/4 and Lots 9, 14, 15 and
18

Section 30: Lot 11 and N1/2NE1/4SE1/4

Section 33: S1/2SE1/4SE1/4

Section 34: S1/2S1/2S1/2

Section 35: Lot 1

Section 36: N1/2N1/2, N1/2SW1/4NE1/4, NE1/4SE1/4NW1/4 and Lot 5

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 29 South, Range 55 East of the Copper River Meridian

Section 1: S1/2NE1/4NE1/4, N1/2SE1/4NE1/4, E1/2SW1/4NE1/4,
SW1/4SE1/4NE1/4, NW1/4NE1/4SE1/4, NE1/4NW1/4SE1/4

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 26 South, Range 56 East of the Copper River Meridian

Section 7: S1/2, S1/2NW1/4, SW1/4NE1/4

Section 8: SW1/4, SE1/4NW1/4, SE1/4SW1/4NW1/4, that portion of the S1/2NE1/4 within USS 3708

Section 17: W1/2NW1/4

Section 18

Section 19: W1/2, SW1/4SE1/4

Section 30: NW1/4, W1/2SW1/4, W1/2NW1/4NE1/4, NE1/4NW1/4NE1/4

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 28 South, Range 56 East of the Copper River Meridian

Section 7: S1/2SW1/4, NW1/4SW1/4, W1/2NE1/4SW1/4, SE1/4NE1/4SW1/4,
SW1/4NW1/4, SW1/4NW1/4NW1/4, SW1/4SE1/4NW1/4, SW1/4SW1/4SE1/4

Section 17: W1/2SW1/4SW1/4, SE1/4SW1/4SW1/4

Section 18: W1/2, SE1/4, W1/2W1/2NE1/4, E1/2SW1/4NE1/4, SW1/4SE1/4NE1/4

Section 19

Section 20: W1/2W1/2

Section 29: Lots 8-11

Section 30: except Lots 1, 4, 5, 8, 15-17 and the NE1/4SW1/4

Section 31

Section 32: except USS 991, USS 2455 and Lots 1, 2 and 24

Section 33: S1/2 except USS 2455 and Lots 18-21

Section 34: Lots 1, 2, S1/2NE1/4SE1/4, W1/2SW1/4SE1/4, SE1/4SW1/4SE1/4

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 28 South, Range 57 East of the Copper River Meridian

Section 22: NE1/4SW1/4, W1/2NW1/4SE1/4, SW1/4SE1/4, S1/2SE1/4SE1/4,
NW1/4SE1/4SE1/4, E1/2SE1/4SW1/4

Section 26: W1/2W1/2SW1/4, W1/2SW1/4NW1/4

Section 27: E1/2E1/2, N1/2NW1/4NE1/4, SE1/4NW1/4NE1/4

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

Section 35: S1/2NW1/4, S1/2SE1/4, E1/2SW1/4, S1/2NW1/4NW1/4,
S1/2NW1/4SE1/4, NW1/4NW1/4NW1/4, SW1/4SW1/4NE1/4,
SW1/4NE1/4SE1/4, NW1/4NW1/4SE1/4

All of the above are subject to federal power site
withdrawals.

Proposed Alaska Bald Eagle Preserve, Legal Descriptions; (Cont.)

Township 29 South, Range 56 East of the Copper River Meridian

Section 1

Section 2: N1/2NE1/4, E1/2SE1/4NE1/4, NE1/4NW1/4, E1/2NE1/4SE1/4,
NE1/4SE1/4SE1/4

Section 4: SW1/4, W1/2NW1/4, W1/2SE1/4NW1/4, SE1/4SE1/4NW1/4,
SW1/4SE1/4, SE1/4NW1/4SE1/4, W1/2SE1/4SE1/4,
SE1/4SE1/4SE1/4, W1/2NW1/4SE1/4

Section 5: E1/2, E1/2SE1/4SW1/4, SE1/4NE1/4SW1/4, N1/2NW1/4

Section 6: N1/2SW1/4NW1/4, NW1/4SE1/4NW1/4, S1/2NW1/4NW1/4,
S1/2NE1/4NW1/4, NE1/4NE1/4NW1/4, N1/2N1/2NE1/4

Section 8: except SW1/4SW1/4 and S1/2SE1/4SW1/4

Section 9

Section 10: S1/2, S1/2NW1/4, NW1/4NW1/4, SW1/4NE1/4NW1/4, S1/2S1/2NE1/4

Section 11: S1/2, S1/2NE1/4, S1/2S1/2NW1/4, NE1/4SW1/4NW1/4,
N1/2SE1/4NW1/4

Sections 12, 13, 14

Section 15: N1/2, E1/2SE1/4, NW1/4SE1/4, N1/2N1/2SW1/4, E1/2SW1/4SE1/4

Section 16: E1/2NE1/4, E1/2W1/2NE1/4, NW1/4SW1/4NE1/4, W1/2NW1/4NE1/4,
N1/2N1/2NW1/4, NE1/4SE1/4NW1/4, SE1/4NE1/4NW1/4

Section 17: N1/2NE1/4NE1/4

Section 22: N1/2NE1/4NE1/4, NE1/4NW1/4NE1/4

Section 23: that portion of the N1/2NW1/4 lying west of Chilkat Lake

proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 29 South, Range 57 East of the Copper River Meridian

Section 4: SW1/4SW1/4, S1/2SE1/4SW1/4, S1/2NW1/4SW1/4, NW1/4NW1/4SW1/4, NW1/4SE1/4SW1/4

Section 5: S1/2, W1/2NW1/4, SE1/4NW1/4, SW1/4NE1/4, S1/2SE1/4NE1/4, SW1/4NE1/4NW1/4, NW1/4SE1/4NE1/4

Section 6, 7, 8

Section 9: S1/2, NW1/4, W1/2W1/2NE1/4, SE1/4SW1/4NE1/4, SW1/4SE1/4NE1/4

Section 10: Lot 1, W1/2E1/2SW1/4

Section 14: that portion west of Haines Highway

Section 15: W1/2, W1/2NE1/4, SW1/4SE1/4, Lots 11 and 12

Sections 16, 17, 18

Section 19: NE1/4NE1/4NE1/4

Section 20: NE1/4, E1/2NW1/4, NW1/4NW1/4, NE1/4SE1/4, E1/2SW1/4NW1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, NE1/4SE1/4SE1/4

Sections 21 and 22

Section 23: that portion west of the Haines Highway

Section 25: that portion west of the Haines Highway

Section 26: that portion west of the Haines Highway

Section 27

Section 28: NE1/4, NE1/4SE1/4, N1/2NW1/4NW1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, NE1/4SE1/4SE1/4, NE1/4NW1/4, N1/2SE1/4NW1/4

Section 34: NE1/4, NE1/4NW1/4, NE1/4SE1/4, E1/2SE1/4SE1/4, NE1/4NW1/4SE1/4, NE1/4SE1/4NW1/4

Section 35

Section 36: that portion west of the Haines Highway

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 30 South, Range 57 East of the Copper River Meridian

Section 1

Section 2: NE1/4, N1/2SE1/4, NE1/4NW1/4, N1/2NW1/4NW1/4,
N1/2SE1/4NW1/4, N1/2SE1/4SE1/4, SE1/4SE1/4NW1/4,
SE1/4NW1/4NW1/4

Section 3: NE1/4NE1/4NE1/4

Section 12: NE1/4, E1/2E1/2SE1/4, NE1/4NW1/4, W1/2NE1/4SE1/4,
NE1/4NW1/4NW1/4, NE1/4SE1/4NW1/4, NE1/4NW1/4SE1/4,
NW1/4SE1/4SE1/4

Section 13: NE1/4NE1/4NE1/4

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 29 South, Range 58 East of the Copper River Meridian

Section 3: S1/2SW1/4SE1/4, W1/2SW1/4, SE1/4SW1/4, SW1/4NE1/4SW1/4,
S1/2SW1/4NW1/4

Section 4: NW1/4, SE1/4, NE1/4SW1/4, W1/2NE1/4, SE1/4NE1/4,
SW1/4NE1/4NE1/4

Section 9: NE1/4NE1/4

Section 10: N1/2, SE1/4, E1/2SW1/4, E1/2W1/2SW1/4, NW1/4NW1/4SW1/4

All of the above subject to federal power site withdrawals.

Proposed Alaska Bald Eagle Preserve, Legal Descriptions, (Cont.)

Township 30 South, Range 58 East of the Copper River Meridian

Section 6: that portion west of the Haines Highway

Section 7: that portion west of the Haines Highway

Section 8: that portion west of the Haines Highway

Section 16: that portion west of the Haines Highway

Section 17: that portion west of the Haines Highway

Section 18: E1/2, N1/2NW1/4, N1/2SE1/4NW1/4, SE1/4SE1/4NW1/4



Alaska State Legislature

SENATE Resources Committee

POUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3835

Official Business

BETTYE FAHRENKAMP, Chairman
VIC FISCHER, Vice-Chairman
BRAD BRADLEY
DICK ELIASON
DON GILMAN
BOB MULCAHY
ARLISS STURGULEWSKI

TO: Senate Resources Committee
FROM: Senate Resources Committee Staff
RE: Committee Meeting, 4/7/82
DATE: April 5, 1982

Please find attached background information for
Wednesday's hearing on the following bills:

SSSB 796 TELECONFERENCE 1:30 -3:00 p.m.
Providing for the management of state owned
land in the Haines area, establishing the
Alaska Chilkat Bald Eagle Preserve and the
Haines State Forest Resource Management Area.

3:00 - 4:00 p.m.
SB 880 Sale of royalty oil by the State of Alaska
to Doyon, Ltd.

SB 881 Sale of royalty oil by the State of Alaska
to Tesoro Alaska Petroleum.

The meeting will be held in the Beltz Room.

KLUKWAN IRA CHILKAT INDIAN VILLAGE COUNCIL

Klukwan, Alaska

3/8/82

Attached is a petition addressed to:

THE GOVERNOR OF ALASKA, THE STATE AND HOUSE RESOURCE COMMITTEES, THE LEGISLATIVE BODY, SENATOR BILL RAY, REPRESENTATIVE JIM DUNCAN AND TO WHOM IT MAY CONCERN

All correspondence and/or telephone communications, from addressees regarding this petition, should be directed to:

Mr. James Stevens, President

IRA Council

Box 220

Haines, Alaska 99827

Phones: Home 7662404 Business 766 2805

AND ALSO

Mr. Joe Hotch, Vice President

IRA Council

Box 525

Haines, Alaska 99827

Phone: 766 2556

The Community of Klukwan was not considered as part of the Consensus sign-off, in a letter dated February 26, 1982 to Governor Jay Hammond from the Mayors of the City and Borough of Haines. Therefore; the residents of Klukwan are taking this opportunity to express their overwhelming opposition to any legislative vehicles or legislation that involves land selection or land designation in this area.

