

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 8672

2828 SREC SB 124 - SB 128

5. Lowering of minimum interest rate on farm product processing loan from 8% to 6%.
6. Raising of limit on loans for clearing land from \$250,000 to \$1,000,000.
7. Lowering of minimum interest rates on loans for clearing lands from 8% to 6%.
8. Changes in the composition and procedures of the Revolving Loan Fund Board.

A briefing and slide show were presented by Noranda Mining, Inc. on the proposed Greens Creek Mine on Admiralty Island.

Meeting adjourned 4:15 p.m.

MEMORANDUM

State of Alaska MAR 14 1983

TO: The Honorable Bettye Fahrenkamp
Alaska State Senate

DATE: March 14, 1983

FILE NO:

TELEPHONE NO:

FROM: Sharon L. Barton *SB*
Special Assistant
Department of Natural Resources

SUBJECT: SB 124

While the Department does not have a big problem with the \$300,000 operating loan limit, we feel that under normal circumstances the \$200,000 is still sufficient. The ARLF Board concurs in this view. As an alternative to raising the maximum, we recommend leaving in the disaster provision of SB 124 and expanding it to authorize the waiving or raising of the \$200,000 maximum in case of a declared area disaster. To accomplish the purpose of this legislation, language should be drafted in such a way that offers relief in the current situation at Delta.

MAR 14 1983

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: CSSB 124 Date on Bill: 2-14-83
Title: An Act amending the Alaska Agricultural Loan Act etc.
Sponsor: Moss
Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total		-0-	-0-	-0-

b. Revenues:

Revenue				
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2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Sharon Barton Phone: 465-2400
Division: Commissioner's Office Date: 3-15-83

Approved ^{for} Commissioner: *Mary Halloran* Date: 3-15-83
Department: Natural Resources

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
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2/15/83

Alaska State Legislature



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Senate

Committee on Resources

TO: Senate Resources Committee Members
FROM: Senate Resources Committee Staff
RE: March 9th Hearing on SB 124
DATE: March 8, 1983

Attached for your information are proposed amendments and fiscal information prepared by DNR on SB 124, An Act amending the Agricultural Loan Act.

This fiscal note does not reflect the fiscal impacts to the State of lowering interest rates and increasing limits on amounts borrowed (as outlined in SB 124). We have asked DNR to supply this information at the hearing, if possible.

The hearing will be held at 3:00 p.m. in the Beltz Room.



STATE OF ALASKA
OFFICE OF THE GOVERNOR

REC. SRC 3/8
2:30 pm

BILL ANALYSIS

Department Natural Resources	Sponsor (Principal) Moss	Bill Number SB 124
Department Position Do not support in current form; see recommended amendments.		
Division Director Bill Heim	Date 3/8/83	Commissioner's Signature <i>Arthur C. Williams</i>
		Date 3/8/83

GOVERNOR'S OFFICE USE

Comments
Position Noted
By
Date

SUMMARY

1. a) Related Bills (Similar or Conflicting) None	1. b) Other Agencies Affected by Bill
2. a) Organizational Support for Bill	2. b) Organizational Opposition to Bill
3. Program Effects of Bill <ul style="list-style-type: none"> -lowers chattel term from 30 years to 7 years -lowers interest rate minimum from eight to six percent -raises short term loan maximum to \$1,000,000 (from 200,000) -raises maximum processing loan to \$2,500,000 (from 250,000) -raises maximum clearing loan from \$250,000 to 1,000,000 -changes ARLF Board from Governor appointed members to one Governor appointed member and four elected 	

4. Fiscal Impact	Fiscal Note Attached
5. Amendments Proposed (see attachment)	

6. Comments

Recommended Amendments:

1. Page 1, lines 14 and 15 - delete "when added to the outstanding balance of other loans made under this chapter,"
2. Page 1, lines 22 and 23 - delete six, add eight
3. Page 1 - delete section 2
4. Page 2 - delete section 3
5. Page 2, line 21 - delete six, add eight
6. Page 2, delete section 5
7. Page 3 - delete section 6
8. Page 3 - lines 24-27, restore deleted language.
9. Page 3 - delete section 8.

The Department of Natural Resources's amendments will gut the bill; the only thing the bill will do if all their amendment's go into effect is cut the time limit for a chattel loan from 30 to 7 years; and allow a loan for clearing of land to be up to \$1,000,000 instead of \$250,000.

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: SB 124 Date on Bill: 2-14-83
 Title: An Act amending the Alaska Agricultural Revolving Loan Fund Act.
 Sponsor: Moss
 Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital	1	1	1	1
Operating		2.5	1.2	1.0
TOTAL		2.5	1.2	1.0

b. Revenues:

Revenue _____

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

Fiscal note required to cover costs involved in handling elections for ARLF board members.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Bill Heim Phone: 376-3276
 Division: Agriculture Date: 3-7-83

Approved ^{for} Commissioner: *Margitallora* Date: 3-8-83
 Department: Natural Resources

5. Distribution:

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2/15/83

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: SB 124 Date on Bill: 2/14/83
 Title: "An Act amending the Alaska Agricultural Loan Act (AS 03.10);
 Sponsor: Moss
 Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86
Capital				
Operating				
Total	0	0	0	

b. Revenues:

Revenue				
---------	--	--	--	--

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: Terry Elder, Deputy Commissioner *Terry Elder* Phone: 465-2501
 Division: _____ Date: _____

Approved by Commissioner: Richard A. Lvon *Richard A. Lvon* Date: _____
 Department: Department of Commerce & Economic Development

5. Distribution:

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2/15/83

AGRICULTURAL REVOLVING LOAN FUND
Interest Rate Comparison

	<u>Term</u>	<u>Total Loans</u>	<u>6% Interest</u>	<u>8% Interest</u>	<u>Difference</u>
<u>1982</u>					
Operating	1 yr.- 1 payment	\$ 4,088,982	\$ 225,349	\$ 327,119	\$ 81,780
Chattel	7 yrs.-annual payment	1,313,503	333,604	452,581	118,977
Development	20 yrs.- monthly payment	5,841,706	4,202,724	5,885,262	1,682,539
<u>1983</u> (actual July-Feb. projected Mar-June)					
Operating	1 yr.- 1 payment	1,834,720	110,083	146,778	36,695
Chattel	7 yrs.-annual payment	1,995,397	506,791	687,534	180,743
Development	20 yrs.-monthly payment	1,905,810	1,371,104	1,920,120	549,016
<u>1984</u> (projected)					
Operating	1 yr.- 1 payment	1,834,720	110,083	146,778	36,695
Chattel	7 yrs.-annual payment	2,525,280	641,371	870,110	228,739
Development	20 yrs.-monthly payment	5,640,000	<u>4,057,610</u>	<u>5,682,053</u>	<u>1,624,443</u>
			\$ 11,578,709	\$ 16,118,336	\$ 4,539,627

Alaska State Legislature

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Senate

Committee on Resources

TO: Bettye
FROM: Sandra
RE: Committee Hearing on SB 124
DATE: March 8, 1983

SB 124 (An Act amending the Agricultural Loan Act) is being heard at the request of Senator Moss. You should mention that you do not plan to pass this bill out today.

A summary and copy of the bill are attached. In short, the bill amends the Agricultural Loan Act by changing the terms of and limits on loans, and changing the set-up of the Loan Fund Board.

DNR has proposed some substantial amendments (also attached) that delete most sections of the bill (in which case the statute would remain as currently written). DNR does support two aspects of SB 124: 1) Reduce the maximum term of a chattel loan from 30 years to 7 years (chattel is any property other than real estate); 2) Increase the limit on loans for clearing land from \$250,000 to \$1,000,000.

The fiscal note prepared by DNR does not reflect the fiscal impacts to the State of lowering interest rates and increasing limits on amounts borrowed. We have asked DNR to supply this information at today's hearing if possible.

The following people have indicated that they will testify:

- Senate President Kerttula
- Bob Arnold, Deputy Commissioner, DNR
- Senator Moss (or staff) - Rick Johnson is here.

**Some questions need to be answered. (See next page.)

Questions.

1. What is the fiscal impact on the State of lowering interest rates and increasing limits on amounts borrowed?
2. Is this kind of support comparable to that given by the State to other major developing sectors, like mining and fisheries?
3. Why is the restructuring of the Board necessary?

Immediately following the hearing on SB 124, the Committee will be briefed by Peter Richardson, Manager, Noranda Mining Company, on the Greens Creek mining development on Admiralty Island.

** REMEMBER THAT AT 4:00 P.M. YOU HAVE A MEETING WITH THE GOVERNOR ON SUBSISTENCE AND THE CITIZENS' ADVISORY COMMISSION.

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ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



February 16, 1983

TO: Senator Bettye Fahrenkamp, Chair
Senate Resources Committee

FROM: Senator Vic Fischer, Chair
Senate resources Subcommittee on
Parks and Recreation

RE: Prince William Sound Recreation Interim report

Enclosed is an interim report by the Senate Resources Subcommittee, Parks and Recreation, on Prince William Sound recreation. The report is based on testimony offered during a statewide teleconference held in Anchorage on October 15, 1982.

Testimony received during the teleconference centered around several issues affecting recreation development in the Sound. Following are suggestions and recommendations made during the public hearing:

1. Establish the Alaska Marine Park System through an act of the Alaska State legislature. As you know, legislation establishing the marine park system, SB 794, passed the Senate unanimously last year, but failed to pass the House before adjournment. It has been re-introduced as SB 128 and is currently before you in the Senate Resources Committee.
2. Improve and increase access to Whittier. There is a bill before the Senate Transportation Committee, SB 30, to upgrade and improve Whittier access. The fiscal restraint currently facing the legislature, however, makes passage unlikely this session. A step we could now take is to fund an updated study to improve Whittier access which considers other alternatives and recent technological advances in road and tunnel building.
3. Provide sufficient funding to Southcentral Emergency Medical Services to form a voluntary search and rescue coordinating group in the Sound. In addition, funds will be needed for equipment and radios and for contracting emergency search and rescue helicopter service in the Sound during the fishing and tourist season.
4. Continue the state's commitment to aquaculture development in the Sound with sufficient funds to maintain existing facilities and those scheduled for development within the next decade.
5. Establish a Prince William Sound Recreation Advisory Committee capable of addressing a wide range of issues. The committee should be

comprised of local residents, user groups, landowner/managers, and other interested parties to assure adequate representation, and should work closely with state and federal joint management efforts. The group should submit a yearly report reflecting overall planning for recreation development in the Sound as well as needs identified through public hearings.

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

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PRINCE WILLIAM SOUND RECREATION

Report and summary of public meeting/teleconference
PARKS AND RECREATION SUBCOMMITTEE
SENATE RESOURCES COMMITTEE
October 15, 1982
Anchorage, Alaska 99501

The potential of Prince William Sound to help meet recreation needs of Anchorage and the Railbelt area was the subject of a public meeting and statewide teleconference held in Anchorage on October 15, 1982.

The hearing, chaired by Senator Vic Fischer before the Senate Resources Subcommittee on Parks and Recreation was a follow up to a similar public hearing held in December 1981. Testimony during the 1981 meeting centered around pending settlement of land ownership and management issues in the Sound, private recreation plans, and transportation problems. Major developments have occurred in those areas since 1981. They include:

1. Transfer of federal land in Chugach national Forest to private native corporations.
2. Final U.S. Forest Service recommendations on land management in Chugach National Forest.
3. State legislation introduced establishing the Alaska Marine Park System.
4. Increased pressure on search and rescue ability in the Sound.
5. Recommendations of sites within the Sound for inclusion in the U.S. Marine Sanctuary Program.
6. Policy and schedule changes in the Alaska Marine Highway system servicing Prince William Sound.
7. State plans for land disposals in the Sound.
8. Private, state and federal recreation development plans.

"During last years teleconference I made a commitment to follow-up our discussions, principally because we found that key elements were currently undecided", Senator Fischer said. " At that time we had a lot of excellent presentations and very good testimony, all of it reinforcing what we knew was the tremendous potential of Prince William Sound to serve the recreational needs of the railbelt as well as it's value for tours and other purposes."

In opening remarks he explained that the proposed Marine Sanctuary program had been tabled by the Forest Service until extensive public hearings, both in Anchorage and Prince William Sound Communities, were conducted.

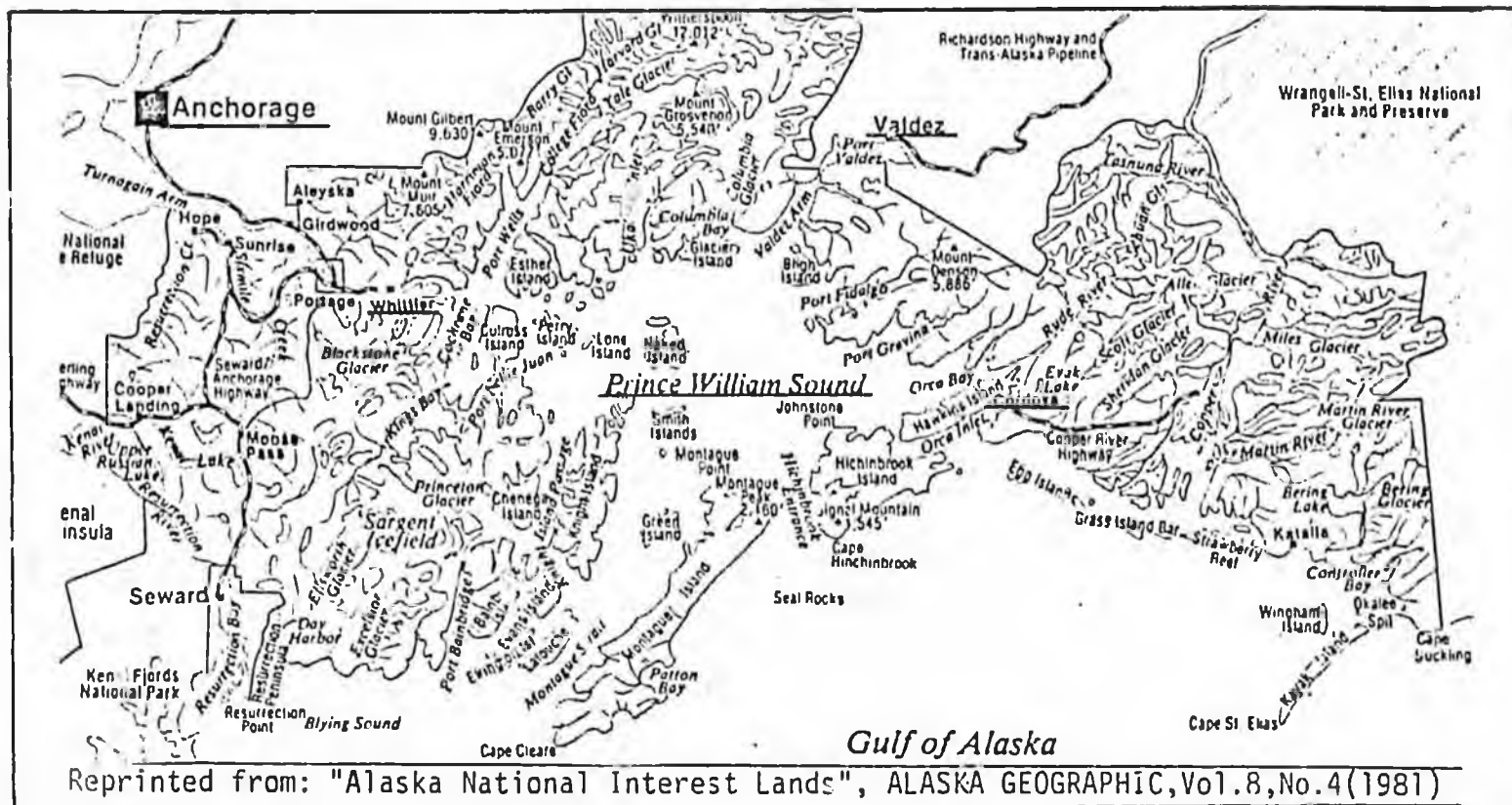
"For the purposes to this meeting," he said, " I mainly want to make sure that no one confuses Marine parks with Marine Sanctuaries. Marine parks is an Alaska based idea designed to serve recreational needs of Alaskans as well as visitors to the state. The basic concept behind marine Sanctuaries is to set those resources aside for scientific and other preservation purposes."

PRINCE WILLIAM SOUND RECREATION POTENTIAL

The significance of the Sound to Anchorage and other population centers can be seen by a glance at the map. The vast majority of recreational users in Alaska, both resident and tourist, are in close proximity to the Sound.

Don Dickey, Director of the Division of Tourism, said, " In just a couple of years, in 1985, to be exact, we expect a million visitors to Alaska. That is going to be quite a visitation for a state with a population of 400,000. It shows the need for developing new and having balanced recreational opportunities. We think Prince William Sound has that potential."

"Everyone recognizes", he said, " that the Sound actually plays a dual role. It not only provides services and attraction to out of state visitors, but it's also the recreational play ground for our largest city, Anchorage."



Reprinted from: "Alaska National Interest Lands", ALASKA GEOGRAPHIC, Vol.8, No.4 (1981)

Dickey said, " The Sound has a great value in a program of promoting travel and tourism to our state. I think two things are our needs, one is diversification of attractions, the second is increased accessibility to those attractions so the people can reach them with ease."

"We want to make sure that the growing number of Americans stop, stay, spend, and hopefully enjoy their vacation in Alaska. I can think of no better partnership between government and the private sector, than teaming up to make certain that the recreational facilities available in Prince William Sound meet the growing demands," Dickey said.

ACCESS

A central theme to testimony received in both teleconferences was the need for increased accessibility to Prince William Sound, specifically through Whittier.

Dickey said, "I think to insure Prince William Sound meets its recreation potential, the government, speaking of both state and federal, has a responsibility to see that access and infrastructure are provided. That's the highways, the harbors, and certainly the small boat harbors, railroad, and the transportation links that are needed."

The state Department of Transportation and Public Facilities (DOTPF) discussed the alternatives presented in the 1980 Whittier Transportation Options study. This study looked at transportation alternatives into Prince William Sound through Whittier. It listed six alternatives ranging in cost from \$25 to \$50 million, and ranging in service from upgrading the present tunnels to building the Portage Pass Highway.

Stan McCalister of DOTPF testified that the original purpose of the study was fivefold: 1) to analyze the surface transportation needs of Whittier and Prince William Sound with primary attention given to the Portage Whittier link, 2) ascertain the deficiencies in the system that would occur in the future when future land use and economic development activities, including recreation and tourism occurred, 3) develop alternative transportation strategies to accommodate travel demand which was projected to increase, 4) analyze and evaluate available transportation options, and, 5) to recommend a course of action.

After considering each alternative, DOTPF made a recommendation to pursue option one - improvement of the existing Portage-Whittier Shuttle with a Bear Valley/Whittier auto/passenger shuttle.

Senator Fischer introduced legislation in 1982, SB 793, making an appropriation to DOTPF to complete option one. The bill did not pass the Senate.*

*SB 793 was re-introduced in 1983 as SB 30, updated to FY83 dollars. SB 30 is currently in the Senate Transportation Committee, Chaired by Senator Pappy Moss.

Option one would, 1) improve the existing Portage/Whittier shuttle, by upgrading existing terminals with passenger amenities, station improvements, parking facilities, staging areas and rail and switch work and, 2) require improvements to existing tunnels and new rail passenger cars. In addition, DOTPF recommended construction of a road into Bear Valley with a terminal located there and relocating the base of the train operation to Whittier.

"Since last years teleconference", McCalister said, " we are at the point of lining the road into Bear Valley. That project is underway and should be completed by fall of 1983. By then the design will be ready for construction but, as it stands now, we have no construction funding, only enough to complete the design", he said.

As a complement to that project DOTPF is currently designing a road from Whittier to Shotgun Cove. "Again", McCalister said, " that project is in design and is slightly further along than the Whittier access or the Bear Valley Road and it too will be completed next year.

Senator Fischer asked when we could expect DOTPF to request funds to complete the recommended projects after the design stage is complete. McCalister answered, " The bear Valley Road is in competition with all the other projects in the region. It's not fared very well in that competiion with major Seward and Sterling highway projects and others. So, in our program for funding of the Bear Valley Road, we will be requesting the money two or three years down the line rather than this year."

"So in other words, if the schedule is to be speeded up it would essentially take legislative action to appropriate funds sooner?" Fischer asked. "Thats correct", McCalister said.

Bill Coghill, from the Alaska Railroad, spoke about recent improvements in Whittier access. "One was some \$8 million dollars to put new portals on the tunnels which was completed a couple of years ago on the four tunnel doors. The other \$4.2 million dollars went into the Whittier dock and transit facility. We have got just a little bit of work to do in that area and that will probably be delayed until next summer."

"This summer we upgraded the passenger cars, took out some of the older ones because we had put the upgraded electric cars into service. We built new ramps so that cars and passengers at Portage can load at the same time. We will complete the same ramps in Whittier this spring." Coghill said.

In addition, Coghill said, " We had a 5.2% ridership increase over the same two months (July and August) last year. We would certainly support Don Dickey's comments with regard to state assistance for support facilities and we back the study that Stan has addressed here."

Senator Fischer asked to what extent state funds are utilized in the projects mentioned. "We contract the shuttle to the state," Coghill said. It is contracted on a basis of an agreed cost per day. For the

last two quarters it has been a profitable operation and they're in the black or at least have a credit to apply to the winter months to hopefully balance out. The prior couple of years the net has been right around \$200,000. I see a drop this year, in the capital cost to the state."

Mary Brown, Whittier's City Manager, testified that increased transportation and access to the Sound was a high priority and considering Whittier in all development plans was crucial.

"If you are going to bring the people in here and out, we need to be able to get in and out and to handle the people that come in and out. And I think that one of the things that we are looking at the closest is the developemnt of the present harbor we have. We have approximately 331 slips now with about 314 people currently on the waiting list", she said.

"If this recreation use is increased, we know there is going to be many many more people needing harbor slips than we have slips for. We would like to stress to all agencies that we would like to get the development of our current harbor taken care of. Look at the access road to Shotgun Cove and the harbor, so we can handle this influx of traffic w/ n it comes," Evanoff said.

CURRENT LANDOWNERS/MANAGERS

There are five major landowner/managers in Prince William Sound. They are: 1) federal government through Chugach National Forest and National Park Service, 2) state government, primarily through the Department of Natural Resources, Division of Parks; 3) Chugach Natives Inc. and village corporations within it; 4) other private landowners, including commercial developers; and 5) municipal governments.

1. Federal landowner/managers - Jim Tallerico, recreational planner for Chugach National Forest, spoke about the recent settlement of major land ownership questions.

The Chugach Regional Study, mandated by the Alaska National Interest Lands Conservation Act in 1980, was completed in 1982. It will result in the conveyance of approximately 378 thousand acres of land to the Chugach Regional Native Corporation. This brings total private land holdings in the Sound to approximately 450 thousand acres including lands that have been or will be conveyed to the villages of Chenega, Tatitlek, and Eyak.

"In addition, approximately 20 thousand acres will go to the state from selections made for community expansion, community recreation, and new communities," Tallerico said. "Additional changes in land ownership patterns may be forthcoming with the possibility of additional state selections. We plan on releasing the final plan before mid-1983."

Tallerico also testified that wilderness, recreation and fisheries enhancement in the Sound were prime considerations in the forest management plan. "The recreation management of forests includes a naturalist program aboard the state ferries in Prince William Sound," Tallerico said. "We have 14 recreation cabins in the Sound and the potential to add others. We are presently working on a project to install five anchor buoys in the vicinity of Whittier and are working on marine related trails in the Sound."

"We are currently working with the state division of parks to develop a system of marine parks and recreation sites throughout the Sound," Tallerico said. "We are working with the State DOTPF and their planning effort to improve access to Whittier. In addition, we are continuing plans for a new visitor center at Portage."

Tallerico explained the necessity of recreation management of the Sound based on a variety of recreation opportunities. "We feel that there exists a spectrum of need for the most primitive to the more modern or developed end of the scale. Providing this spectrum recognizes that visitors have different expectations and needs."

"Prince William Sound can provide for the vast majority of present and future visitors but planning in cooperation between federal, state and private land owners and other interested groups will be the key to meeting the total public recreations needs," Tallerico said.

Senator Fischer asked about timber cutting quotas and to what extent that is liable to affect scenic and recreation values in the Sound. Tallerico answered that, "The Forest Service recognizes the importance of this resource and will continue to manage it on a sustained yield basis. There is a recognized timber resource in Prince William Sound and the best way I think to answer your question is the Forest Service will establish an annual allowable harvest. We will use our Visual Management System, our Cultural Resource Management System in the interest of the state to design any timber activities and to mitigate impacts to the extent we can."

2. Native Landowner/managers - The committee heard testimony from Gail Evanoff, President of the Chenega Village Council and John Allen, President of Tatitlek Corporation. Representatives of Chugach Inc. were unable to attend the teleconference but spoke to Senator Fischer prior to it.

Chugach natives, Inc. (CNI), is the second smallest regional corporation created under the Alaska Native Claims Settlement Act. In 1981 they had not received entitlement to land awarded them under provisions of the act. Final negotiations with the state and federal government were completed in 1982 and CNI will receive entitlement to 378,000 acres, most of it in Prince William Sound, nearly eleven years after ANCSA became law.

Completion of the CNI negotiations was the single most significant event in Prince William Sound in recent years. Major land ownership and

management questions were finally answered and recreation development can be pursued as a more over-all and long-range effort.

Carl Propes, of Chugach Inc. said Chugach plans to move ahead very quickly with recreational related development in Prince William Sound. Some of the proposed development will provide general public and non-shareholders service facilities for recreational users. The corporation intends to aggressively develop recreation facilities, along with other projects, in the Sound.

"The Tatitlek Corporation probably is the largest private land owner in the sound with somewhere in the neighborhood of 87,000 acres, Allen said. " We are a large timber holder in this town. (Cordova) I think we have around 300 million board feet that we plan to harvest somewhere in the future when the market starts to look a little better."

Allen said Tatitlek has some of the most valuable pieces of real estate in the Sound as far as tourism goes and plans to build either a day lodge or facilities for overnight accommodations in the area within the year (1983).

"I think that since native corporations are the largest private land owners in the area, our actions will impact what happens as far as tourism and recreation development more than anything else," Allen said. "I know that all three corporations have plans for recreation development."

Evanoff testified that Chenega had identified some land use plans that speak to developing land lease programs and putting in recreation cabins and a mini resort in the area. "But as I say, it is still pretty much in a study. Our priority is settling New Chenega but I think by 1984 we will have something that we are able to publicly come forth with", she said.

3. State landowner/managers - in 1977 the state, through the Division of parks, began a program to select statehood entitlements from the Chugach National Forest in Prince William Sound. Of the 36 sites proposed in 1977, only 18 had been approved by the Forest Service by 1981. The Chugach settlement has assured conveyance of state land on all but a few areas. Those areas are subject to on-going negotiations by the state and Forest Service, with recreation use being the primary aim on both sides.

The state faces major policy decisions about what to do with their holdings in Prince William Sound. Selected primarily for recreation purposes, state land is scattered over nearly 40 sites within the Sound.

There are many uses for the state held land within the Sound. Among them are: recreation, tourism, municipal development, mining, timber, commercial fishing, aquaculture and land disposals. While state agency representatives testified that they want to pursue each of these ends, public testimony tended to disagree that these uses were compatible. Specifically, the public believed that state owned land within the sound

should remain public land and not be sold to private owners through land disposals.

PUBLIC/PRIVATE LAND OWNERSHIP AND RECREATION DEVELOPMENT

In 1981 less than 5% of Prince William Sound was in private ownership, other than Native corporation entitlements. The Chugach land settlement in 1982 changed those figures dramatically.

Bix Willis, from the state Division of Lands (DNR), testified in favor of land disposals. "All indications that we have are that there is a very strong demand for individual ownership of both residential and recreational properties in the Prince William Sound area," he said. In addition, he said that demand assessment information was gathered prior to the Chugach land settlement.

Senator Fischer replied that he believed if land were available, the state could probably sell hundreds of thousands of acres in the Sound to both Alaskans and non-residents. He asked whether we could dispose of the land without sacrificing scenic and recreation values.

Al Meiners, from the state Division of Parks, testified that, "It's true that the development of private recreational cabins out there would not mean that you couldn't go out there and recreate anymore. "But," he said, "it would mean that a visitor to the area would have a rather significantly different kind of experience. That is potentially alright as long as it's well planned for and limited and concentrated in specific areas".

Wayne Mundy, of the Division of Lands, said, "We attempted to place disposals in a very discrete manner so as not to effect the recreation and tourism uses of the Sound. Our selections were quite often kept in back bays out of main passages and tourist boats. So as not to impact the harbor areas themselves, we chose only portions of those areas."

Chuck Evans, a private citizen and boat owner, disagreed. "I would certainly resist any further transfer of lands to private ownership for residences or whatever. I am convinced that the implications of such private ownership on the other values of the land are too great."

"As one person pointed out, you put a dwelling on a bay, for all practical purposes the whole bay is reserved for their use. I felt this myself, we have felt it in places where these buildings were unoccupied, this is somebody else's land and so you stay away from it," he said.

Richard Gruff, a private citizen, testified from Cordova. "Because of ANILCA, we now have a lot of private land in the Sound. Private lands probably will be developed and will provide the kind of services that the recreationists would need and desire," he said.

"My firm opinion is that remaining public lands should be left basically as it is to be used for the multiple use purposes such as the Forest Service plan," Gruff said. "One of the reasons I say this is because

we have the extreme possibility of destroying the very thing that makes Prince William Sound unique."

Testimony from Nancy Decker, a sound resident, landowner, and tourboat operator, supported Gruff's ideas about public versus private land. She spoke in favor of the proposed marine parks system, whether federal or state. She further suggested that, should state land disposals be unavoidable, they at least should be concentrated in one place within the Sound.