BEFORE THE GOVERNOR OF ALASKA, THE STATE AND HOUSE RESOURCE COMMITTEES, THE LEGISLATIVE BODY, SENATOR BILL RAY, REPRESENTATIVE JIM DUNCAN AND TO WHOM IT MAY CONCERN.....

In the Matter of Opposition to State Land Selections in the Haines Borough for the Purpose of Creating a Bald Eagle Preserve and a Forestry Resource Management Area under SB 796 and House Bill 881 or any other State Land Selection Legislation at this time.

A PETITION

Whereas: the Klukwan IRA Chilkat Indian Village Council and/or members oppose any State of Alaska selection or designation of lands within the Haines Borough until letter, dated April 26, 1977, to Mr. John Kelly, Field Solicitor, United States Department of Interior, relating to Trespass on 2.6 million acres of traditional lands is resolved, and

Whereas: the Klukwan IRA Chilkat Indian Village Council has gone on record as in opposition, and

Whereas: the IRA of the Chilkat Indian Village would like to establish that they are a separate entity from Klukwan, Inc., that Klukwan Inc. does not represent IRA, and that IRA may make decisions separate from Klukwan Inc. and that IRA decisions involve the Chilkat Indian Village located at Klukwan and should be respected as such, NOW

We, the undersigned, being all of clear mind and residents of the Village of Klukwan, DO HEREBY PETITION the Governor of the State of Alaska, the State and House Resource Committees of the State of Alaska's Legislative Body, the entire Legislative Body of the State of Alaska, Senator Bill Ray, Sponsor of SB796, Representative Jim Duncan, Sponsor of HB 881 and to whom it may concern to stop all action on SB796, HB881 and any other legislative vehicles that involve State land selection in the Haines Borough until all native lands to include pending native allotments are resolved.

NAME Jerry D. Baker ADDRESS Klukwan AK
L. M. Hater
Klukwan Alaska
Richard P. Hater
Klukwan AK
Hater
Klukwan AK

Stuart Joyce Jacobs

Klukwan Alaska

Eugene King

Klukwan

Smith Kayalo sr.

Klukwan

Charles E. King, Jr.

Klukwan, AK

Alfred J. Wadsworth

Klukwan

Johnnie Wadsworth

Klukwan

Esther Hatch

Klukwan AK

Helen King - Klukwan

Charles E. King Jr. Klukwan

Charlene Katzeck

Klukwan, AK

Evelyn Hatch

Klukwan

Minnie Sweet

Klukwan

Beverly Hatch

Klukwan

Genevieve D. Stevens

Klukwan

Ruth Kaska

Klukwan

Joy King

Klukwan

Joy Hatch

Klukwan

Evelyn Kaska

Klukwan

Larry Sweet

Klukwan

Virginia Rose Hatch

Klukwan

William King

Klukwan

NAME

ADDRESS

Joe Hatch

Box 525

Annice Hatch gld.

Box 525

Katherine Hatch

Box 525

Lane Hatch

Klukwan

(Margaret Stevens

See Original

(Mark Stevens

(George P. Stevens Sr.

Joseph E. Amus

" "

Will Hatch

496

Frank Hamus

" "

Gene Miller

Richard King

Box 367

Mary King

Box 367

Joy & Dawn King

Box 368 Klukwan

Deborah L. Hatch

Box 377 Klukwan, AK

Jess Kajak

Box 104 Klukwan

Janice Kajak

Box 104 Klukwan, AK

Debbie Kajak

Box 534 Klukwan, AK

Debbie Kajak

Klukwan

Joe Hatch

Klukwan, Alaska

Clarina Hatten
Ethel Hatch
Archie Delaney
Cathol K. Laney
Arona Willard
Jury Strong
Agnes Strong
Henry Strong
Lynn Strong
Theresa Ward
Roberta Donnell
Joni Willard

Klukwan, A.K.A.
Box 377
Box 356
Box 356
Box 657
Box 435
Box 435
Box 435
Box 435
Box 368
Box 338
Box 194
Haines, Alaska
Haines, A.K.
Haines, A.K.
Haines, Alaska
Haines, Alaska
Haines, Alaska
Haines, Alaska
Haines, Alaska
Klukwan, Alaska
Klukwan, Alaska
Klukwan, Alaska

Bradley
4/12/82

Original sponsor: Ray

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 796 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the management of state-owned
7 land in the Haines area; establishing the Alaska Chilkat
8 Bald Eagle Preserve and the Haines State Forest Resource
9 Management Area AND PROVIDING FOR AN EFFECTIVE DATE."

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

11 * Section 1. AS 41.20 is amended by adding new sections to read:

12 ARTICLE 16. ALASKA CHILKAT BALD EAGLE PRESERVE.

13 Section 41.20.506. DECLARATION OF PURPOSE. (a) The purpose of
14 AS 41.20.506 - 41.20.525 is to establish the state-owned land and water
15 described in AS 41.20.507^(a) as the Alaska Chilkat Bald Eagle Preserve as
16 part of the state park system. The primary purpose of establishing the
17 Alaska Chilkat Bald Eagle Preserve is to protect and perpetuate the
18 Chilkat bald eagles and their essential habitats within the Alaska
19 Chilkat Bald Eagle Preserve in recognition of their statewide, nation-
20 ally, and internationally significant values in perpetuity.

21 (b) The Alaska Chilkat Bald Eagle Preserve is also established to

22 (1) protect and sustain the natural salmon spawning and
23 rearing areas of the Chilkat River and Chilkoot River systems within the
24 preserve in perpetuity;

25 (2) provide continued opportunities for research, study and
26 enjoyment of bald eagles and other wildlife;

27 (3) ensure to the maximum extent practicable water quality
28 and necessary water quantity under applicable laws; and

29 (4) provide for other public uses consistent with the primary

1 purpose for which the Alaska Chilkat Bald Eagle Preserve is established.

2 (c) It is the intent of the legislature in enacting this legisla-
 3 tion to provide sufficient protection for the purposes for which the
 4 Alaska Chilkat Bald Eagle Preserve is established. Accordingly, the
 5 establishment of the Alaska Chilkat Bald Eagle Preserve and the Haines
 6 State Forest Resource Management Area is determined to represent a
 7 proper balance between the reservation of state public domain land and
 8 water^{*} for bald eagle preserve purposes and more
 9 appropriate for multiple use. Therefore, the legislature determines
 10 ^{*} THERE IS NO
 11 that ~~is~~ need for legislation expanding or contracting the boundary of
 12 the Alaska Chilkat Bald Eagle Preserve in the future, ~~is unnecessary.~~

13 (d) Inasmuch as the area described in AS 41.20.507^(k) exceeds 640
 14 acres, AS 41.20.506 - 41.20.525 are intended to close the area to mul-
 15 tiple use in conformity with AS 38.05.300 and the land is dedicated as a
 16 special purpose site under art. VIII, sec. 7 of the ^{*} STATE constitution.

17 Sec. 41.20.507. ESTABLISHMENT AND MANAGEMENT. (a) Subject to
 18 valid existing rights, the land and water presently owned by the state
 19 and all land and water acquired in the future by the state lying within
 20 the boundaries described in (k) of this section are designated the
 21 Alaska Chilkat Bald Eagle Preserve and assigned to the Department of
 22 Natural Resources for control, development, and maintenance.

23 ^{*} PENDING AND APPROVED
 24 (b) Private land, land selections made by the Haines Borough under
 25 state law on the effective date of this Act, and existing transportation
 26 and utility corridors located partially or completely within the Alaska
 27 Chilkat Bald Eagle Preserve are excluded from the Alaska Chilkat Bald
 28 Eagle Preserve. The commissioner of natural resources may not acquire
 29 private land located partially or completely within the Alaska Chilkat
 Bald Eagle Preserve by eminent domain for any purpose.

(c) Approved or pending Native allotments located partially or

We are strong

held in trust - still private land

1 completely within the Alaska Chilkat Bald Eagle Preserve are not ad-
2 versely affected by the establishment of the Alaska Chilkat Bald Eagle
3 Preserve and all approved allotments and all pending allotments located
4 partially or completely within the preserve ^{* SHALL BE TREATED AS} ~~are~~ private land under

5 AS 41.20.506 - 41.20.515 ^{*} INCLUDING BUT NOT LIMITED TO RIGHTS OF WAY
6 ACQUISITION.

7 (d) The Department of Fish and Game is responsible for the manage-
8 ment of fish and game resources in the Alaska Chilkat Bald Eagle Pre-
9 serve under applicable law and consistent with the purposes of AS 41.-
10 20.506 - 41.20.515.

11 (e) The Department of Natural Resources shall consult with the
12 Department of Fish and Game, the United States Fish and Wildlife Ser-
13 vice, and the Alaska Chilkat Bald Eagle Preserve Advisory Council estab-
14 lished by AS 41.20.515 before adoption of reasonable regulations govern-
15 ing public use and protection of the Alaska Chilkat Bald Eagle Preserve.
16 The Department of Fish and Game shall consult with the Department of
17 Natural Resources and the Alaska Chilkat Bald Eagle Preserve Advisory
18 Council in proposing regulations governing fish and game management in
19 the Alaska Chilkat Bald Eagle Preserve for adoption by the Board of
20 Fisheries or the Board of Game. The Department of Fish and Game and the
21 Department of Natural Resources shall cooperate with the United States
22 Fish and Wildlife Service in its administration of ^{* FEDERAL} laws that govern the
23 conservation of bald eagles.

24 (f) The state land and water described in (k) of this section are
25 closed to mineral entry under AS 38.05.135 - 38.05.280, to commercial
26 harvest of timber, to sale under state land disposal laws, and to muni-
27 cipal selections made after the effective date of the Act. The commis-
28 sioner of natural resources may lease the land described in (k) of this
29 section under AS 38.05.070 - 38.05.105 for a purpose consistent with
AS 41.20.506(a).