Rodger Burggraf of Fairbanks said, " I believe in private enterprise developing private lands for camping and docking and other facilities that people can enjoy. However, with the transfer of large blocks of land to private corporations, access may be denied to the public to enjoy the scenic beauty of these areas. I think one way of insuring that the public is able to get into some of these areas is possibly to set up marine Parks in these areas where access may be denied.

ALASKA MARINE PARK SYSTEM

During the 1982 legislature Senate Bill 794 - an act establishing the Alaska Marine Park System was introduced by Senator Fishcer. It passed the Senate unanimously but failed to pass the House before adjournment. It has been re-introduced as Senate Bill .

The marine park system, modeled after similar ones in British Columbia and Washington state would, establish 14 marine park sites, five in Southeastern Alaska and nine in Prince William Sound.

The primary management goal for the Marine Park System is to protect natural, scenic, and cultural resources and to make those resources available for long-term public use and enjoyment. In addition, marine parks would help maintain fish and wildlife resources while promoting and supporting recreation and tourism in the state.

State park officials see neither the need nor desirability for commercial developments within any of the potential marine park sites in the Sound and hold that basic services should be provided by the private sector.

Judy Marquez, Director of the Alaska Division of Parks, and Al Meiners, a park planner within the Division, spoke about recreation development in the Sound and the proposed Marine Park System.

"The establishment of the marine park system has been proposed as a means of protecting the sites within the Sound with particularly high recreation values for long term public use", Marquez said. " We believe that establishment of this system will help ensure that residents of and visitors to Southcentral Alaska will be able to enjoy the scenic beauty and opportunities of the Sound for years to come."

Meiners testified that the kind of development the division plans in marine park units varies from site to site. "Currently the Forest

Service is placing some mooring buoys in areas along Passage Channel and around Port Wells. As far as the development of the additional sites, this would be addressed through a cooperative management and development plan prepared by the Division of Parks and the Forest Service," Meiners said.

"We really envision some sites being very minimally developed, possibly a mooring buoy or trail, some beach camp sites. Others a little more intensively developed with possibly a dock or float."

"In comparison with highway accessible park sites, marine park units are considerably cheaper for the Division to manage," Meiners said.

The Division is developing a cooperative management plan with the Forest Service for recreation sites in the Sound. Jim Tallerico, park planner for the Forest Service said, "We are currently working with the state division of parks to develop a system of marine parks and recreation sites throughout the Sound. This cooperative effort may resolve some of the present litigation regarding disapproved state selections."

Perry Lovett, Mayor of Cordova, testified in strong support of the marine park system. "We would like to see some reasonable development of the park system," Lovet said. "We would not like to see private land disposals, but keep the land in public ownership. The best way to do that would be marine parks."

Chuck Evans spoke in support of marine parks. "I have viewed this marine parks thing with considerable trepidation and it has become clear that it is more or less an either/or proposition, it is either a marine park or it's private ownership. That being so, let's do the best we can and get on with establishing marine parks," he said.

The marine park system was endorsed by virtually every person testifying during the teleconference. Municipal Mayors, native corporation presidents, and private citizens expressed the belief that a marine park system was the highest and best use of state owned land in the Sound.

OTHER CONSIDERATIONS

1. Search and Rescue - Recreation development in Prince William Sound presents many problems to the state. Regardless of state action or inaction, visitors to the Sound are increasing dramatically. The resulting pressure on already inadequate search and rescue facilities creates a dangerous and potentially tragic situation.

Tom Scott, Southcentral Emergency Medical Services coordinator testified during the hearing that "EMS services in the Sound are currently provided by volunteers in the communities of Cordova, Valdez and Whittier. Those services are organized primarily to serve the needs of the immediate community."

"Search and rescue in the Sound is statutorily the responsibility of the United States Coast Guard and the Alaska State Troopers, both of which

do not have the resources, manpower, or equipment, or finances to really adequately meet the needs of search and rescue in the Sound," Scott said.

While Sound communities believe they are adequately covered, search and rescue operations for the rest of the area are woefully inadequate and, in fact, non-existent in most places. The nearest Coast Guard helicopter is permanently stationed 200 miles away, in Kodiak. The city of Cordova contracted with a private company to provide emergency helicopter rescue service during the fishing and tourist season in 1982.

While such a program is costly for a municipality to manage, Cordova felt it was necessary in view of a series of fatal accidents in the Sound in the Spring of 1982. At least one of the deaths could have been avoided had there been adequate search and rescue response.

"Primarily it's lack of coordination between communities and agencies having responsibility in the Sound," Scott said. Attempts are being made to form a volunteer coordinating group for search and rescue operations but lack of funding has prevented people from getting together to form a core.

Adequate funding for state emergency medical services would help. "I think there is a need for funding. I feel the acuteness right now is to have the funds to develop a plan, to do an analysis and find out what we really need down there. And set up an organization so people are talking to each other and then possibly fund any additional resources," Scott said.

2. Whittier - The increase in visitors to the Sound present special problems to the city of Whittier. A small community of people who greatly value their privacy, Whittier occupies the only suitable land for buildings in the area of one of Alaska's best deep water ports. The entire usable land in the area is less than 100 acres.

Slips in the Whittier boat harbor have been filled to capacity for years with an extensive waiting list. Any state plans to increase access through Whittier must consider the lack of suitable land. There simply isn't enough space for the people visiting the area, let alone their cars, boats and equipment.

Mary Lee Brown of Whittier testified, "Increased transportation and access is of course a real high priority with us. One of the things we are looking at the closest is the development of the present harbor we have. Look at the access road to Shotgun Cove and the harbor, so we can handle this influx of traffic when it comes."

Whittier residents resent the rest of Alaska viewing them as a "bus-stop" on their way to the Sound. Since Whittier represents such a small population base when considering funding priorities for the district, they cannot effectively compete. This situation is greatly exacerbated when the capital facilities considered will primarily benefit Anchorage recreation users. Anchorage is understandably hesitant

to invest a considerable share of their dollars in capital improvements located in another city.

3. Ferry Service - Ferry service to Prince William Sound communities and scenic areas was the subject of written testimony submitted to the Committee. Residents expressed fear that, since ferry service was limited, having a stop in one place would preclude a scheduled stop in another. Passengers complained that policy changes regarding the amount of carry on luggage they were allowed, prevented many from transporting kayaks into remote recreation areas.

Considerable complaint was registered about the state's decision to stop ferry runs to the face of the Columbia glacier. Since many visitors and resident Alaskans can't afford a private tour boat ride to the glacier, Commissioner Ward's decision has prevented them from enjoying one of Alaska's greatest scenic attractions.

4. Commercial/Recreational fishing - Development of any kind in the Sound must address the real concerns of the commercial fishing industry. Prince William Sound is one of Alaska's greatest fishing resources and provides thousands of Alaskans with a living.

Jeff Stonehill of Cordova testified that, "I feel commercial fisherman have been major users of Prince William Sound in the past and this is definitely changing and will continue to change and I don't think we can resist that. As far as sport fish use and commercial fish use is concerned," he said, "the Sound is big enough that we can all use it."

Fishermen expressed support for the Marine Parks System, aquaculture development, and over-all planning for recreation use that identifies and protects spawning grounds and critical areas. "Mining and logging development will hurt the commercial fisherman more than sport use," Stonehill said, "I would certainly rather see the Sound developed towards more important use and feel the development plan should balance user groups and separate them as much as possible to alleviate potential conflict."

Fishermen fear increased recreational use could endanger fish stocks and compete with commercial fishing interests. Stan Moberly, of the state aquaculture division, testified that, by channeling some segments of the recreating public into certain places, we could lessen that impact considerably. He also felt pressure on Cook Inlet fishing, particularly sportsfishing, would be reduced by providing access into the Sound.

Moberly gave a comprehensive review of current aquaculture development in the Sound and projected costs for maintaining current facilities. Everyone, from fishermen to mayors, supported continuing aquaculture development as crucial to the future of the Sound.

5. Timber harvest - Initially Senator Fischer requested the state division of Forestry to testify because of plans to harvest timber on state land within the Sound. Although the Division said they had no current plans, timber harvesting will be considered in certain areas at a future date.

Considerable testimony in opposition to any timber harvesting in the Sound was expressed during the hearing. This included harvesting on state, private, or federal land. The general feeling was that timber harvesting presents a serious and unacceptable threat to fish stocks, scenic and recreation values, and public and private multiple use of the Sound. Further, the depressed world timber market made harvesting at this time fiscally irresponsible as well as ecologically unsound.

Alaska State Legislature

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Senate

Committee on Resources

TO: Senate Resources Committee Members
FROM: Senate Resources Committee Staff
RE: Committee Hearing, March 23, 1983
DATE: March 22, 1983

On Wednesday, March 23 at 3:00 pm in the Beltz Room, the following bills will be heard:

SB 9 AN ACT RELATING TO OUTDOOR RECREATIONAL FACILITIES; PROVIDING FOR A STATE HISTORICAL, RECREATIONAL, AND WILDERNESS TRAILS, WATERWAYS, AND CAMPSITE SYSTEM.

SB 9 expands the state system of wilderness trails and campsites to include state historical and recreational trails and waterways. New inclusions would be designated by DNR in consultation with ADF&G and DOT. The bill provides requirements for the selection of trails, waterways and campsites, and requires that the selections be included in an existing state or local capital improvement plan or be consistent with long range planning for protection of traditional uses and economic development. SB 9 authorizes DNR to acquire sites selected by grant, gift, purchase, lease, dedication, or prescription.

The bill requires that, when practicable, a trail designated to be part of this system follow historic routes; specifies that transfer of title from a municipality to the state is not required; allows DNR to enter into a cooperative agreement with a municipality of the state for the acquisition, development and marking of trails within a municipality; requires DOT to develop and construct trail heads (including parking areas) to serve the trail system and to provide for public access to waterways; requires Dept. Commerce to prepare informational material on the trails system; and, requires DNR to prepare and maintain a 5-year development plan for the system.

Similar legislation, SSSB 189, passed out of the Senate Resources Committee in May 1981. SSSB 189 contained a grant program to aid local governments in the acquisition and development of outdoor recreation sites and facilities, which SB 9 does not.

SB 128 AN ACT ESTABLISHING CERTAIN AREAS AS MARINE PARK UNITS OF THE ALASKA STATE PARK SYSTEM.

SB 128 establishes 14 designated state-owned land and water areas as marine park units of the Alaska state park system. (See attached acreage figures. To date, requested maps have not been received from the Division of Parks.) The bill requires that DNR develop a management plan for each marine park unit after a public hearing process; fish and game resource management within the park units is delegated to ADF&G. Fishing and hunting rights are expressly allowed, but discharge of a firearm must be authorized by regulation. Allows DNR to adopt regulations to prohibit or restrict incompatible uses. Access to privately-owned land is assured; native historical and cultural sites are protected.

A similar bill, CSSB 794, passed out of the Senate Resources Committee in April 1982. SB 128 differs from CSSB 794 (Res) by assuring access to private land, requiring written notice of public hearings, and allowing the Commissioner to adopt regulations regarding incompatible uses. Also, five new units have been added in SB 128, and one has been excluded.

CSHB 151(Fin) AN ACT MAKING A SPECIAL APPROPRIATION TO DNR, DIVISION OF PARKS, FOR ACQUISITION AND DEVELOPMENT OF THE HOUSE OF WICKERSHAM IN JUNEAU.

CSHB 151 (Fin) appropriates \$1,000,000 from the general fund to the Division of Parks, DNR for acquiring the House of Wickersham in Juneau, and the historical collections and artifacts contained in the house, and for the development of the acquisition as an historic site. This bill is based on the recommendation of a task force created by the Governor (upon request of the 1981 legislature) to develop a plan for continued operation and preservation of the House of Wickersham.

Final committee action on CSHB 151 (Fin) is hoped for.

MEMORANDUM

State of Alaska

Division of Geological and
Geophysical Surveys

DATE: November 19, 1982

TO: Scott Christy

FILE NO:

TELEPHONE NO: 274-9681

FROM: G.H. Pessel
Geologist VI

SUBJECT: Evaluation of Marine Park
Proposals in Prince William
Sound

The following is a very quick and preliminary summary of the proposed marine parks in the Prince William Sound area with respect to possible conflicts with mineral resources

BETTLES BAY: At least two small mines and possibly three exist within the proposal, and the largest lode gold mine in the area, Granite Mine, is located within two miles. These gold occurrences are not particularly important in an economic sense, but conflicts could exist if the owners of the claims were to decide to resume activity. The ultimate potential of this type of mine is not probably not very great (USGS), but the mines do exist.

DECISION POINT-- no conflicts

ENTRY COVE-- no conflicts

SAWMILL BAY-- Some small scale lode gold mining activity took place in this area between 1910 and 1940. The economic potential is probably not very great, but status on the claims has not been checked out.

SHOUP BAY-- same comments as apply to Sawmill Bay.

ESTHER ISLAND-- no conflict

SURPRISE COVE-- no conflict

ZIEGLER-- some low-grade potential for lode gold exists in the area. The USGS reference maps show this as being within an area with some gold potential.

HORSESHOE BAY-- This proposal has the greatest potential conflict. The area is located on Latouche Island, near the area where a large amount of mining took place prior to World War II. The mines were producing massive sulphides, mostly copper, and considerable amounts of accessory gold. The potential within this particular block of land is not known, and without considerable research into the literature and perhaps some field work, the mineral resources of the area cannot be ascertained with any certainty. However, it does lie within a region where the USGS thinks that at least two more major discoveries could be made. The claim status in the area should also be checked out.

MEMORANDUM

State of Alaska

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF GEOLOGICAL & GEOPHYSICAL
DATE: November 19, 1982 SURVEYS

TO: Scott Christy
Special Assistant to the Director

FILE NO:

TELEPHONE NO: 474-7147

FROM: Tom Bundtzen, Geologist
Fairbanks

SUBJECT: Evaluation of Marine
Park Proposals in
Southeast Alaska

The following is a brief summary of mineral appraisal in five marine parks, Southeast Alaska.

Oliver Inlet: No conflicts.

Comment: Strataform massive sulfide belt on west side of Seymour Canal; host lithologies are nearby.

Shelter Island: No conflicts.

Comment: In Juneau Cold Belt, but so far no claim filing on Shelter Island and no known mineral occurrences.

Chilkat Island: No conflicts.

Comment: Part of a mineralized silurian clastic sequence in southeast Alaska.

Sullivan Island: No conflicts.

Comment: Only fair mineral potential.

St. James Bay: A major gold deposit is being developed by St. Joe American Corporation on the south side of William Henry Bay. The deposit is considered to have a good chance for production and several million dollars have been expended since 1978. The southern limit of their claim blocks is only about 2 miles from the northern boundary of the marine park. Past production in gold exceeded 20 M.P. in 1982 at prices wh 13. St. James Bay is one of the only sheltered bays on Lynn Canal. If resource development was to occur St. James Bay could possibly be utilized in such a short time frame, I haven't been able to check this out with company officials.

TB/plc

Fred Eastough, (ATT. FOR CANAL LAND CO.) SAID THEY WILL DEVELOP ACCESS IN WILLIAM HENRY BAY, NOT HERE. CANAL CO. JUST PURCHASED THE CLAIMS FROM ST. JOE.

3/21/83

Does Article VIII Section 7. of the Constitution have to be referenced in park legislation to withdraw lands within the unit from multiple use?

Short answer: It should be.

Long answer: The Constitution (in Article VIII, Section 7) says that the legislature may provide for special purpose sites and may reserve them from the public domain. It is the act of reserving lands from the public domain that makes them not subject to the principals of multiple use. Since this section of the Constitution does not specifically mention parks and because the act of reservation is discretionary, it can be argued that parks could be established subject to multiple use. This has not yet happened. All legislatively created state parks have had a reference to Article VIII, Section 7 and AS 38.50.300 (this is the statute which prohibits the Commissioner from withdrawing lands greater than 640 acres in size from multiple use without an act of the legislature). Presumably all administratively created park units are established via ILMA (Interagency Land Management Assignment) under AS 38.05.300 and do not exceed 640 acres in size. The ILMA document assign management of the surface estate to the Division of Parks for use as a state park. Subsurface control stays with the Division of Lands and the Division of Minerals and Energy Management. Surface entry is prohibited except with the approval of the Division of Parks. Since the Division of Parks is not a manager of multiple use lands it is reasonable to conclude that by act of assignment of management rights for the surface estate to the Division, the Commissioner is closing the surface estate to multiple use in conformance with AS 38.05.300.

To insure that a court or other entity cannot argue that a particular park is not closed to multiple use, one of the following actions should be taken for each legislatively created park unit:

a) Include the following language as a section b under the Declaration of Purpose.

(b) The lands and waters described in AS (this bill) are reserved from the public domain and dedicated as a special purpose site under Article VIII, Sec. 7 of the State Constitution.

b) Include this language which is similar but less offensive to advocates of maximum development. However, this version is less secure from possible court challenge. This risk is not thought to be significant.

(b) The lands and waters described in AS (this bill) are dedicated as a special purpose site under Article VIII, Sec. 7 of the State Constitution.

c) Amend AS 41.20 to provide a definition of a park unit within the Alaska State Park System as an area reserved from the public domain and dedicated as a special purpose site under Article VIII, Sec. 7 of the State Constitution. This language in AS 41.20 would provide the link between the special purpose sites in the Constitution and each park legislatively established or administratively established. If this option is used, each park bill would only need to state that the area being established is a unit of the Alaska State Park System.

MAPS AND LEGAL DESCRIPTIONS

for

PROPOSED MARINE PARK SYSTEM UNITS

10
SB128

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Prepared by Alaska Division of Parks

November 1982

SB 128

Marine Park System

LAND ONLY

Area

Acres

Prince William Sound

Bettles Bay	455
Decision Point	1,280
Entry Cove	<u>370</u>
Sawmill Bay (Valdez)	1,425
Shoup Bay	2,600
South Esther Island	2,455
Suprise Cove	1,380
Zeigler Cove	295
Horseshoe Bay	<u>380</u>

9 in PWS
10,650 acres

subtotal 10,650 acres

Southeast

Oliver Inlet	365
Chilkat Islands	540
Sullivan Island	639
Shelter Island	898
Saint James Bay	<u>3,683</u>

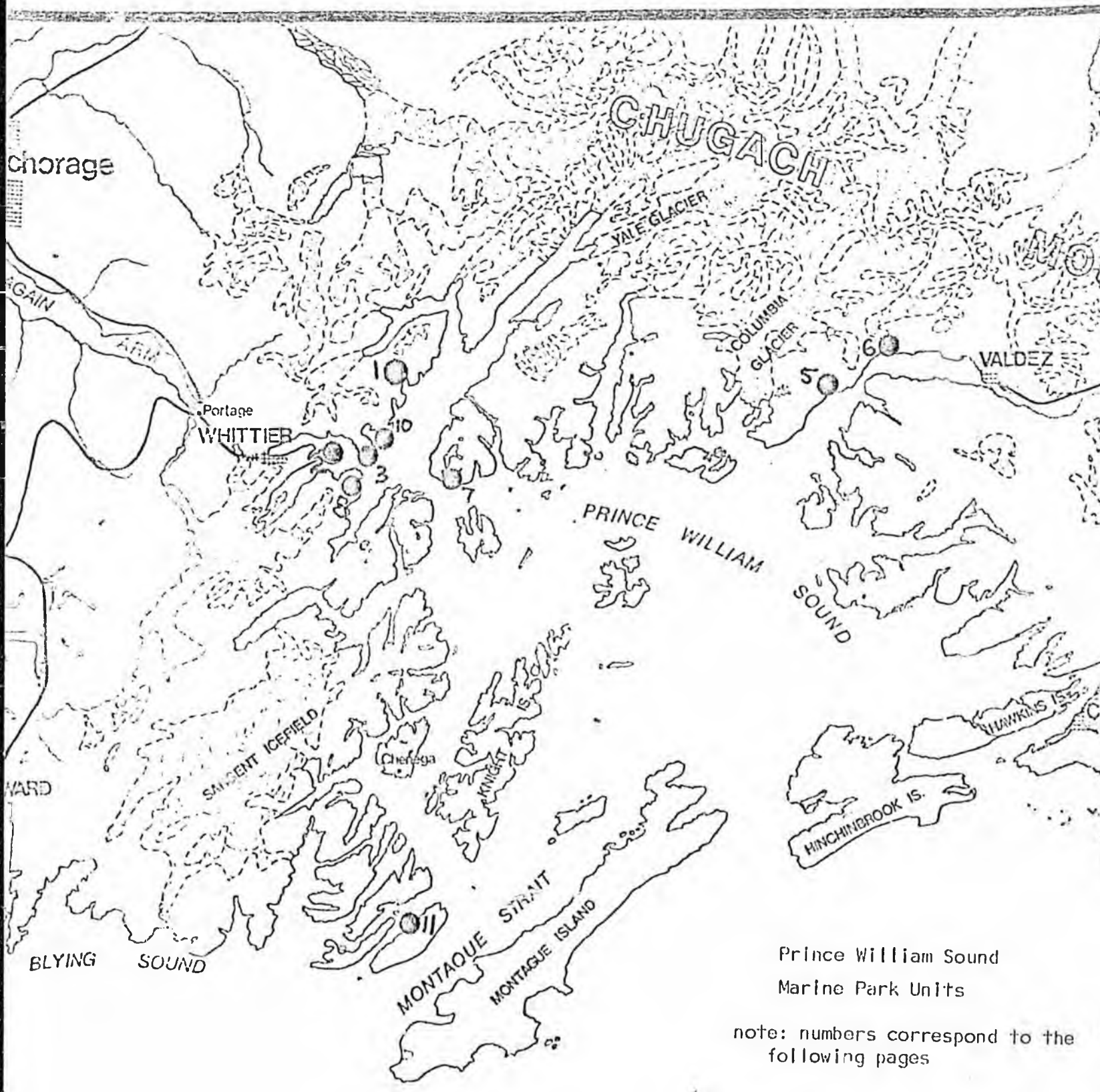
5 in SE
6,125 acres

subtotal 6,125 acres

grand total 16,775 acres

Average size 1,198 acres
 Average size excluding
 the three largest areas 730 acres