1 (g) Continued opportunities for traditional uses of the Alaska
 2 Chilkat Bald Eagle Preserve at levels and by methods and means that are
 3 compatible with the protection of the bald eagle population are guaran-
 4 teed. These historically compatible uses include but are not limited to
 5 hunting, trapping, fishing, berry picking, other subsistence and recrea-
 6 tional uses, operation of motorized vehicles, and the harvesting of
 7 personal-use firewood. The level and method or means of traditional use
 8 shall be permitted to continue subject to reasonable regulation unless
 9 the director of the division of parks, Department of Natural Resources,
 10 after consultation with the Alaska Chilkat Bald Eagle Preserve Advisory
 11 Council, makes a finding that the level or method and means of use is
 12 causing significant resource damage that is inconsistent with the primary
 13 purposes of AS 41.20.506 - 41.20.525. The director of the division of
 14 parks shall hold a public hearing in Haines and Klukwan before restrict-
 15 ing a traditional use permitted under this section.

16 (h) If privately owned land, valid mining rights, existing mineral
 17 leases, subsurface rights on private land, or other valid occupancy is
 18 surrounded by state land of the Alaska Chilkat Bald Eagle Preserve or if
 19 privately owned land, federal land, or state land not described in (k)
 20 of this section, valid mining claims, subsurface rights, or other valid
 21 ^{* ON LAND} occupancy not described in (k) of this section does not have reasonable,
 22 timely, and economically feasible access and egress by means other than
 23 crossing land designated as Alaska Chilkat Bald Eagle Preserve land in
 24 (k) of this section, the director of the division of parks shall grant a
 25 private landowner, a holder of a valid mining claim, ^{* HOLDER OF} mineral lease,
 26 ^{HOLDER OF} subsurface rights, ^{OTHER VALID OCCUPANCY,} or a state agency or federal agency rights necessary
 27 to assure reasonable, timely, and economically feasible access and
 28 egress. The rights of access and egress granted under this subsection
 29 are subject to reasonable regulation and stipulations established by the

Chased

2) director of the division of parks after consulting with the Alaska
 3 Chilkat Bald Eagle Preserve ^{* IN THE FURTHERANCE OF THE PURPOSES AND} Advisory Council to protect the values of
 4 the Alaska Chilkat Bald Eagle Preserve and to minimize adverse environ-
 5 mental impacts in the preserve. The director of the division of parks
 6 shall give favorable consideration to applications for utility rights-
 of-way that are compatible with AS 41.20.506(a).

7 (i) The director of the division of parks and the Alaska Chilkat
 8 Bald Eagle Advisory Council established under AS 41.20.515, in consulta-
 9 tion with the United States Fish and Wildlife Service, the Department of
 10 * INCLUDING BUT NOT LIMITED TO THE CHILKAT INDIAN VILLAGE AND CHILKOOT
 Fish and Game, and other pertinent sources, ^{INDIAN ASSOCIATION} may use information gained
 11 through cooperative resource studies in the development of the management
 12 plan for the Alaska Chilkat Bald Eagle Preserve and in decisions affect-
 13 ing the management and administration of the preserve. The director of
 14 the division of parks and the advisory council shall investigate the
 15 need for additional research to increase knowledge and understanding of
 16 * AND CULTURAL
 the natural resources of the area and to enhance the effective management
 17 of the Alaska Chilkat Bald Eagle Preserve.

18 (j) An agency of the state may not participate or cooperate with a
 19 federal or private study considering additions to or deletions from the
 20 area of the Alaska Chilkat Bald Eagle Preserve without giving 90 days
 21 prior notice to the Alaska Chilkat Bald Eagle Preserve Advisory Council.
 22 The director of the division of parks may waive the notice required by
 23 this subsection on his determination in writing to the advisory council
 24 that an emergency necessitates immediate study or a shorter period of
 25 notice to the advisory council.

26 (k) The land and water owned by the state and all land and water
 27 acquired by the state in the future lying within the following described
 28 parcels are designated as the Alaska Chilkat Bald Eagle Preserve:
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Sec. 41.20.515. ALASKA CHILKAT BALD EAGLE PRESERVE ADVISORY COUNCIL. (a) A 12-member Alaska Chilkat Bald Eagle Preserve Advisory Council is established. The members of the advisory council shall be selected under this section. Members of the advisory council are entitled to the per diem and travel expenses authorized for members of state boards under AS 39.20.180. *or their alternate*

(b) The governor may appoint individuals to the Alaska Chilkat Bald Eagle Preserve Advisory Council representing the following interests for a two-year term:

- (1) a resident of the Haines Borough representing a conservation organization; and
- (2) a representative of the United States Fish and Wildlife Service.

(c) The mayor of the City of Haines, the mayor of the Haines Borough, the president of Klukwan, Inc., ~~and~~ the chairman ^{men} of the Council * AND CHILKOOT INDIAN ASSOCIATION (OR THEIR DESIGNEE) *see above* of the Chilkat Indian Village, are ex officio members of the Alaska Chilkat Bald Eagle Preserve Advisory Council. The mayor of the Haines Borough may recommend to the governor, *in appointment to the Advisory Council* the name of a resident of the Haines Borough for the representation of commercial or industrial interests.

(d) The commissioner of fish and game, the director of the division of parks, and the director of the division of forestry, or their designees, serve ~~as~~ ex officio as members of the Alaska Chilkat Bald Eagle

Preserve

Special area of the

1 Advisory Council.

2 (e) The Alaska Chilkat Bald Eagle Preserve Advisory Council shall
3 assist the Department of Natural Resources in the development and moni-
4 toring of a management plan for the Alaska Chilkat Bald Eagle Preserve.
5 The management plan shall be presented at public hearings in Haines and
6 Klukwan before approval and implementation by the department.

*pg 12
line 24*

*(2) ** (F) ALL HISTORICAL, CULTURAL AND BURIAL SITES IDENTIFIED
IN THE CHILKAT BALD EAGLE PRESERVE MANAGEMENT PLAN SHALL BE PROTECTED
BY THE DEPARTMENT OF NATURAL RESOURCES FROM VANDALISM, DESECRATION
AND DISTRUCTION.

7 Sec. 41.20.525. *pg 11 line 11* MISCELLANEOUS PROVISIONS. (a) The establishment
8 of the Alaska Chilkat Bald Eagle Preserve under AS 41.20.506 - 41.20.525
9 does not enlarge, diminish, add to, or waive a requirement otherwise
10 applicable to the management or use of the state land of the Haines
11 State Forest Resource Management Area *(AS 41.15.500 - 41.15.520)* or private land. An activity
12 ** ADJACENT TO* allowed under law on land ~~of~~ the Alaska Chilkat Bald Eagle Preserve,
13 including but not limited to timber harvest, mining, resource develop-
14 ment, or recreation, is permitted ~~on private land~~ as long as the activity
15 is conducted in compliance with law.

*pg 13
line 1*

16 *(m)* (b) The director of the division of parks and the director of the
17 division of forestry shall consult in the preparation of the management
18 plan prepared under AS 41.20.507(i) to promote effective, efficient, and
19 coordinated administration of the Haines State Forest Resource Management
20 Area and the Alaska Chilkat Bald Eagle Preserve for the values for which
21 each is established.

22 * Sec. 2. AS 41.15 is amended by adding new sections to read:

23 ARTICLE 3A. HAINES STATE FOREST RESOURCE MANAGEMENT AREA.

24 Sec. 41.15.500. HAINES STATE FOREST RESOURCE MANAGEMENT AREA. (a)
25 The purpose of AS 41.15.500 - 41.15.520 is to establish the land and
26 water presently owned by the state and all land and water acquired in
27 the future by the state lying within the boundaries described in AS 41.-
28 15.510(a) as the Haines State Forest Resource Management Area. The
29 primary purposes for the establishment of the Haines State Forest

1 Resource Management Area are the utilization, perpetuation, conservation
2 and production of the land and water including but not limited to the
3 use of renewable and nonrenewable resources through multiple-use manage-
4 ment and the continuation of other beneficial uses including traditional
5 uses and other recreational activities.

6 (b) The responsibility for the management, control, development,
7 and maintenance of the Haines State Forest Resource Management Area
8 established under AS 41.15.500 - 41.15.520 is assigned to the Department
9 of Natural Resources.

10 Sec. 41.15.510. BOUNDARIES AND MANAGEMENT OF HAINES STATE FOREST
11 RESOURCE MANAGEMENT AREA. (a) Subject to valid existing rights, the
12 land and water presently owned by the state and all land and water
13 acquired in the future by the state lying within the following described
14 parcels are designated as the Haines State Forest Resource Management
15 Area:

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25 (b) Private land, existing transportation corridors, and borough
26 selection within the Haines State Forest Resource Management Area are
27 excluded from the Haines State Forest Resource Management Area. The
28 commissioner of natural resources may not acquire private land within
29 the Haines State Forest Resource Management Area by eminent domain for

1 any purpose.

2 (c) Approved or pending Native allotment applications located
3 partially or completely within the Haines State Forest Resource Manage-
4 ment Area are not adversely affected by the establishment of the Haines
5 State Forest Resource Management Area and all approved allotments and
6 all pending allotments ~~are~~ ^{* SHALL BE TREATED AS} private land under AS 41.15.500 - 41.15.520.

7 (d) The division of forestry shall consult with the division of
8 parks, the Department of Fish and Game, and the Alaska Chilkat Bald
9 Eagle Preserve Advisory Council to promote effective, efficient, and
10 coordinated administration of the Haines State Forest Resource Manage-
11 ~~ment~~ Area and the Alaska Chilkat Bald Eagle Preserve for the values for which
12 each is established.

13 (e) Resource studies undertaken by the Department of Natural
14 Resources shall be designed to benefit the management and administration
15 of the Haines State Forest Resource Management Area and the Alaska
16 Chilkat Bald Eagle Preserve.

17 (f) The establishment of the Haines State Forest Resource Manage-
18 ment Area has no effect on the terms and conditions of an existing
19 permit or contract involving use of the land, water, or other resources
20 of the Haines State Forest Resource Management Area.

21 Sec. 41.15.520. MULTIPLE-USE MANAGEMENT. (a) The Haines State
22 Forest Resource Management Area shall be managed under the principles of
23 multiple use and sustained yield as defined in AS 38.04.910, under
24 AS 41.17, and under a management plan prepared by the Department of
25 Natural Resources. The plan may not be adopted or revised without prior
26 review by the Board of Forestry or without a public hearing held in
27 Haines and Klukwan.