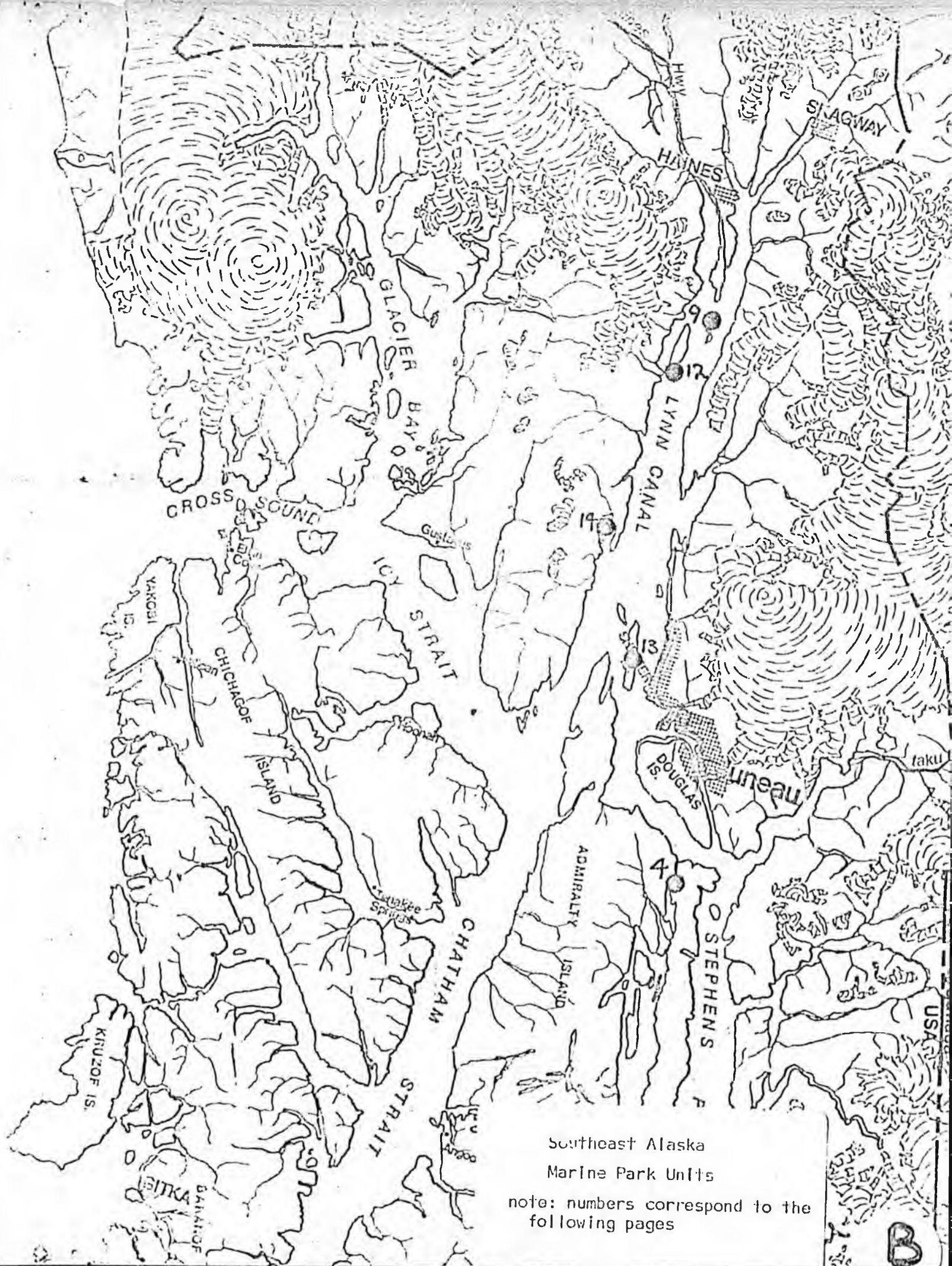
Average 1,198a



Prince William Sound
Marine Park Units

note: numbers correspond to the
following pages

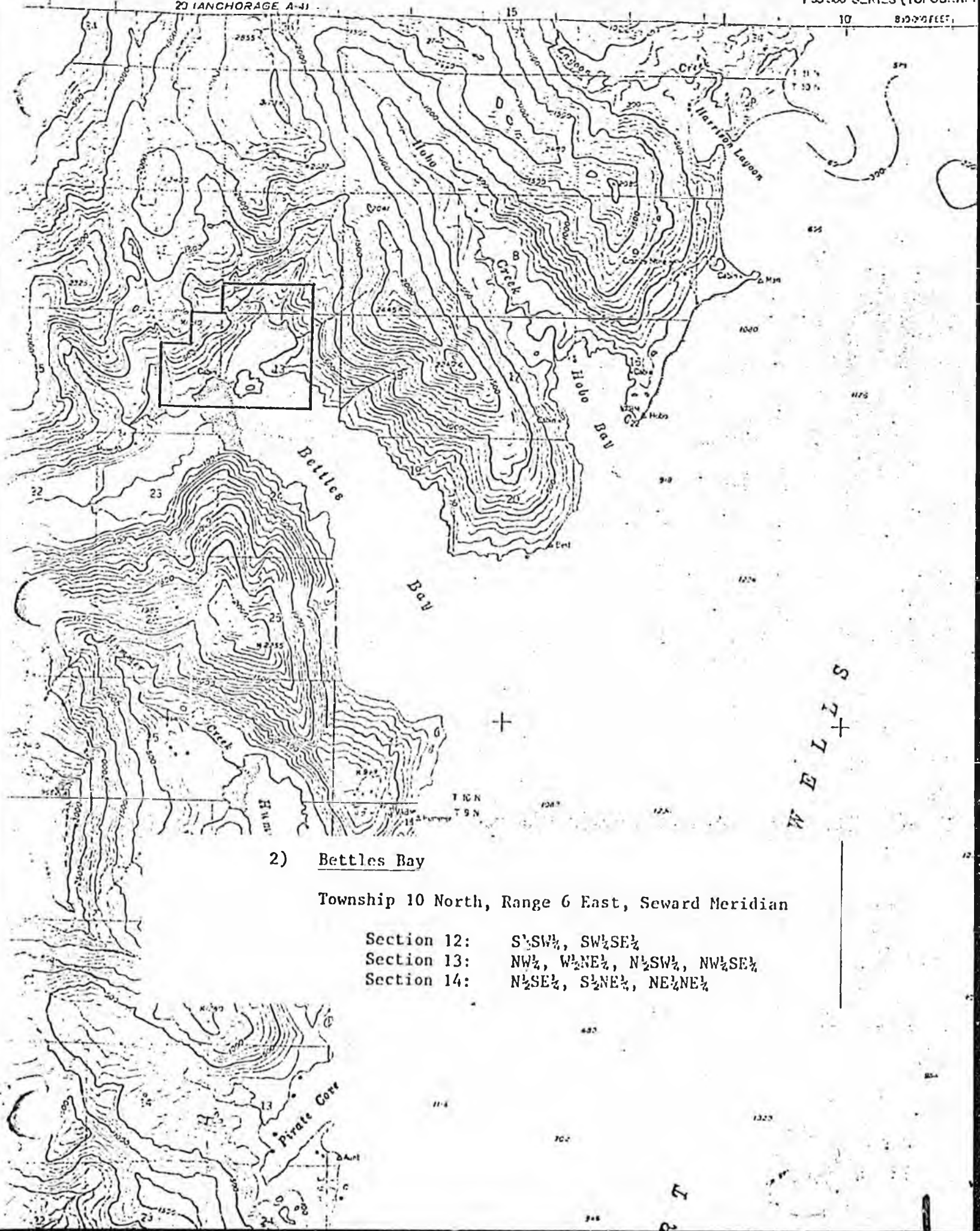
Gulf of Alaska



Southeast Alaska

Marine Park Units

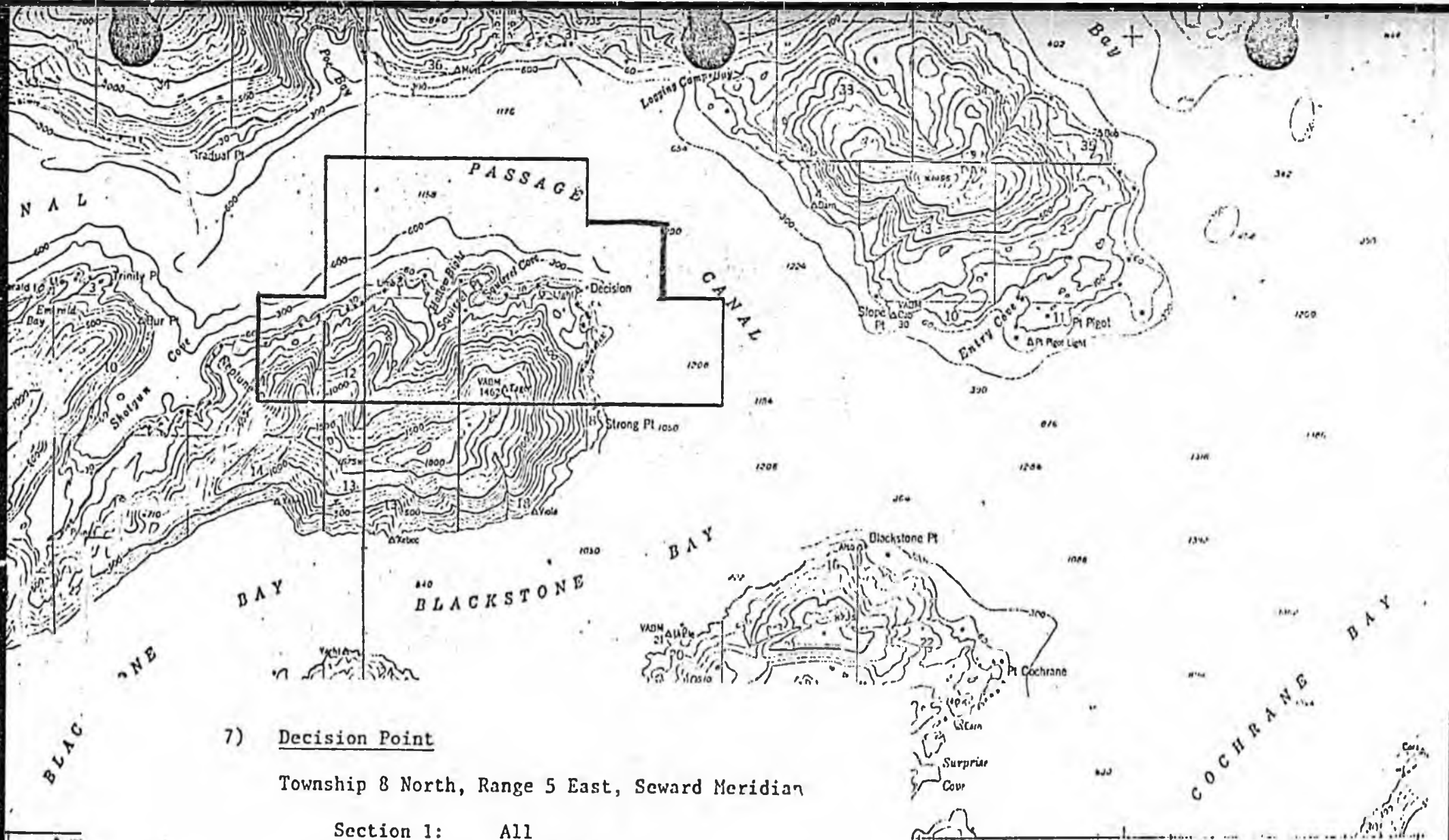
note: numbers correspond to the following pages



2) Bettles Bay

Township 10 North, Range 6 East, Seward Meridian

- Section 12: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 13: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 14: N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$



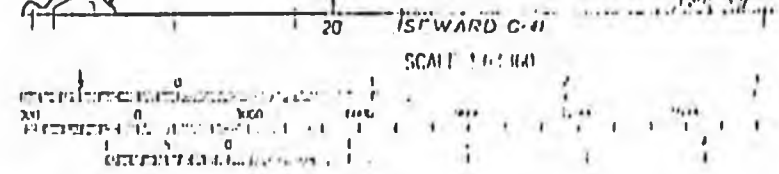
7) Decision Point

Township 8 North, Range 5 East, Seward Meridian

Section 1: All
 Section 11: NE $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$
 Section 12: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

Township 8 North, Range 6 East, Seward Meridian

Section 5: SW $\frac{1}{2}$
 Section 6: All
 Section 7: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$
 Section 8: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$



CONTOUR INTERVAL 100 FEET
 DATUM, MEAN SEA LEVEL
 DEPTH CURVES AND SOUNDINGS IN FEET DATUM, MEAN SEA LEVEL
 SHORLINE SHOWS POSITIONS OF APPROXIMATE LOW AND HIGH WATER
 THE AVERAGE BATHYMETRY IS 100 FATHOMS

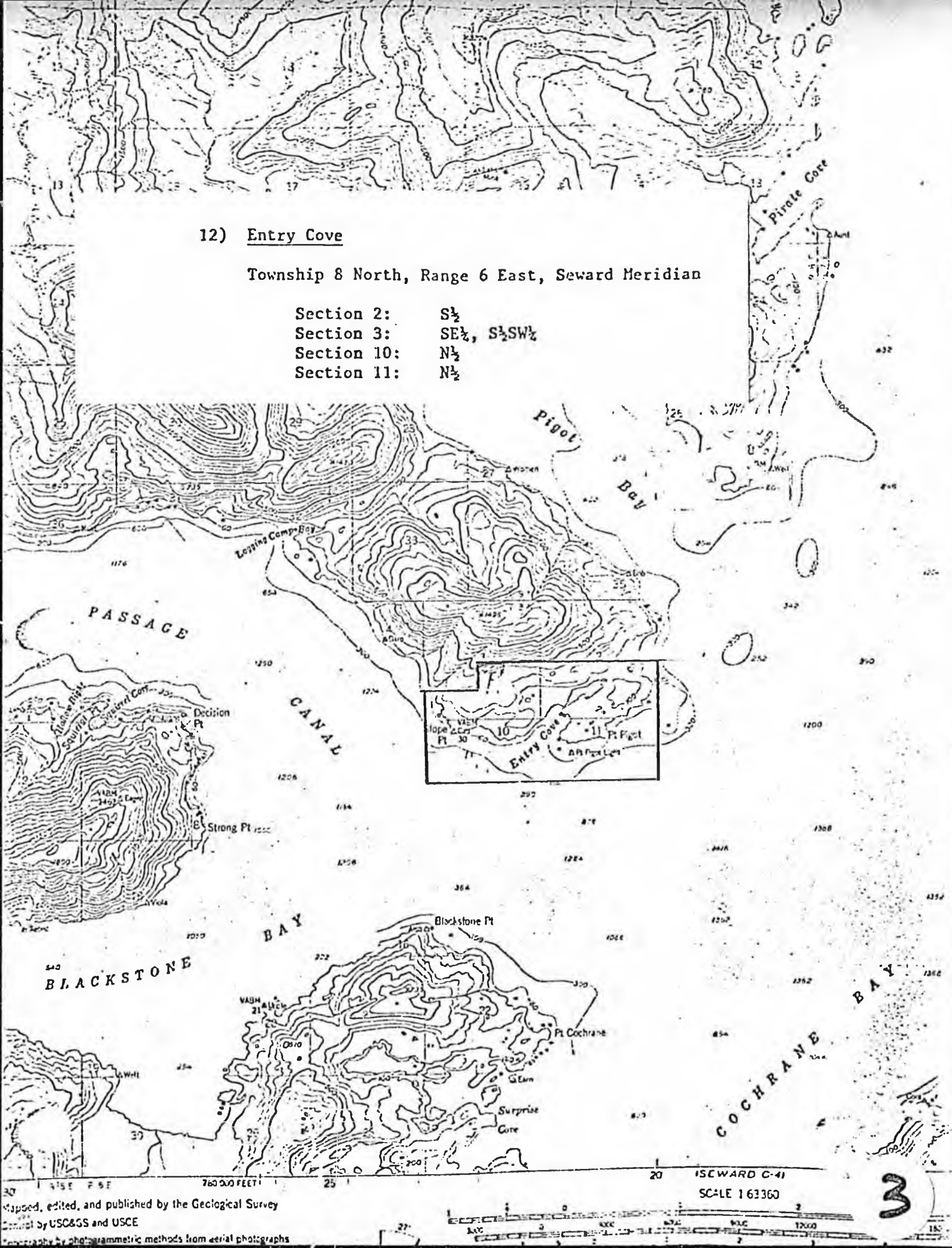
FOR SALE BY U. S. GEOLOGICAL SURVEY
 FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80225, OR WASHINGTON, D. C.
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE UPON REQUEST

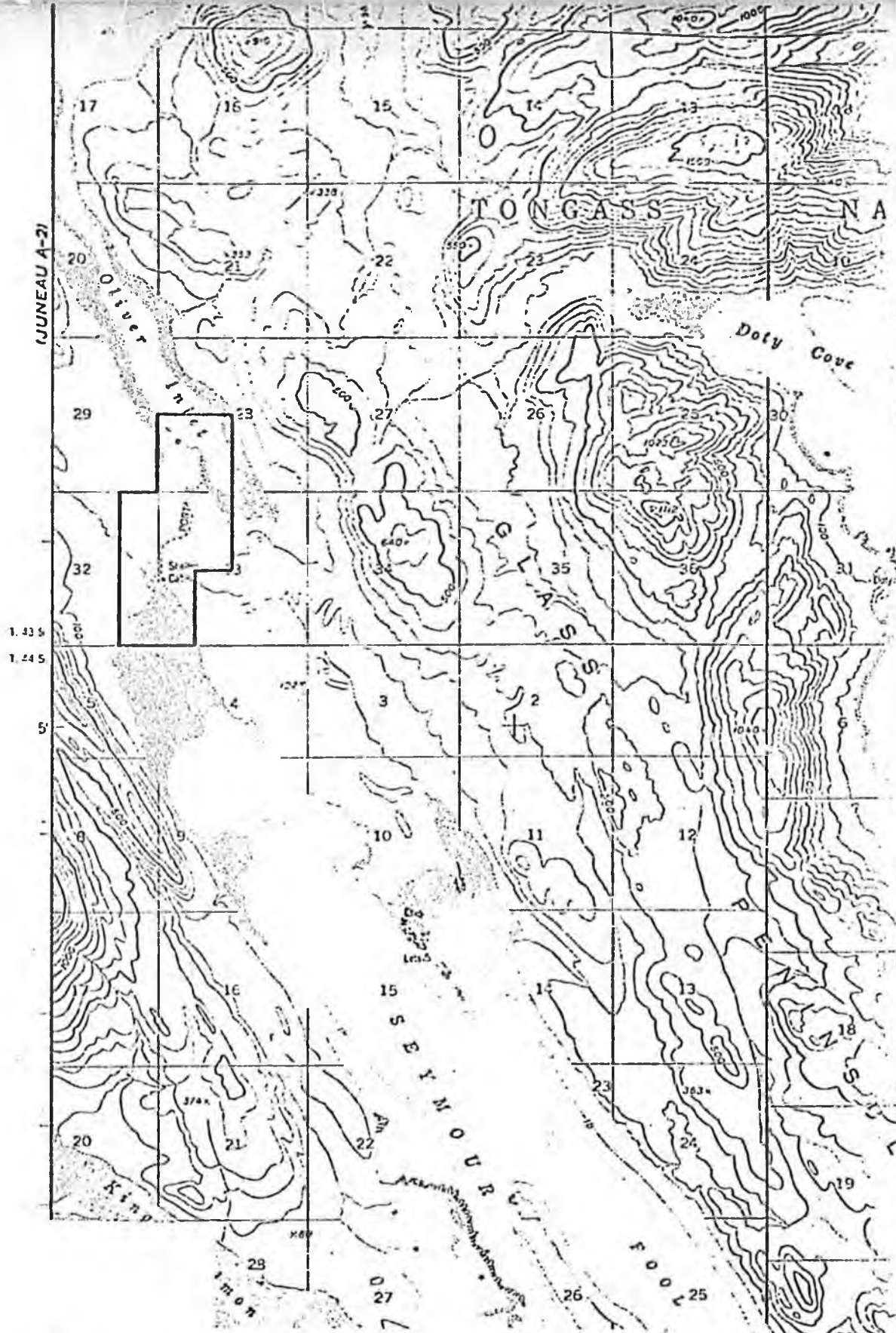
Swamp, as portrayed, indicates only the water areas.
 usually of low level, and is subject to seasonal fluctuations.

12) Entry Cove

Township 8 North, Range 6 East, Seward Meridian

Section 2: S $\frac{1}{2}$
Section 3: SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$
Section 10: N $\frac{1}{2}$
Section 11: N $\frac{1}{2}$





Oliver Inlet
Juneau (A-1)

T43S, R63E Copper River Meridian, Alaska

226

Sec. 28	SW $\frac{1}{4}$
Sec. 32	E $\frac{1}{2}$ E $\frac{1}{2}$
Sec. 33	NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

4



32) Sawmill Bay

Township 9 South, Range 9 West, Copper River Meridian

- Section 22: $E\frac{1}{2}SE\frac{1}{2}$, $SW\frac{1}{2}SE\frac{1}{2}$
- Section 23: $SW\frac{1}{2}$, $S\frac{1}{2}NW\frac{1}{2}$, $NE\frac{1}{2}NW\frac{1}{2}$, $W\frac{1}{2}NE\frac{1}{2}$
- Section 26: $W\frac{1}{2}$
- Section 27: $E\frac{1}{2}$, $S\frac{1}{2}SW\frac{1}{2}$
- Section 28: $E\frac{1}{2}SE\frac{1}{2}$
- Section 33: $NE\frac{1}{2}NE\frac{1}{2}$
- Section 34: $N\frac{1}{2}$, $SE\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{2}$, $SE\frac{1}{2}SW\frac{1}{2}$
- Section 35: $W\frac{1}{2}$

Township 10 South, Range 9 West, Copper River Meridian

34) Shoup Bay

CRM

Township 8 South, Range 7 West,

Section 30: $W\frac{1}{2}W\frac{1}{2}$
Section 31: $W\frac{1}{2}W\frac{1}{2}$

CRM

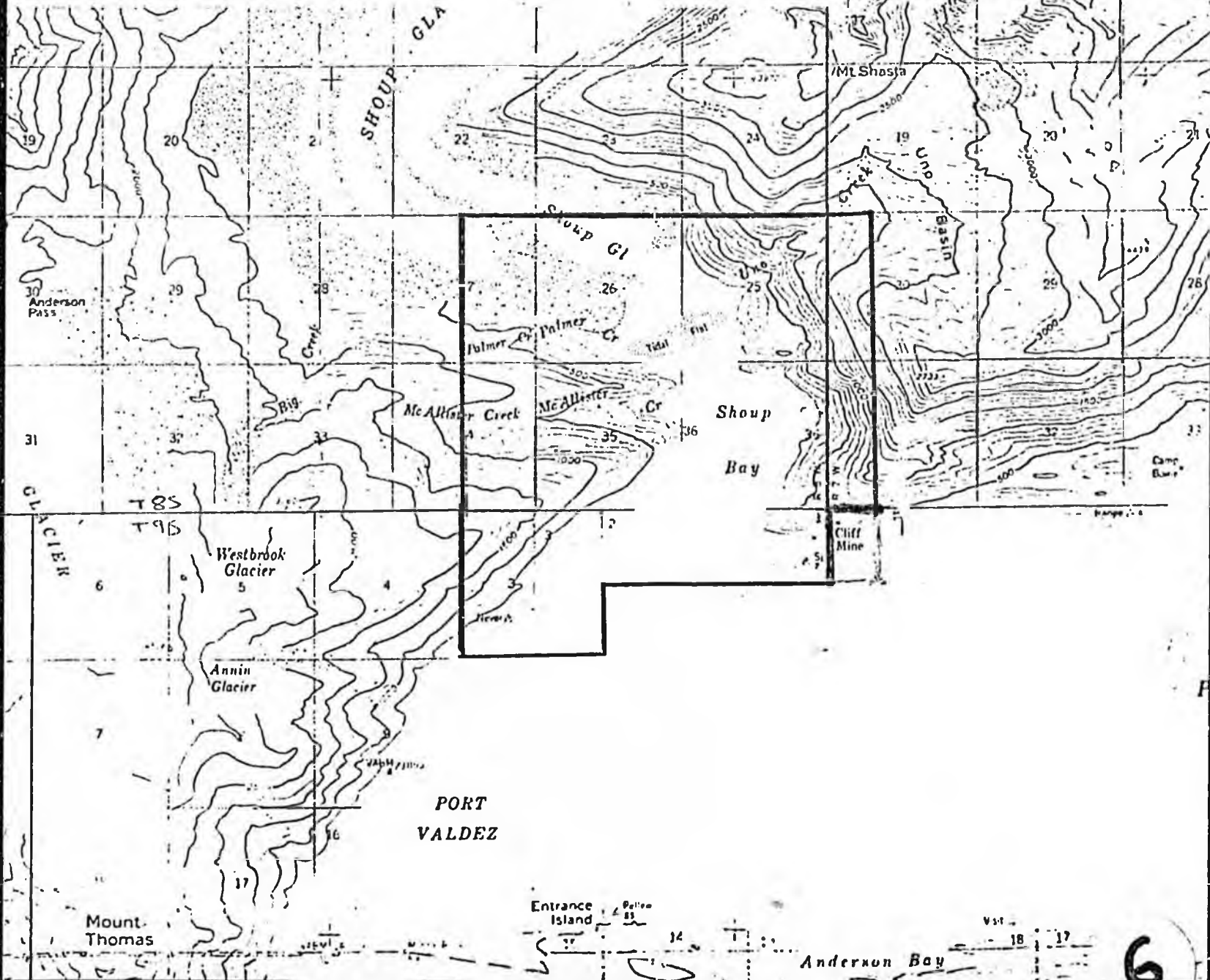
Township 8 South, Range 8 West,

Section 25: All
Section 26: All
Section 27: $E\frac{1}{2}$
Section 34: $E\frac{1}{2}$
Section 35: All
Section 36: All

CRM

Township 9 South, Range 8 West,

Section 1: $N\frac{1}{2}NW\frac{1}{4}$
Section 2: $N\frac{1}{2}$
Section 3: All



37) South Esther Island

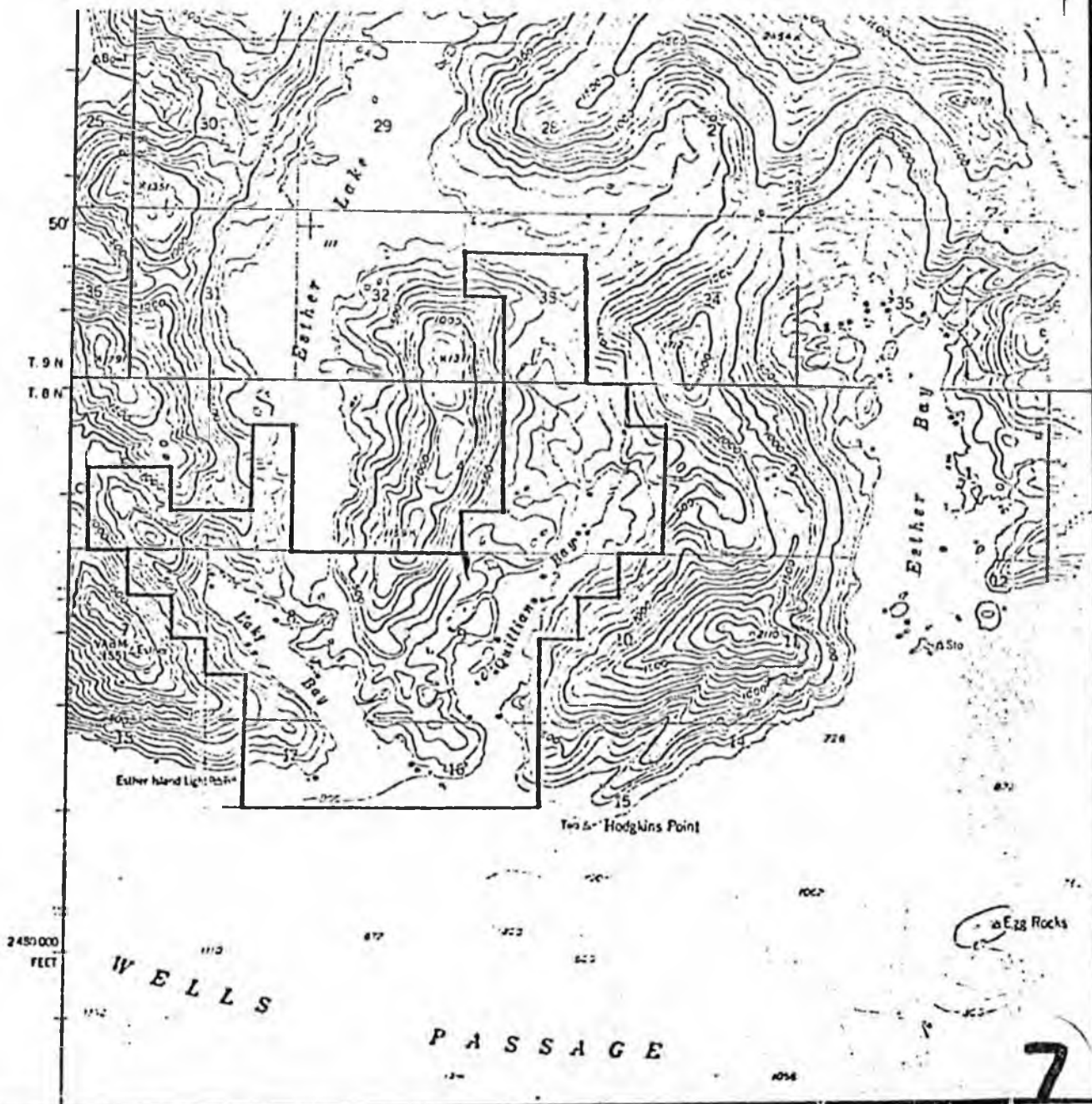
Township 8 North, Range 8 East, Seward Meridian

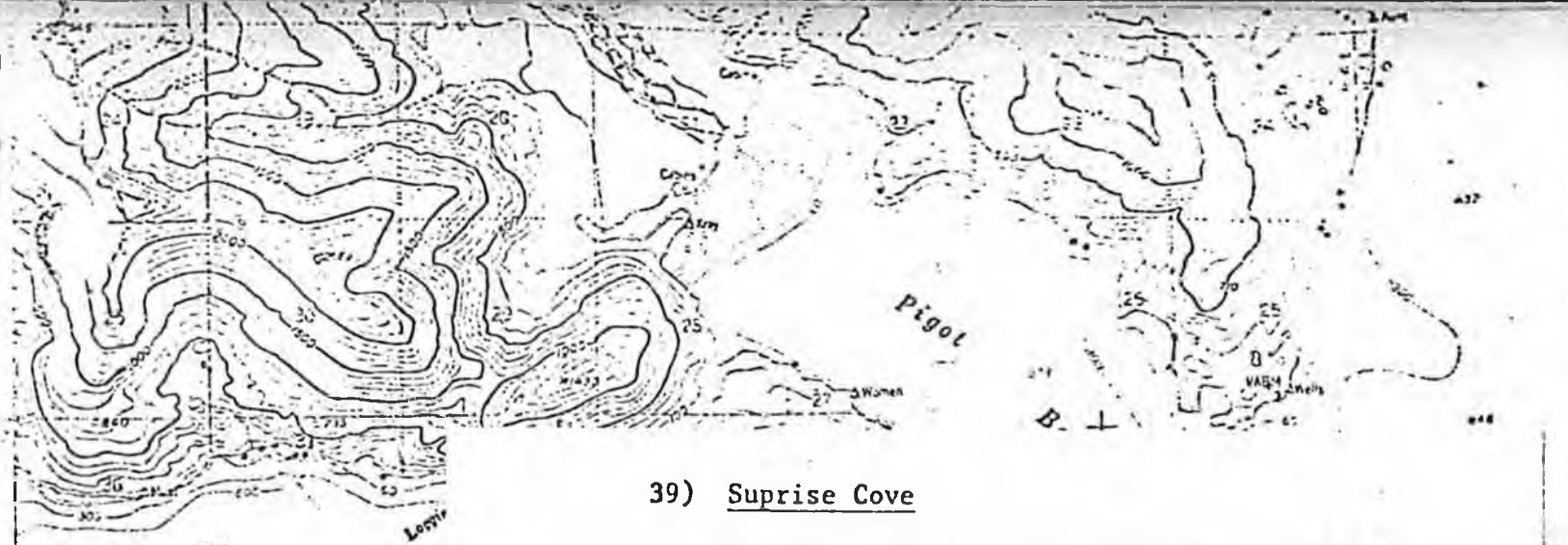
- Section 3: $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{2}$, $SW\frac{1}{2}NE\frac{1}{2}$
- Section 4: $E\frac{1}{2}E\frac{1}{2}$, $SW\frac{1}{2}SE\frac{1}{2}$
- Section 5: $E\frac{1}{2}SW\frac{1}{2}$, $SW\frac{1}{2}SW\frac{1}{2}$, $SE\frac{1}{2}NW\frac{1}{2}$
- Section 6: $E\frac{1}{2}SW\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{2}$, $NW\frac{1}{2}SE\frac{1}{2}$
- Section 7: $N\frac{1}{2}NE\frac{1}{2}$, $SE\frac{1}{2}NE\frac{1}{2}$
- Section 8: $E\frac{1}{2}$, $NW\frac{1}{2}$, $N\frac{1}{2}SW\frac{1}{2}$, $SE\frac{1}{2}SW\frac{1}{2}$
- Section 9: All
- Section 10: $N\frac{1}{2}NW\frac{1}{2}$, $SW\frac{1}{2}NW\frac{1}{2}$

- Section 16: $N\frac{1}{2}$
- Section 17: $NE\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{2}$

Township 9 North, Range 8 East, Seward Meridian

- Section 33: $S\frac{1}{2}NW\frac{1}{2}$, $SW\frac{1}{2}NE\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{2}$