28 (b) The Department of Natural Resources shall periodically review
29 and revise the management plan adopted for the Haines State Forest

1 Resource Management Area under (a) of this section.

2 (c) A copy of a management plan and any revision to it prepared by
3 the Department of Natural Resources, reviewed by the Board of Forestry
4 and adopted by the department after public hearings required under (a)
5 of this section shall be provided to the legislature within 30 days of
6 its adoption or revision or within the first 10 days of the first session
7 of the legislature to convene after its adoption or revision.

8 (d) The Department of Fish and Game is responsible for the manage-
9 ment of fish and game resources in the Haines State Forest Resource
10 Management Area under applicable law and in a manner consistent with
11 AS 41.15.500 - 41.15.520.

12 (e) The control of highway access and roadside structures within
13 the Haines State Forest Resource Management Area is the responsibility
14 of the Department of Natural Resources except that the Department of
15 Transportation and Public Facilities is responsible for the repair and
16 maintenance of public roads in the Haines State Forest Resource Manage-
17 ment Area.

18 (f) The state land and water described in AS 41.15.510(a) are
19 closed to sale under state land disposal laws and to municipal selections
20 made after the effective date of this Act. The commissioner of natural
21 resources may lease the land described in AS 41.15.510(a) under AS 38.-
22 05.070 - 38.05.105 for a purpose consistent with AS 41.15.500(a).

23 (g) The Department of Natural Resources shall consult with the
24 Department of Fish and Game during preparation of a management plan
25 under (a) and (b) of this section and during formulation of regulations
26 governing the use of the Haines State Forest Resource Management Area.
27 The Department of Fish and Game shall consult with the Department of
28 Natural Resources before adopting ~~of~~ regulations governing fish and
29 wildlife management in the Haines State Forest Resource Management Area.

1 Regulations may not be adopted by either department without prior review
2 at a public hearing.

3 (h) The Department of Natural Resources may enter into cooperative
4 management agreements with a person who holds title to or has a valid
5 entry on land within or adjoining the boundaries of the Haines State
6 Forest Resource Management Area.

7 * Sec. 3. The management plan for the Alaska Chilkat Bald Eagle Preserve
8 prepared by the Department of Natural Resources under AS 41.20.507(i) as
9 enacted in sec. 1 of this Act shall be ~~developed~~ ^{Adopted (Resall)} and implemented within two
10 years after the effective date of this Act.

11 * Sec. 4. The management plan for the Haines State Forest Resource Manage-
12 ment Area prepared by the Department of Natural Resources under AS 41.15.520

13 ~~shall~~ enacted in sec. 2 of this Act shall be adopted and implemented within two
14 years after ^{its effective date?} ~~enactment~~ of this Act. The management plan shall be based on an

15 * EXISTING ~~current~~ operational level inventory ~~completed within the last 10 years~~ and
16 updated as future inventory information becomes available. The Haines-Skagway
17 Area Land Use Plan adopted by the Department of Natural Resources in 1979
18 shall be used as the basis for preparation of the initial management plan for
19 the Haines State Forest Resource Management Area. Before approval of the
20 management plan prepared under AS 41.15.520, management of the Haines State
21 Forest Resource Management Area shall be conducted under the land use alloca-
22 tions and the appropriate management provisions of the Haines-Skagway Area
23 Land Use Plan.

24 * Sec. 5. AS 16.20.230(8) is repealed.

25 * SEC. 6 THIS ACT TAKES EFFECT JULY 1, 1982.

MEMORANDUM

DEPARTMENT OF NATURAL RESOURCES

SB796
State of Alaska

Division of Research & Development

TO: DISTRIBUTION LIST

DATE: July 23, 1982

JUL 28 1982

FILE NO:

TELEPHONE NO: 465-3400

FROM: Reed Stoops
Director
Division of Research & Development

SUBJECT: 1982 Progress Report
Haines/Klukwan Cooperative
Research Study

Please find enclosed a copy of the 1982 Haines/Klukwan Cooperative Resource Study Progress Report. The legislature has funded the final segment of the project so work should be completed by June 30, 1983.

If you have any questions or wish to see copies of the detailed progress reports, please feel free to contact either Tom Lawson at 465-3400 or Mary Ann Blanton in the Haines Resource Room at 766-2866.

RS/md

cc: Tom Lawson, DNR
Mary Ann Blanton, Haines Resource Room

DISTRIBUTION LIST

The Honorable Bill Ray, Alaska Senate
The Honorable Bettye Fahrenkamp, Alaska Senate
The Honorable Jim Duncan, Alaska House of Representatives
The Honorable Mike Miller, Alaska House of Representatives
The Honorable Ken Fanning, Alaska House of Representatives
The Honorable Lee McAnerney, Commissioner, Dept. of Community & Regional Affairs
Mr. Jim Kohler, DCRA, Community Planning
The Honorable Ernst Mueller, Commissioner, Dept. of Environmental Conservation
Mr. John Halterman, DEC, Div. of Environmental Quality Management
Ms. Deena Henkins, DEC, Div. of Environmental Quality Operations
The Honorable Ron Skoog, Commissioner, Dept. of Fish & Game
Mr. Dennis Kelso, Subsistence Division
Mr. Ron Sommerville, Game Division
Mr. Ron Ball, Game Division
Mr. Dick Logan, Sport Fish Division
Mr. Steve Pennoyer, Commercial Fisheries Division
Mr. Ray Staska, Commercial Fisheries Division
Mr. Robert Roys, FRED Division
Mr. Jack Sedwick, Department of Natural Resources, Div. of Land & Water Mgt.
Mr. Mar Winegar, DNR, SEDO (10 copies)
Ms. Judy Marquez, DNR, Division of Parks
Mr. Ron Crenshaw, DNR, Division of Parks
Ms. Linda Everett, DNR, Division of Parks
Mr. Hilton Wolf, DNR, Division of Parks
Mr. Ross Schaff, DNR, Division of Geological and Geophysical Surveys
Mr. John Sturgeon, DNR, Division of Forestry
Mr. Paul Maki, DNR, Division of Forestry
Mr. Gary Saupe', DNR, Division of Forestry
Mr. Bob Clark, Office of the Governor
Mr. Mike Whitehead, Office of the Governor
Mr. Dan Bishop, Environaid
Mr. John Sandor, U.S. Forest Service
Lynn Canal Conservation Society
Mr. Jim Stratton, SEACC
Alaska Chilkat Bald Eagle Preserve Advisory Council
Mr. Ed Bugliosi, U.S. Geological Survey
Mr. Joe McCloskey, U.S. Soil Conservation Service
Mr. George Figdor
Mr. Dave Nanney

TO: Billy Berrier
Director, Legal Services

DATE: 4/19/82

FROM: Bettye Fahrenkamp, Chairman
Senate Resources Committee

RE: CSSSSB 796
Additional Language

Attached is language I would like incorporated into the final version of CSSSSB 796.

Attachment

CS SS SB 796

On p.² 1.23 following the word "Act", add:

University of Alaska grant lands which are not located within the existing Chilkat River Critical Habitat Area established by AS 16.20.230(8).

On p.2, 1.27, following the word "land" add: ✓

"University of Alaska grant lands"

On p.4, line 16, following the word "land" add:

"University of Alaska grant lands"

On p.4, 1.25, following the word "landowner" add:

"University of Alaska grant lands"

On p.5, 1.26, following the word "state" add:

"except University of Alaska grant lands"

On p. 7, 1.21 add a new section:

" . . (c) University of Alaska grant lands which are located within the existing Chilkat River Critical Habitat Area established under AS 16.20.230(8) shall not be adversely affected by this legislation and such lands shall be subject to the terms and conditions of the agreement executed between the University of Alaska and the State of Alaska settling University of Alaska v. State of Alaska."

P.8, 1.25 after the word "land" add the following:

"University of Alaska grant lands"

P.8, 1.28, following the word "land" add the following:

"and University of Alaska grant lands"

On p. 11, delete 1.24.

TO: Billy Berrier, Director
Division of Legal Services

FROM: Bettye Fahrenkamp, Chairman
Senate Resources Committee

DATE: 3/31/82

RE: Legal sectional analysis of SSSB 796

The following legislation has been referred to the Senate Resources Committee for consideration:

SBSB 796 "An Act providing for the management of state-owned land in the Haines area, establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area"

In preparation for the hearing on this bill I would like a legal sectional analysis of the bill to be completed by the Division of Legal Services and submitted to the Senate Resources Committee, Room 211 Capitol Building, prior to 4/5/82.

If you have any questions please contact Resa King at 465-3834.

TO; Senate Finance Committee
Members

DATE: 4/19/82

FROM: Bettye Fahrenkamp
Chairman

RE: SSSBSB 796
Background Information

CSSSSB 796 - Providing for the management of state owned land in the Haines Area, establishing the Alaska Chilkat Bald Eagle Preserve and the Haines State Forest Resource Management Area - will be referred out of the Resources Committee and has a further referral to the Finance Committee.

Attached for your information are background materials on the bill. If you

Attachments

TO: Billy Berrier
Director Legal Services

DATE: 4/19/82

ATTN: Dick Bradley

FROM: Resa King
Resources Committee
Staff

RE: Technical error
CSSSSB 796

CSSSSB 796 (Res) has been returned to the Committee. In comparing the final and the work draft that was submitted, I note a technical error on page 19, lines 2 - 10.

In the work draft page 11, line 15 the language "completed within the last 10 years" was deleted. Therefore, the reference to "preceding 10 years" on page 19, line 2, 8 and 9 needs to be deleted. Also, in the work draft the word "current" was deleted and "existing" was inserted in its place.

I offer the following language to help page 19 become consistent with the deletion and change on page 11 of the work draft:

Page 19, lines 2 - 10:

"(b) The Department of Natural Resources shall periodically review and revise the management plan adopted for the Haines State Forest Resource Management Area under (a) of this section. The management plan shall be based on existing operational level inventory and revised as future inventory information becomes available to the department."

If you have any questions please let me know. When the bill is completed please return to Room 211 Capitol Building.

Attachments

SB. 796

Native groups asked to back eagle-forest bill

(The Lynn Canal News thanks Ken Bryant of KHNS for providing the notes for this article).

HAINES — Eagles and native allotments both stand to gain if the bill establishing an eagle preserve and a state forest resource management area is passed.

That was the message Merrill Palmer gave to a combined meeting of the Chilkoot Indian Association, the Tlingit and Haida Council and members of the Haines Alaska Native Brotherhood and Sisterhood Monday.

"Obviously, we can't solve all the land problems and we can't change history, but we can learn from history," he said. "The Tlingit people are as important as any bald eagle, which is why we have wrote (sic) into this bill as strong as we could all of the traditional uses that we could possibly write in."