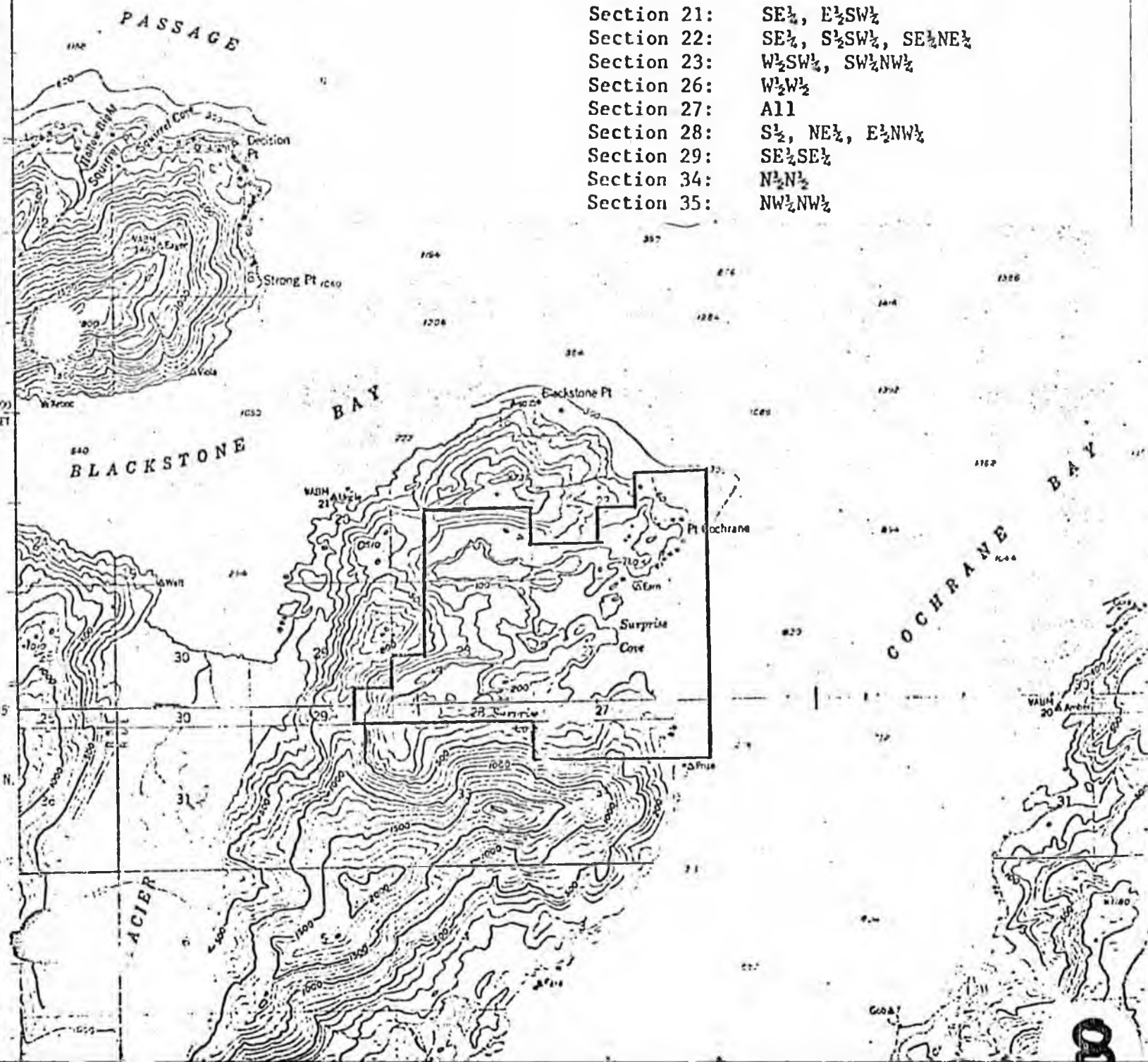


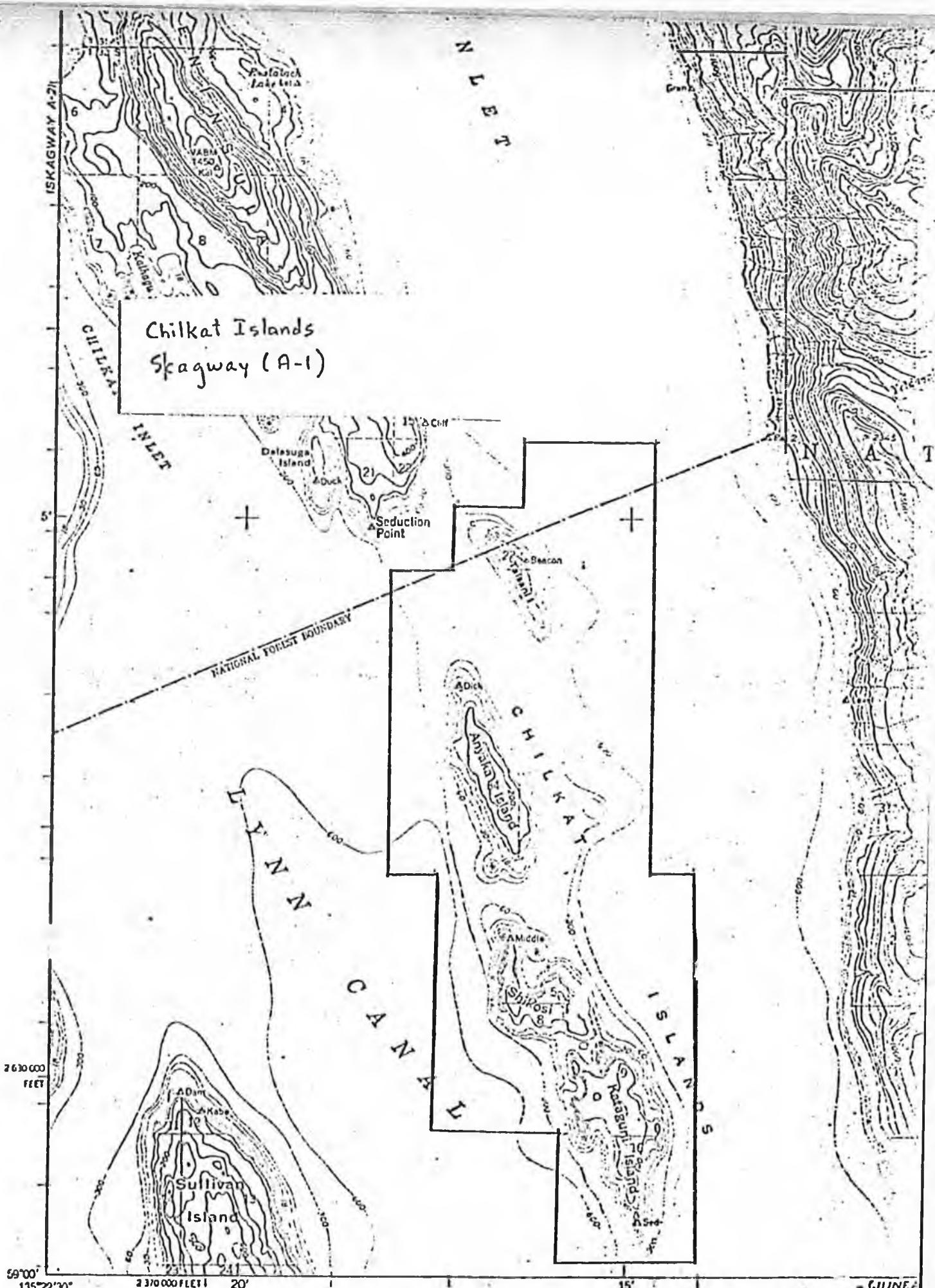


39) Suprise Cove

Township 8 North, Range 6 East, Seward Meridian

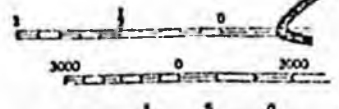
- Section 21: SE $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{2}$
- Section 22: SE $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{2}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$
- Section 23: W $\frac{1}{2}$ SW $\frac{1}{2}$, SW $\frac{1}{2}$ NW $\frac{1}{2}$
- Section 26: W $\frac{1}{2}$ W $\frac{1}{2}$
- Section 27: All
- Section 28: S $\frac{1}{2}$, NE $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{2}$
- Section 29: SE $\frac{1}{2}$ SE $\frac{1}{2}$
- Section 34: N $\frac{1}{2}$ N $\frac{1}{2}$
- Section 35: NW $\frac{1}{2}$ NW $\frac{1}{2}$





JUNEAU D-51

Mapped, edited, and published by the Geological Survey
Control by USGS, USC&GS, and IBC
Topography by photogrammetric methods from aerial photographs
taken 1948. Map not field checked
Selected hydrographic data compiled from USC&GS



JUNEAU SCALE
9A

Tongass National Forest
Chilkat Islands
U.S.G.S. Quadrangle Skagway (A-1)

December, 1977
Page 1 of 1

All lands contained within the following described protracted sections:

T32S, R60E Copper River Meridian, Alaska

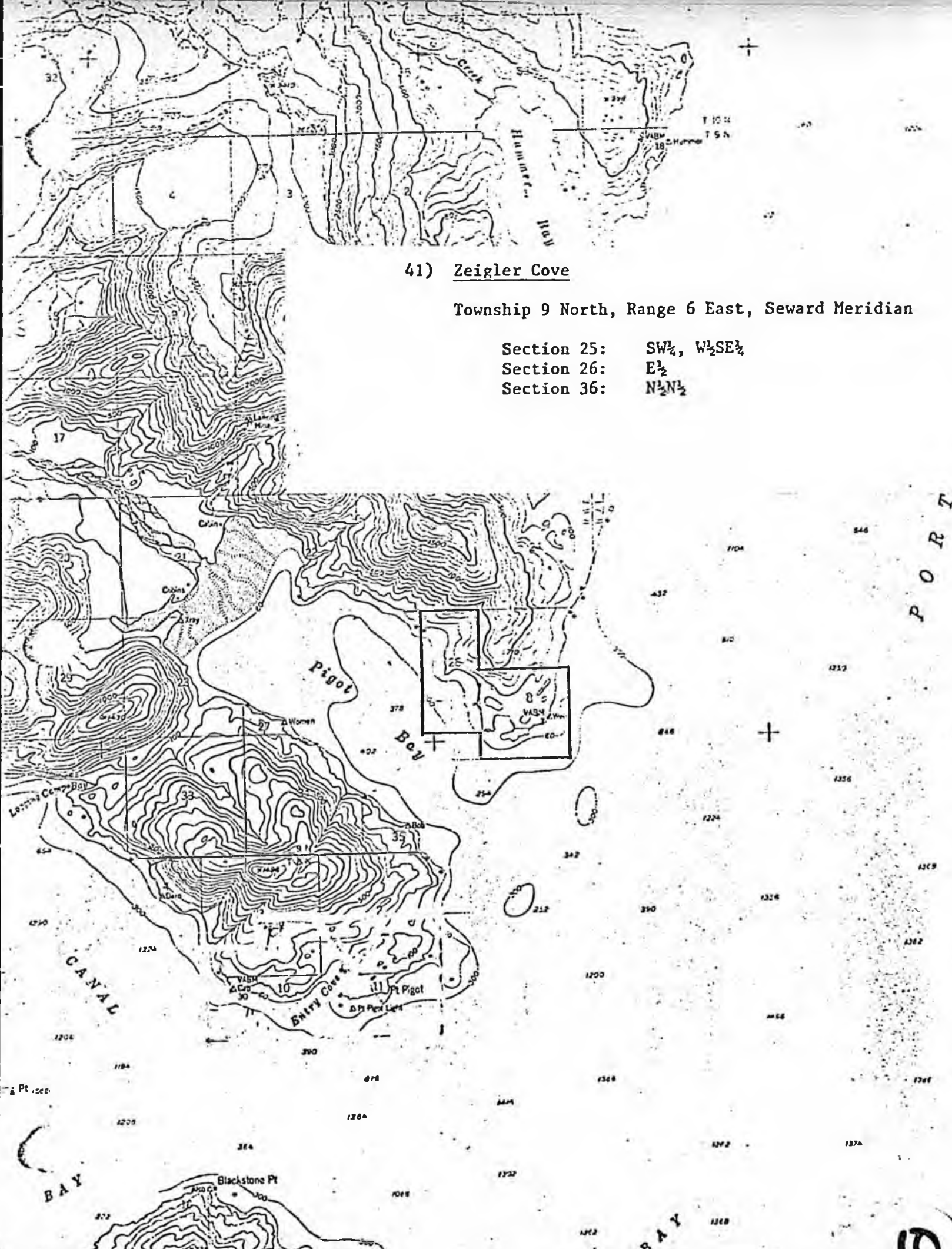
Sec. 22	SE $\frac{1}{4}$	containing	20 ac., more or less.
Sec. 23	All	containing	10 ac., more or less.
Sec. 26	All	containing	20 ac., more or less.
Sec. 27	All	containing	10 ac., more or less.
Sec. 34	All	containing	140 ac., more or less.
Sec. 35	All	containing	35 ac., more or less.

T33S, R61E Copper River Meridian, Alaska

Sec. 4	All	containing	10 ac., more or less.
Sec. 5	All	containing	65 ac., more or less.
Sec. 8	All	containing	25 ac., more or less.
Sec. 9	All	containing	150 ac., more or less.
Sec. 16	All	containing	55 ac., more or less.

Containing a total of 540 ac., more or less.

The National Forest land selected by the State of Alaska contained in this description totals 540 acres, more or less.



41) Zeigler Cove

Township 9 North, Range 6 East, Seward Meridian

- Section 25: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{2}$
- Section 26: E $\frac{1}{2}$
- Section 36: N $\frac{1}{2}$ N $\frac{1}{2}$

P
O
R
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B
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10

19) Horseshoe Bay

Township 1 South, Range 9 East, Seward Meridian

Section 32: SE½

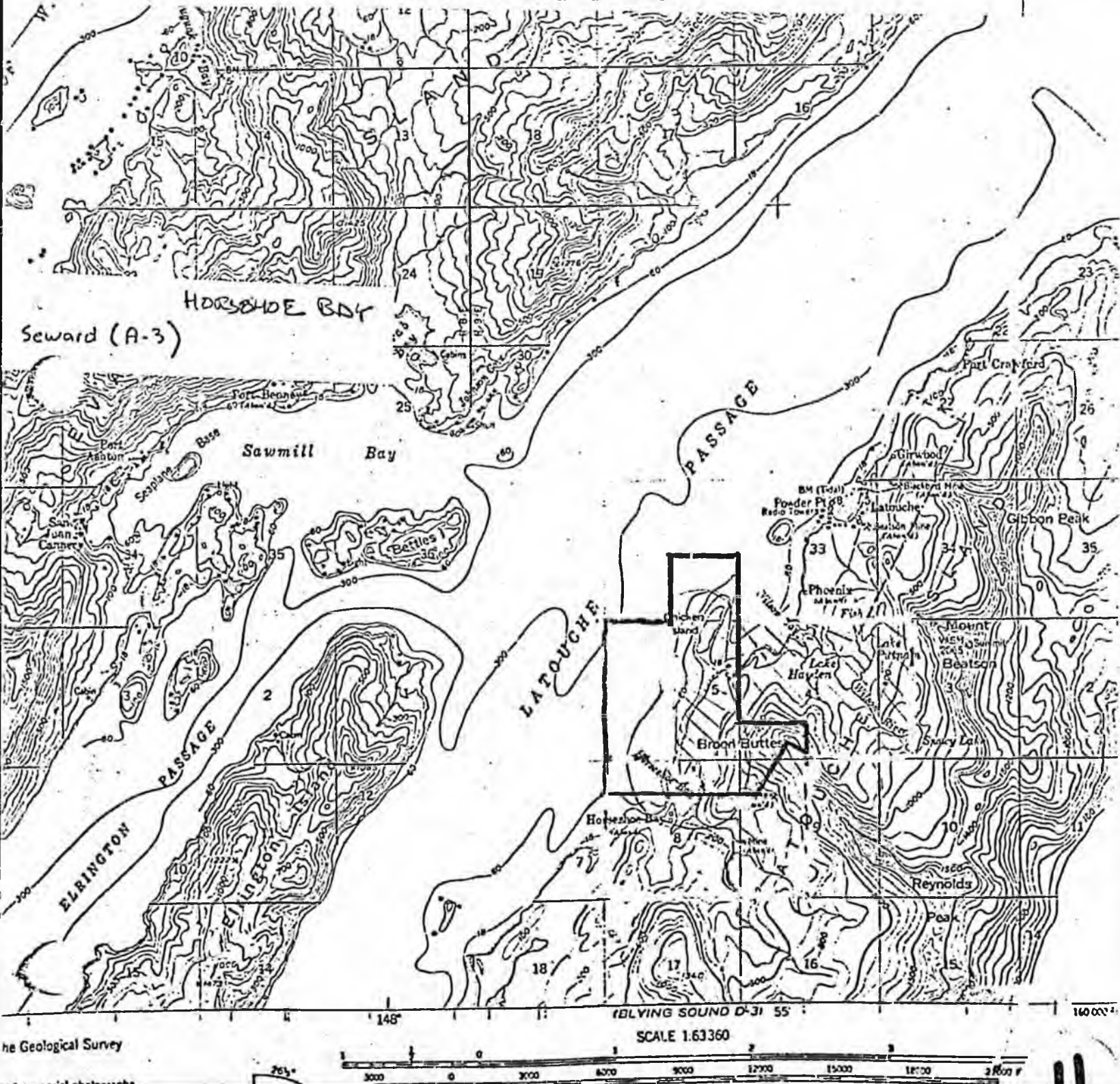
Township 2 South, Range 9 East, Seward Meridian

Section 4: S½SW½ excluding amended Iron Mountain Lode No. 2 and Iron Mountain Lode

Section 5: All

Section 8: N½ excluding Iron Mountain Lode No. 11 and Iron Mountain Lode No. 10

Section 9: NW½NW½ excluding amended Iron Mountain Lode No. 2 and Iron Mountain Lode



Sullivan Island
 Petersburg (D-4)