In his efforts to get the Native people to reconsider their decision to oppose the preserve bill, Palmer asked that they be willing to sit down and iron out problem areas.

"This is your chance to gain something, but you can't do it unless you are willing to work on the bill," he said.

"If you just oppose it, it ends and nothing can be done."

Fear that Native allotments would be adversely affected by the bill appears to be the main concern of those who oppose the bill. A petition signed by 61 Klukwan residents who were against the preserve and state forests earlier this month listed a 2.6 million-acre trespass suit against the federal government, and a 12,800-acre reservation request in 1949 as their prime concerns. They feared the bill would interfere with the settlement of those claims.

Joe McGee, Tlingit and Haida Central Council reality officer, told the group that neither the trespass suit nor the reservation offering are still current.

The trespass suit was settled in court he said, adding that reservation was never agreed upon by the Native people and is now void.

McGee indicated that he thought the bill is a good one for the Native people.

"This bill will bring to the attention of the Department of Natural Resources that many of the land applications have been pending for 30 or 40 years," he said.

Palmer agreed, saying that the state is the one who is contesting all of the

MARCH 29, 1982

PUBLIC SERVICE ANNOUNCEMENT

BILL ESTABLISHING THE CHILKAT BAY WAGLE PRESERVE AND THE HAINES STATE FOREST RESOURCE MANAGEMENT AREA TO BE HEARD ON THE TELECONFERENCE NETWORK.

THE SENATE RESOURCES COMMITTEE, CHAIRED BY SENATOR BETTYE FAHRENKAMP, WILL HOLD A TELECONFERENCE HEARING ON SSSB 796, WEDNESDAY, APRIL 7, 1982 1:30 - 3:00 P.M. PACIFIC STANDARD TIME.

SSSB 796 HAS BEEN PROPOSED BY THE AREA RESIDENTS AS A RESOLUTION TO RESOURCE CONFLICTS IN THEIR AREA.

AREA RESIDENTS INTERESTED IN PRESENTING TESTIMONY OR OBSERVING THE HEARING MAY PARTICIPATE VIA THE LEGISLATIVE TELECONFERENCE NETWORK AT HAINES.



National Audubon Society

ALASKA REGIONAL OFFICE
308 G STREET, SUITE 219, ANCHORAGE, AK 99501 (907) 276-7034

TESTIMONY OF THE
NATIONAL AUDUBON SOCIETY

REGARDING SB 796 PROPOSING ESTABLISHMENT
OF THE ALASKA CHILKAT BALD EAGLE PRESERVE AND
THE HAINES STATE FOREST RESOURCE MANAGEMENT AREA

BEFORE THE
SENATE RESOURCES COMMITTEE
ALASKA STATE LEGISLATURE

JUNEAU, ALASKA
APRIL 7, 1982

Dear Madame Chairman:

My name is Dave Cline, and I am testifying today on behalf of the National Audubon Society and its more than 2000 members in Alaska, and 450,000 nationally.

Having been involved in helping conserve Alaska's wildlife heritage since 1916, and with the Chilkat bald eagles since the late 1960's, our organization sees SB 796 as an unprecedented compromise between diverse interest groups. We urge its prompt passage to resolve long-standing land and resource conflicts in the Chilkat Valley of southeast Alaska.

Although endangered or threatened with extinction in the Lower 48 states, scientists believe that the bald eagle may be starting to make a comeback. This is only because of the cooperative efforts of federal and state wildlife agencies, conservation and industrial groups, scientists and private citizens throughout the nation. These efforts, and those which have led to this consensus legislation now before you, are truly indicative of the spirit of cooperation and perseverance which is at the very heart of our state and national character.

Audubon recognizes the fall and winter concentration of northern bald eagles along Chilkat River as representing the largest known population of bald eagles in North America. This annual

AMERICANS COMMITTED TO CONSERVATION

gathering of more than 3500 eagles on their "council grounds" constitutes one of our nation's greatest wildlife spectacles.

As pointed out in the Anchorage Daily News editorial of April 7, 1982, efforts to save the bald eagle are symbolic of the struggle to preserve America's Wildlife heritage. In a world fast running out of wildlife, whether on the African savannas or in the tropical rain forests of South America, what happens to 3500 bald eagles along a 3-5 mile stretch of river in southeast Alaska, is of growing concern to millions of people in the United States and other countries. This resource treasure will, therefore, only become increasingly valuable in time. Thus, it should be of considerable concern and interest to all Alaskans, including those in the tourism industry.

For the past four years Audubon has been participating in a cooperative study of bald eagles and other public resources in the Chilkat Valley. The principal intent of these unprecedented cooperative efforts has been to help find an "Alaskan solution" to land and resource conflicts through cooperation and consensus, rather than confrontation and litigation. We believe that if a balanced solution is found, it could serve as model for resolving such conflicts elsewhere in Alaska where resources of state, national and international significance are at stake. We think that model solution is SB 796.

Since the legislation represents a consensus, it is understandable that no one is totally happy with it. For example, the majority of conservationists feel that the eagle sanctuary should be much larger, and that it is worthy of national (congressional) rather than state designation.

There has been considerable give and take on all sides during four years of hard work to develop this consensus bill. Since Audubon believes that boundaries are being placed around the backbone of the local fishery, and most essential eagle habitat, we remain strongly supportive of its passage. We also see the legislation causing minimal conflict with proposed resource development in the Chilkat Valley, and with private interests including those of the Natives. In fact, the legislation was purposely designed to protect, not threaten these interests.

It is also important to recognize that the legislation provides opportunity for maximum local participation in planning and management of the two units. Ongoing cooperation between the eagle preserve and forest managers is assured to meet the broad public interest mandates of the legislation including the application of sound land use practices on the state forest acreages to avoid adversely affecting water quality, fish and eagles in the preserve.

The legislation is cost effective to all concerned, and provides for no new or greatly expanded bureaucracy to make it work. The State of Alaska has lead responsibility in management. All these factors are consistent both with the new federalism, and legislative austerity in regard to management of the state's finances.

If this consensus legislation is not passed, what I see happening includes the following:

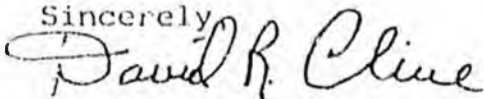
- * Vigorous efforts within the national conservation community to seek a federal (congressional) solution because of the state's unwillingness to act on a consensus agreement.
- * Tarnishing of Alaska's image on the national scene, with the debate over how best to protect the Chilkat eagles again spilling beyond Alaska's boundaries. The upcoming film on Alaska that is to be aired on national television later this month will show what Alaskans are doing to use their resource bounty wisely. There will be a major segment on the Chilkat eagle issue in the film. Depending on the outcome of this legislation, Alaska's image could be either enhanced by the film, or result in there having a lot of explaining to do.
- * Ongoing disputes between diverse resource user groups in the Chilkat Valley.
- * Expenditure of significant amounts of public and private funds to protect these diverse user group interests.
- * The need to continue the "moratorium on development" now in place on approximately 55,000 acres of state land in the Chilkat Valley to assure that essential fish and eagle habitats are not adversely affected until a legislative solution is found.

National surveys of public attitudes toward animals indicate that the bald eagle is one of the most popular of wildlife species. It is not only a beautiful species of bird, but the emblem of our nation, and of the Tlingit eagle-clan. Therefore, millions of people will be celebrating this, The Bicentennial Year of the American Bald Eagle. It was 200 years ago that America chose the bald eagle to symbolize its ideals of freedom.

On January 28, 1982, President Reagan signed a proclamation designating June 20, 1982 as "National Bald Eagle Day". In his proclamation the President stated: "I call upon the people of the United States to join in these observances with appropriate activities in their homes and communities". What more appropriate way for Alaskans to demonstrate their concern for our natural heritage, as symbolized by the bald eagle, than to establish an Alaskan Chilkat Bald Eagle Preserve and adjoining Haines State Forest Resource Management Area.

Thank you for your time, interest, and for your understanding.

Sincerely,



David R. Cline
Regional Vice President

TO: Senator Fahrenkamp
Chairman

DATE: 4/8/82
Thursday

FROM: Resa King
Staff

RE: SSSB 796
Haines Eagle/Forest Bill

I met for four hours today with representatives from the various interested groups on the Haines Eagle/Timber bill. The working group was able to resolve most of the questions raised in Mr. Bradley's April 2, 1982 memorandum. These are being incorporated into a memorandum to our Legal Section requesting a Work Draft Committee Substitute for SSSB 796.

Unfortunately, Klukwan and their representative from the Tlingit-Haida Central Council (due to schedule conflicts) could not continue to meet with the group in the afternoon, Friday, Saturday or Monday. The first time they would be available to meet again is on the afternoon of Tuesday March 13, 1982. All parties agreed to the next meeting date. At the March 13th meeting Klukwan will be coming forth with specific amendments to resolve their specific concerns with SSSB 796. At that time the working group will review the amendments and make a recommendation to the Senate Resources Committee.

Im Attendance

Jon Halliwell - Mayor Haines

Meryl Snyder - Haines

Steve Selors - Attorney

Mike DeMann - T & H. Central Council

Joe Hatch + _____ : Klukwan

m/m Ray Menaker

Dave Klone outboard society

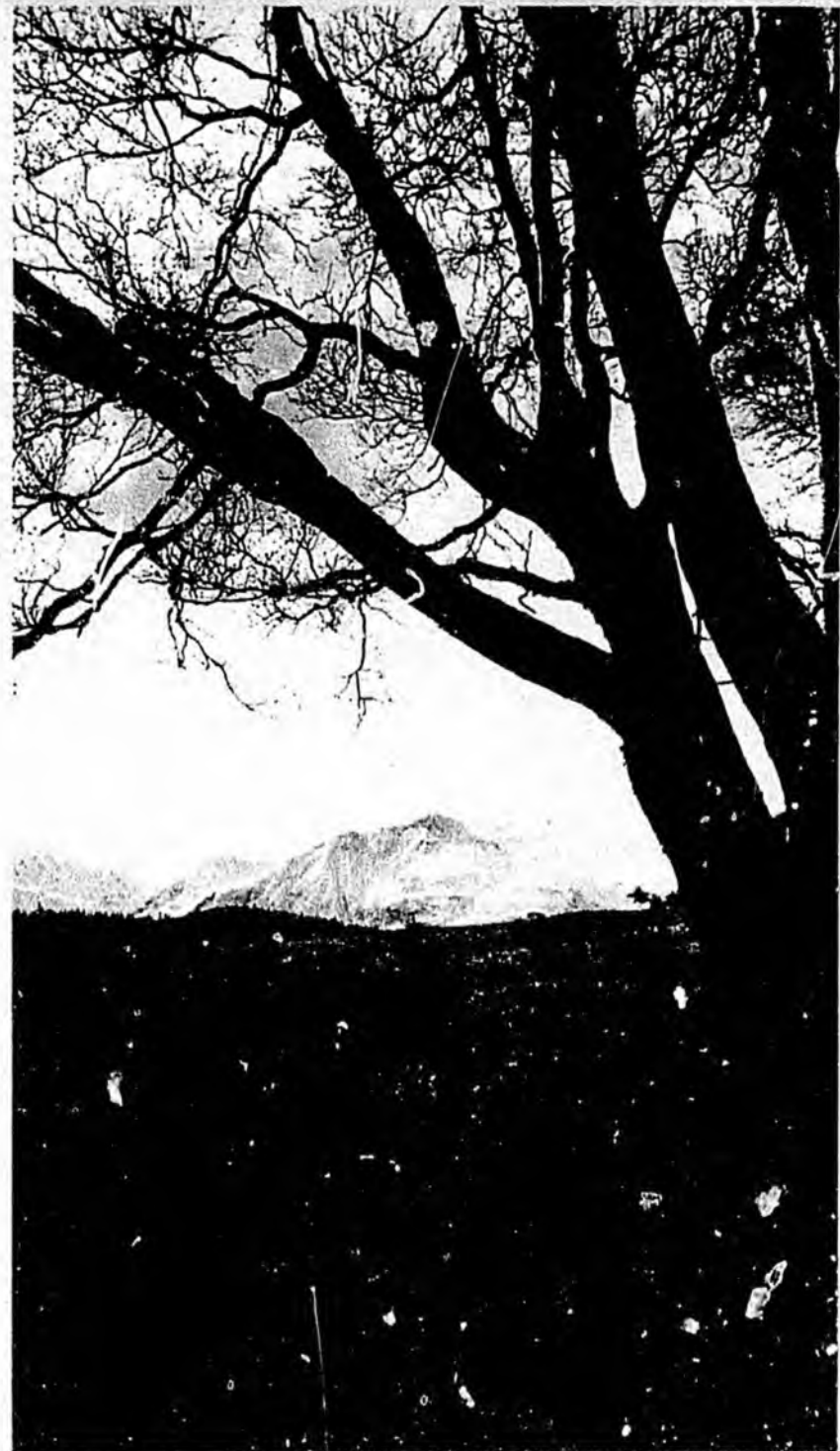
Red Straps - DNR

cc: Dick Bradley - Legal Services

Observing: Marcia Johnson, U.S. Forest Service

**HAINES
KLUKWAN
COOPERATIVE
RESOURCE
STUDY**

June 1981 Progress Report



Haines Klukwan Cooperative Resource Study June, 1981

**This study was prepared under the direction of the
Haines Klukwan Cooperative Resource Study Advisory Committee.**

Committee Members:

**City of Haines, Jon Halliwill, Mayor
City of Klukwan, Bill Thomas, Klukwan, Inc.
Alaska Department of Fish and Game, Dick Logan
National Audubon Society, Dave Cline
U.S. Fish and Wildlife Service, Jack Hodges
Alaska Department of Natural Resources, Reed Stoops
Alaska State Legislature, The Honorable Jim Duncan**

This project was funded by:

**Alaska Department of Natural Resources
Alaska Department of Fish and Game
National Audubon Society
U.S. Fish and Wildlife Service
U.S. Soil Conservation Service**

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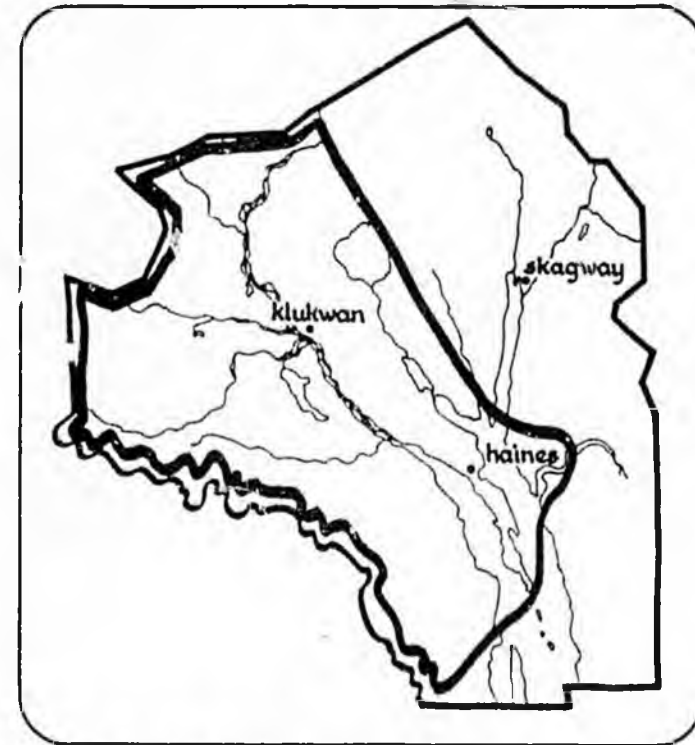
Introduction to the Haines Klukwan Cooperative

Resource Study 1981 Progress Report

Under ideal circumstances, resource managers have the benefit of comprehensive resource investigations prior to the initiation of significant development activities. Many times, however, resource managers must use the best existing information to assess the likely impact of one development activity on other valuable resources in the same ecosystem.

In the case of the Haines-Skagway Land Use Plan, adopted in 1980, land was allocated to various resource uses based on the best available information. Subsequently, a state timber sale was held. The sale involved approximately 60,000 acres of state commercial forest lands which the plan allocated for that purpose. That sale, of great importance to the community of Haines, was challenged in Superior Court and upheld. Timber harvest under the sale is proceeding, however, the Superior Court decision has since been appealed to the State Supreme Court.

Debate over the Haines Skagway Land Use Plan and the subsequent timber sale also took place in Washington, D.C. during deliberations on the Alaska National Interest Lands Conservation Act which became law in December, 1980. Concerns were raised by those who perceived timber harvest as a potential threat to other resources, most notably a large winter concentration of bald eagles on the Chilkat River. The National Audubon Society had initiated its own study of bald eagles in the Chilkat Valley. The communities of Haines and Klukwan had initiated their own local multi-resource study to look at the interrelationships of all resources found in the Chilkat Valley. To satisfy these concerns, a compromise was reached in which the principle state and federal land management agencies with jurisdiction for the various resources agreed to a three year cooperative resource study. The results of the study may lead to adjustments in land allocations and will provide the basis for a detailed forest management plan as required by the Haines Skagway Land Use Plan. Management guidelines based on information gathered by this cooperative study will be designed to allow development or use to take place without unacceptable impacts on other resources. With this approach, it should be possible for the communities of Haines and Klukwan to satisfy local social and economic objectives while maintaining important state and national interests in this unique area.



Map #1 - Study Area

To direct these important resource studies, an advisory committee was created in June, 1980. Its current members include representatives of the Alaska Department of Natural Resources, the Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Audubon Society, the City of Haines, the City of Klukwan, and the Alaska State Legislature. During the first year this committee set individual study

objectives, circulated requests for proposals, and awarded contracts to private and governmental resource experts. The principle investigations now underway include fisheries, wildlife, soils, vegetation, hydrology, geology and topography. The National Audubon Society is continuing its eagle studies in cooperation with the U.S. Fish and Wildlife Service.

The results of the first year - and in the case of eagles - of these investigations are summarized in this report. The full detailed reports prepared by each contractor may be obtained from the Department of Natural Resources, Division of Research and Development in Juneau, or the Haines Klukwan Resource Study office in Haines.

I would like to extend special credit to advisory committee members Jon Halliwill, Mayor of Haines, Bill Thomas of Klukwan, and Representative Jim Duncan of the Alaska State Legislature for their support of this study. Dave Cline, Alaska Representative of the National Audubon Society deserves commendation for his efforts in seeking cooperative solutions to resource conflicts. Finally, I would like to commend to citizens of Haines and Klukwan for their undying interest over the past three years.

Reed Stoops, Director
Division of Research and Development

Haines Klukwan Cooperative Resource Advisory Committee:

David Cline,
National Audubon Society

Representative Jim Duncan,
Alaska State Legislature

Jon Halliwill, Mayor
City of Haines

Jack Hodges,
U.S. Fish and Wildlife Service

Richard Logan,
Alaska Department of Fish & Game

Bill Thomas,
City of Klukwan



RESOURCE ROOM

RESOURCE ROOM

Principle Investigator:
Mary Ann Blanton for the
City of Haines,
Alaska Department of
Natural Resources

PURPOSE

The Resource Room had two primary goals for its first year of operation:

- to provide a local repository for collected data and materials to be available to concerned local citizens and groups who wish to remain informed about each of several resource studies
- to foster and encourage a congenial atmosphere in which groups, often with quite independent goals and objectives, might find neutral ground on which to synthesize the results of their work

The Haines Resource Room also played a vital role as an employment coordinating center for field crews hired for some of the resource studies and as a point of coordination for all contractors working on the various projects.

PRELIMINARY FINDINGS

The Resource Room functioned very successfully. It provided a contact for the community of Haines which will foster greater understanding and participation in the Haines Klukwan Cooperative Resource Studies. It houses a growing resource library, including results of this year's investigations, and it maintains a listing of Haines residents interested in employment in the study projects.

FUTURE STUDIES

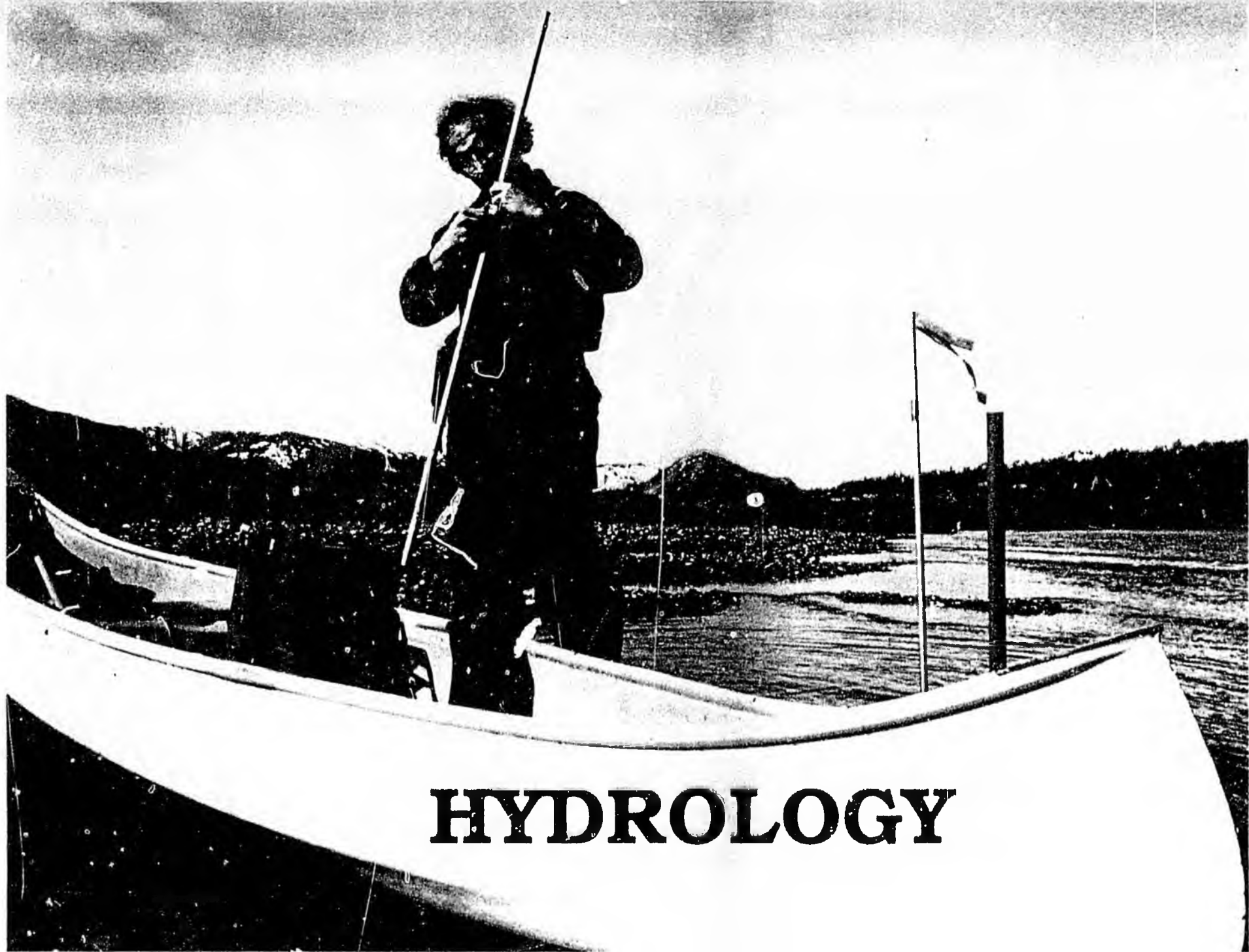
The Haines Klukwan Cooperative Resource Study Committee plans to continue funding the Resource Room so that its important function will be continued.



Dorothy Fossman points out one of the many studies cataloged in the Resource Room Library



Mary Ann Blanton and Dorothy Fossman research and catalog mapped resource information.



HYDROLOGY

HYDROLOGY

Principle Investigator
Daniel M. Bishop,
Enviroaid, for the
Alaska Department of Natural Resources

PURPOSE

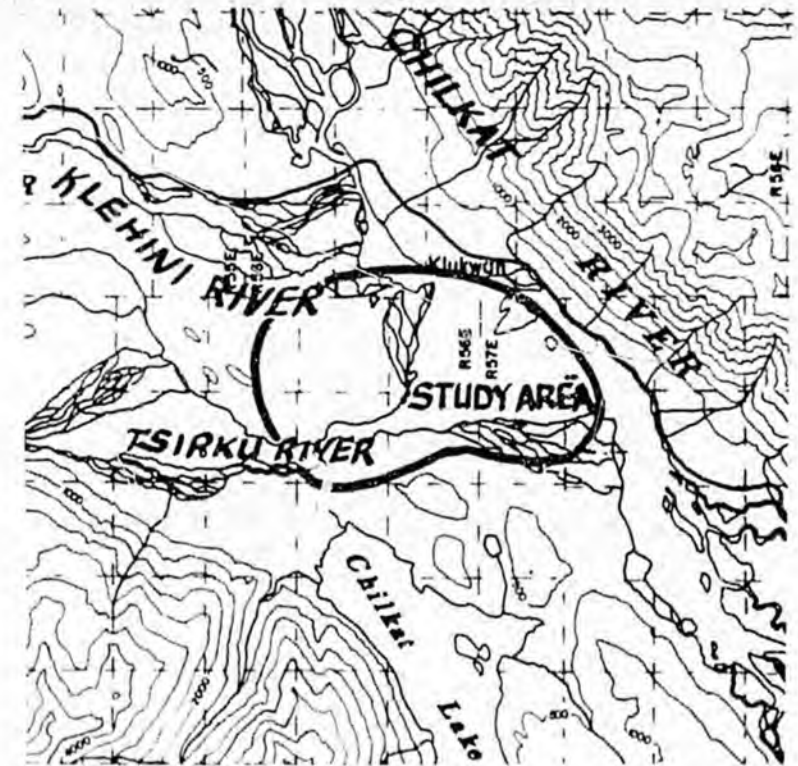
The Tsirku River fan at the confluence of the Tsirku and Chilkat River is known for its warm water upwellings that provide the environment for late season chum salmon spawning. The late spawning salmon are the main attraction for the eagles that gather in the Chilkat River Valley during the late fall and early winter. Before significant resource development occurs near the Tsirku fan the dynamics of the groundwater flow that cause the upwellings must be understood so that resource development activities can be managed in a manner that maintains the integrity of the upwelling areas. Given the limited budget for hydrologic investigations, the Tsirku River (see Map #2) was the highest priority for the investigation because of the important salmon spawning area and the likelihood of timber harvest on adjacent lands.

FIELD ACTIVITIES

A three member crew spent the winter and spring investigating the Tsirku fan groundwater regimen. Wells were sunk to test groundwater elevation, temperature and chemistry, and the permeability of gravels. Resistivity (using electrical currents and measuring changes in conductivity to locate the groundwater surface) and flow measurements were also taken.

PRELIMINARY FINDINGS

The Tsirku River fan acts as a reservoir. It is filled to overflowing during summer and early fall by glacial melt waters, then drains down during the late fall, winter, and early spring months. The gravels of the fan provide groundwater conduits carrying flows that upwell in the main and flood channels of the Chilkat River. Upwelling flows reach their maximum force and elevation during summer and fall when the driving reservoir is at its fullest and therefore exerting maximum pressure. Lowest flow of upwellings occur in the late winter-early spring before the Tsirku fan reservoir begins to refill. Annual fluctuation of the groundwater level of the upstream portion of the Tsirku fan may be as great as 20 to 30 feet while comparable fluctuation of groundwater levels near the upwelling may be 2 to 4 feet. The fluctuations in groundwater level are related by the changes in upwelling flows.



Map #2 - Hydrology Study Area



Bob Havrilak takes measurements from a test well on the Tsirku River fan. Klukwan can be seen in the background.

Water in the main channels of the Tsirku River can be perched well above the water table during the winter and early spring period. The beds of these main winter channels apparently become largely sealed by fine glacial sediments. When spring melt waters swell the Tsirku River beyond the limits of its winter channels, recharge of the fan reservoir increases rapidly, probably in proportion to surface area flooded. Groundwater levels and upwelling flows near or under the Chilkat channels also rise at that time

Water temperatures within the beds of upwelling stream channels are between the more constant temperature of the groundwater and the more variable temperature of the surface water. An intra-gravel mixing zone of surface and groundwaters is indicated by this temperature condition, and influences spawning and incubating conditions.

Dissolved oxygen within the groundwater zone remains relatively high in the Tsirku fan. This is an important factor that allows the upwelling flows to maintain an optimum incubating environment. The causes for these rather high groundwater oxygen levels are discussed in the detailed hydrology report which was submitted.

Upwelling flows pump sediment sands and silts in the immediate vicinity of concentrated upwellings. This pumping action is believed to contribute significantly to sediment accumulation in some flood channels and may act to keep spawning gravels clear of fine sediments that are less suitable for spawning. This study leads to several preliminary conclusions, which may relate to land or fisheries management in the Chilkat Valley.

1. The groundwater system, meaning groundwater recharge and flows of groundwater to points of upwelling along the intersection of the Tsirku fan and the Chilkat River, is contained largely on the Tsirku fan itself.
2. Dispersed flood flows on the Tsirku fan produce rapid recharge of the fan groundwater reservoir. Extensive confinement or restriction of the Tsirku River to specific channels on the fan would reduce recharge rate and affect upwelling flows.
3. Routing of major channels of the Tsirku River along the central core of the fan is more likely to support upwelling channels along the Chilkat River than major flow routes along the margins of the fan. Structures or activities which could induce or favor river movement toward fan margins should be avoided.



Bob Havrilak pumps a test well on the Tsirku River fan.



Bob Havrilak measures the water level in a test well on the Tsirku River fan.

4. Vegetated portions of the Tsirku fan floodplain limit the tendency of the river to cut new and divergent flow routes. Protection of at least healthy margins of vegetation with ample width will favor stable routings of river channels.
5. Upwelling spawning-incubating channels on the Chilkat River are most susceptible to sediment damage during November through April, when stream flows are generally clear.
6. Construction of natural upwelling spawning or incubating channels in the mouth of the Tsirku fan may be feasible. The biologic or fisheries management desirability of such an installation would require evaluation.
7. Outmigrant fry production from upwelling channels may be enhanced by the mixing of surface (river) flows with upwelling waters. A moderate volume of surface flows reduces sediment deposition and may enhance dissolved oxygen levels in the bed.

FUTURE STUDIES

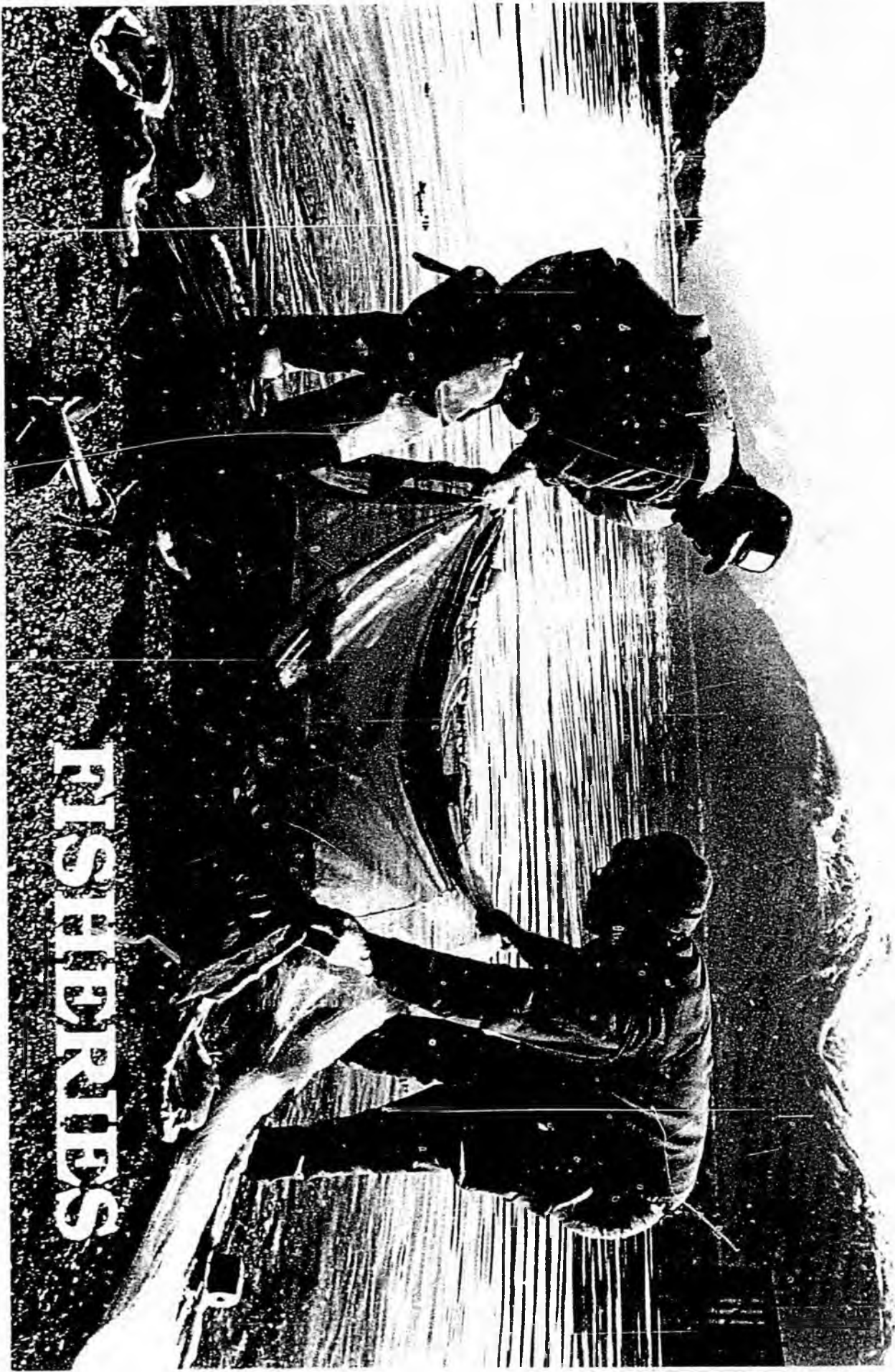
The United States Geological Survey has agreed to continue the hydrologic investigations. The Haines Klukwan Cooperative Resource Study Advisory Board is seeking funding to match federal funds so that the hydrology of the entire Chilkat Valley can be investigated and mapped.



Shelly Stallings sets up resistivity equipment to measure depth to ground water on the Tsirku fan.



Dan Bishop takes resistivity readings to measure depth to ground water on the Tsirku River fan.



FISHERIES

STREAM INVENTORY

Principle Investigator:
City of Haines and the
Alaska Department of
Fish and Game

PURPOSE

The Haines-Skagway Land Use Plan noted that there is little or no information on salmon use of a number of streams flowing through planned timber harvest areas. The purpose of this study was to collect information on:

- the use of these streams by salmon
- available spawning and rearing habitat
- stream flow
- streambank vegetation
- channel stability
- bottom substrate types
- water quality

As a result of this study, information on more streams is now available to resource managers who can use it to ensure compatibility between resource uses.

FIELD ACTIVITIES

Under the direction of the Alaskan Department of Fish and Game, two, three and four person field crews began gathering data on streams in November of 1980. The late start-up kept the field crews from gathering complete information on salmon spawning, since spawning begins in June and, in most areas, ends in November.

PRELIMINARY FINDINGS

Ten streams and their tributaries had complete detailed surveys done and salmon use noted. The streams surveyed included the Kelsall River (partially complete), Nataga Creek (partially complete), Herman Creek, Big Boulder and Little Boulder Creeks, all of which were identified in the Haines-Skagway Land Use Plan as needing inventory work. In addition, twenty-one coho salmon overwintering areas were identified and twenty-eight late fall salmon spawning surveys were done.



Steve Fossman measures the distance along a stream channel.



George Davis tests stream pH of the Kelsall River near Nataga Creek.

FUTURE STUDIES

The Haines Klukwan Cooperative Resource Study Advisory Committee is requesting funding to continue the stream survey work so that spawning information is complete on streams already inventoried and basic data is available for all anadromous streams in the Haines area. Eventually, it is hoped that detailed, comprehensive fisheries information will be available on salmon-producing systems that contribute to all Lynn Canal fisheries.



Greg Podzicky sets a trap for salmon fry on the Chilkoot River over Chilkoot Lake.

CHILKOOT AND CHILKAT ESTUARY STUDY

Principle Investigator:
Douglas Karnes for the
Alaska Department of Natural Resources

PURPOSE

In the life cycle of the salmon produced in the Chilkat and Chilkoot River systems, a critical segment is the movement of salmon smolt from freshwater to the marine environment. This study began to define the patterns of migration, locations of rearing areas, and the physical and biological characteristics of the estuarine environment that are necessary for salmon smolt survival. It will give land and fisheries managers an important tool to accomplish the task of maintaining the productive capacity of the natural systems of the Chilkat and Chilkoot valleys while providing for the use of the resources found there.

FIELD ACTIVITIES

Field investigations began in April 1981, and included salmon smolt sampling with fyke nets in the Chilkat and Chilkoot Rivers; estuarine sampling of salmon smolt with beach haul seines, trawls, dip nets and visual observation; water quality analysis and plankton sampling.

PRELIMINARY FINDINGS

The outmigration of pink and chum salmon coincided with a concentrated plankton bloom in the estuaries. Use of the upper inlet estuaries by schools of salmon smolt lasted only as long as adequate concentrations of food species of plankton were available. Water quality seemed to influence the abundance of plankton most directly. Higher temperatures and reduced salinities coincided with the reduced abundance of plankton and the migration of pink and chum salmon smolt out of the upper end of the estuaries and into Lynn Canal.

Chilkoot Inlet is used primarily by pink and sockeye salmon for rearing, with early schools consisting of 95 percent pink salmon and only 5 percent chum salmon. The first observed outmigration of sockeye salmon was on May 28, 1981.

Chilkat Inlet, unlike Chilkoot Inlet, is predominantly a chum salmon spawning and rearing area. It is believed that the chum salmon outmigration occurs over a long period; a belief supported by observations



Doug Karnes uses a net to trap salmon smolt as they migrate down the Chilkat River to salt water.



Doug Karnes and Hugh Reitz set a beach haul seine to sample salmon fry migrating along the shore of Lynn Canal near Haines.

of a wide range of smolt development in outmigrating chums and the extended duration of chum spawning in the fall.

FUTURE STUDIES

Two more field seasons of similar observations are needed to establish an adequate understanding of the importance of the physical and biological characteristics of Chilkat and Chilkoot Inlets to salmon smolt survival. It is suggested that studies begin earlier in the season and last longer so that cohos and sockeyes can be studied along with pinks and chums.



Doug Karnes evaluates plankton sample taken along Lynn Canal near Haines.



Doug Karnes tests a water sample to determine water quality during salmon smolt migration.

CHUM SALMON SPAWNING GRAVEL EVALUATION AND PRE-EMERGENT FRY SAMPLING IN THE TSIRKU RIVER FAN

Principle Investigators:
City of Haines and Alaska
Department of Fish & Game

PURPOSE

The Tsirku River fan is at the confluence of the Tsirku and Chilkat Rivers. It is the site of the late chum salmon spawning that attracts the large number of eagles to the area in the late fall and early winter.

This study assessed the effects of overwintering on pre-emergent chum salmon fry and examined the instability of spawning channels on the Tsirku River fan. This study will give valuable insights into the cause of salmon mortality during incubation and the relative productivity of the various channels and upwelling areas found on the Tsirku fan.

FIELD ACTIVITIES

Field work was done between April, 1981, and May 15, 1981. Spawning gravel samples were collected by using a gravel core freezing apparatus that allows investigators to freeze the gravel in place, extract it from the bottom, and analyze the gravel as it is found in the river bottom to determine its quality for spawning and the degree of siltation.

Pre-emergent fry samples were gathered by pumping a standard sample volume of gravel into fyke nets and counting the live salmon fry.

PRELIMINARY FINDINGS

Extremely high numbers of live pre-emergent chum salmon fry were found in some gravel samples. The maximum fry density found was 545 live fry per cubic yard. The areas with the highest densities of pre-emergent fry were 10 Mile Slough and that portion of the Chilkat River from Mile 20 to the City of Klukwan.

This year's gravel samples have not been analyzed, but when they are, they will be the base line for monitoring changes in the spawning gravel over time. There appears to be an opportunity to do natural enhancement increase salmon spawning in the area.



Fisheries researchers use a gravel core freezing apparatus in the Chilkat River near the Wells Bridge.



Fisheries researcher brings frozen gravel sample to shore where it will be frozen, put in a container and taken to a lab for analysis.

FUTURE STUDIES

Data on pre-emergent fry has to be gathered over a number of years to get an accurate understanding of the resource. With this in mind the Haines-Klukwan Cooperative Resource Study Advisory Committee is requesting funding for further research in 1981-82.



Tim Ackerman and George Davis pump spawning gravel into a net to capture live pre-emergent salmon fry.



Researchers transfer spawning gravel sample from the net to a pan where live salmon fry will be counted.