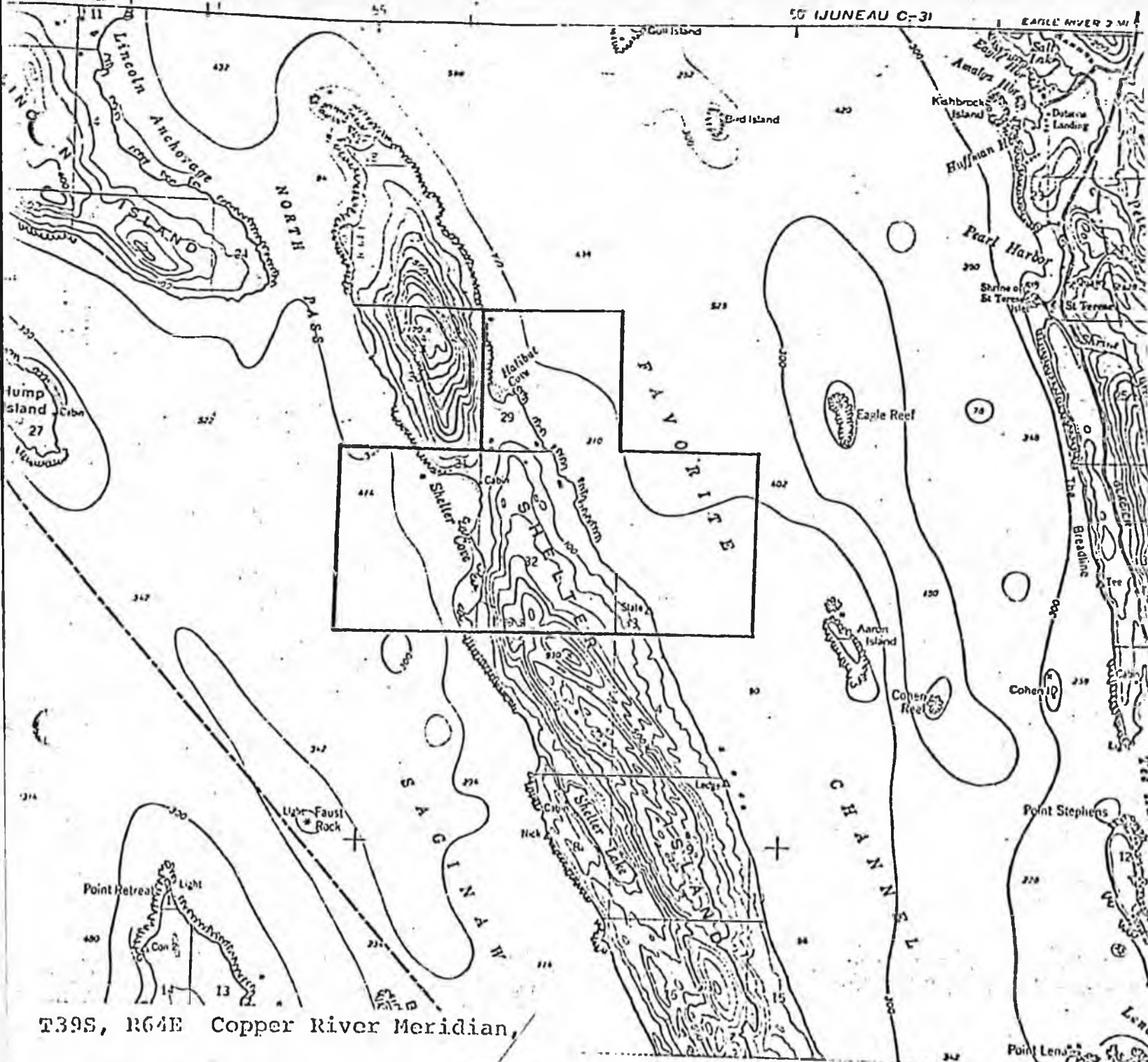


T34S, R60E Copper River Meridian, Alaska

Sec. 12 SE $\frac{1}{4}$ co

T34S, R61E Copper River Meridian, Alaska

Sec. 7 A11
 Sec. 18 A11
 Sec. 19 A11
 Sec. 30 A11



T39S, R64E Copper River Meridian,

- Sec. 29 All
- Sec. 31 All
- Sec. 32 All
- Sec. 33 All

Juneau - Shelter Is.
Juneau (B-3)

And excluding USS 356, containing 5.97 acres, more or less, lying within Sec. 32, T39S, R64E Copper River Meridian; and those portions of USS 355, containing 3.29 acres, more or less, lying within Sec. 29, Sec. 31, Sec. 32, T39S, R64E CRM.

Said exclusions containing a total of 9.26 acres, more or less.

+
L
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+

C
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GREAT LAKES INTERNATIONAL BOUNDARY

Tidal Flat

Boat Harbor

ST JAMES BAY

St James Pt

Tidal Flat

St. James Bay
Juneau (C-4)

19

All lands contained within the following described protracted sections:

T37S, R62E Copper River Meridian, Alaska

Sec. 27	All	containing	250 ac., more or less.
Sec. 28	All	containing	505 ac., more or less.
Sec. 29	All	containing	290 ac., more or less.
Sec. 30	SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	containing	160 ac., more or less.
Sec. 31	E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$	containing	199 ac., more or less.
Sec. 32	All	containing	100 ac., more or less.
Sec. 33	All	containing	110 ac., more or less.
Sec. 34	All	containing	450 ac., more or less.
Sec. 35	W $\frac{1}{2}$	containing	15 ac., more or less.

T38S, R62E Copper River Meridian, Alaska

Sec. 2	W $\frac{1}{2}$	containing	45 ac., more or less.
Sec. 3	All	containing	245 ac., more or less.
Sec. 4	All	containing	65 ac., more or less.
Sec. 5	All	containing	65 ac., more or less.
Sec. 6	NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$	containing	200 ac., more or less.
Sec. 8	N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$	containing	295 ac., more or less.
Sec. 9	All	containing	80 ac., more or less.
Sec. 10	All	containing	245 ac., more or less.
Sec. 11	W $\frac{1}{2}$	containing	150 ac., more or less.
Sec. 14	NW $\frac{1}{4}$	containing	30 ac., more or less.
Sec. 15	N $\frac{1}{2}$	containing	15 ac., more or less.
Sec. 16	N $\frac{1}{2}$	containing	64 ac., more or less.
Sec. 17	N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$	containing	105 ac., more or less.

Containing a total of 3683 ac., more or less.

The National Forest land selected by the State of Alaska contained in this description totals 3683 acres, more or less.

Introduced: 2/16/83
Referred: Resources

Things added from SB 794

BY V. FISCHER, BENNETT, ELIASON,
FERCUSON, GILMAN, JOHNSON, MOSS,
RODEY AND STURGULEWSKI

1 IN THE SENATE

2

SENATE BILL NO. 128

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act establishing certain areas as marine park
units of the Alaska state park system; and providing
for an effective date."

7

8

9

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

10

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

11

ARTICLE 17. ALASKA MARINE PARKS.

12

Sec. 41.20.530. DECLARATION OF PURPOSE. The purpose of AS 41.-

13

20.530 - 41.20.538 is to establish, subject to valid existing rights,

14

the state-owned or acquired land and water described in AS 41.20.534

15

as marine park units of the Alaska state park system. The primary

16

purposes in establishing the land and water areas described in AS 41.-

17

20.534 as marine park units of the Alaska state park system are to

18

(1) maintain natural, cultural, and scenic values;

19

(2) maintain fish and wildlife resources;

20

(3) promote and support recreation and tourism in the

21

state.

22

Sec. 41.20.532. DESIGNATION OF MANAGEMENT RESPONSIBILITY. (a)

23

The state land and water described in AS 41.20.534 is assigned to the

24

Department of Natural Resources for control, maintenance, and develop-

25

ment consistent with the purposes and provisions of AS 41.20.530 -

26

41.20.538.

27

(b) The Department of Fish and Game is responsible for the

28

management of fish and game resources on the state land and water

29

described in AS 41.20.534 consistent with the purposes of

1 AS 41.20.530 - 41.20.538. The Department of Fish and Game shall give
2 written notice to ^{added} and consult with the Department of Natural Resources
3 before adoption of regulations governing fish and game management in a
4 marine park unit of the Alaska state park system.

5 (c) The Department of Natural Resources shall develop a manage-
6 ment plan for each marine park unit of the Alaska state park system to
7 determine the specific purposes and uses for the unit. The commis-
8 sioner of natural resources shall give written notice and consult with ~~the~~ ^{add gov.}
9 the Department of Fish and Game, proximately located municipalities of
10 the state, proximately located private landowners, the United States
11 Forest Service, and organizations concerned with observation, recrea-
12 tion, and tourism, and other interested parties during the preparation
13 of a management plan for a marine park unit of the Alaska state park
14 system.

15 (d) The commissioner of natural resources may not restrict the
16 exercise of fishing or hunting ^{added} rights permitted under law or under a
17 regulation of the Board of Fisheries within a marine park unit of the
18 Alaska state park system.

19 (e) The commissioner of natural resources may allow the develop-
20 ment of aquaculture facilities within a marine park unit of the Alaska
21 state park system.

22 (f) The commissioner of natural resources may enter into a co-
23 operative agreement for the management of a marine park unit of the
24 Alaska state park system with a federal agency, a municipality of the
25 state, or a proximately located private landowner for a purpose stated
26 under AS 41.20.020(7).

27 (g) In the management of a marine park unit of the Alaska state
28 park system the commissioner of natural resources shall consult and
29 cooperate with a Native corporation that owns an historical or

1 cultural site granted under sec. 14(h)(1) of the Alaska Native Claims
2 Settlement Act (43 U.S.C. sec. 1613(h)(1)) and that is proximately
3 located to a marine park unit of the Alaska state park system. In the
4 management of a marine park unit of the Alaska state park system the
5 commissioner of natural resources shall address the potential con-
6 flicts with the cultural and historical values of land granted to a
7 Native corporation under sec. 14(h)(1) of the Alaska Native Claims
8 Settlement Act and shall provide for appropriate protection to these
9 values.

added
10 (h) Nothing in AS 41.20.530 - 41.20.538 precludes the use of or
access to privately owned land.

12 Sec. 41.20.534. DESIGNATED LAND AND WATER. The state-owned land
13 and water and that land and water acquired by the state in the future
14 lying within the following described parcels are designated as marine
15 park units of the Alaska state park system:

16 (1) Bettles Bay

17 Township 10 North, Range 6 East, Seward Meridian

18 Section 12: S1/2SW1/4, SW1/4SE1/4

19 Section 13: NW1/4, W1/2NE1/4, N1/2SW1/4, NW1/4SE1/4

20 Section 14: N1/2SE1/4, S1/2NE1/4, NE1/4NE1/4

21 (2) Decision Point

22 Township 8 North, Range 5 East, Seward Meridian

23 Section 1: All

24 Section 11: NE1/4, N1/2SE1/4

25 Section 12: N1/2, N1/2S1/2

26 Township 8 North, Range 6 East, Seward Meridian

27 Section 5: SW1/4

28 Section 6: All

29 Section 7: N1/2, N1/2S1/2

1 Section 8: N1/2, N1/2S1/2
2 (3) Entry Cove
3 Township 8 North, Range 6 East, Seward Meridian
4 Section 2: S1/2
5 Section 3: SE1/4, S1/2SW1/4
6 Section 10: N1/2
7 Section 11: N1/2
8 (4) Oliver Inlet
9 Township 43 South, Range 68 East, Copper River Meridian
10 Section 28: SW1/4
11 Section 32: E1/2E1/2
12 Section 33: NW1/4, W1/2SW1/4
13 (5) Sawmill Bay
14 Township 9 South, Range 9 West, Copper River Meridian
15 Section 22: E1/2SE1/4, SW1/4SE1/4
16 Section 23: SW1/4, S1/2NW1/4, NE1/4NW1/4, W1/2NE1/4
17 Section 26: W1/2
18 Section 27: E1/2, S1/2SW1/4
19 Section 28: E1/2SE1/4
20 Section 33: NE1/4NE1/4
21 Section 34: N1/2, SE1/4, N1/2SW1/4, SE1/4SW1/4
22 Section 35: W1/2
23 Township 10 South, Range 9 West, Copper River Meridian
24 Section 3: N1/2NE1/4
25 (6) Shoup Bay
26 Township 8 South, Range 7 West, Copper River Meridian
27 Section 30: W1/2W1/2
28 Section 31: W1/2W1/2
29 Township 8 South, Range 8 West, Copper River Meridian

1 Section 25: All
2 Section 26: All
3 Section 27: E1/2
4 Section 34: E1/2
5 Section 35: All
6 Section 36: All

7 Township 9 South, Range 8 West, Copper River Meridian

8 Section 1: N1/2NW1/4
9 Section 2: N1/2
10 Section 3: All

11 (7) South Esther Island

12 Township 8 North, Range 8 East, Seward Meridian

13 Section 3: W1/2, W1/2SE1/4, SW1/4NE1/4
14 Section 4: E1/2E1/2, SW1/4SE1/4
15 Section 5: E1/2SW1/4, SW1/4SW1/4, SE1/4NW1/4
16 Section 6: E1/2SW1/4, S1/2SE1/4, NW1/4SE1/4
17 Section 7: N1/2NE1/4, SE1/4NE1/4
18 Section 8: E1/2, NW1/4, N1/2SW1/4, SE1/4SW1/4
19 Section 9: All
20 Section 10: N1/2NW1/4, SW1/4NW1/4
21 Section 16: N1/2
22 Section 17: NE1/4, E1/2NW1/4

23 Township 9 North, Range 8 East, Seward Meridian

24 Section 33: SW1/2NW1/4, SW1/4NE1/4, E1/2SW1/4, W1/2-
25 SE1/4

26 (8) Surprise Cove

27 Township 8 North, Range 6 East, Seward Meridian

28 Section 21: SE1/4, E1/2SW1/4
29 Section 22: SE1/4, S1/2SW1/4, SE1/4NE1/4

9) Swan ~~son~~ Harbor
was in SB 794

- 1 Section 23: W1/2SW1/4, SW1/4NW1/4
- 2 Section 26: W1/2W1/2
- 3 Section 27: All
- 4 Section 28: S1/2, NE1/4, E1/2NW1/4
- 5 Section 29: SE1/4SE1/4
- 6 Section 34: N1/2N1/2
- 7 Section 35: NW1/4NW1/4
- 8 (9) Chilkat Islands
- 9 Township 32 South, Range 60 East, Copper River Meridian
- 10 Section 22: SE1/4
- 11 Section 23: All
- 12 Section 26: All
- 13 Section 27: All
- 14 Section 34: All
- 15 Section 35: All
- 16 Township 33 South, Range 61 East, Copper River Meridian
- 17 Section 4: All
- 18 Section 5: All
- 19 Section 8: All
- 20 Section 9: All
- 21 Section 16: All
- 22 (10) Ziegler Cove
- 23 Township 9 North, Range 6 East, Seward Meridian
- 24 Section 25: SW1/4, W1/2SE1/4
- 25 Section 26: E1/2
- 26 Section 36: N1/2N1/2
- 27 (11) Horseshoe Bay
- 28 Township 1 South, Range 9 East, Seward Meridian
- 29 Section 32: SE1/4

added

added

1 Township 2 South, Range 9 East, Seward Meridian
2 Section 4: S1/2SW1/4 excluding amended Iron Mountain
3 Lode No. 2 and Iron Mountain Lode
4 Section 5: All
5 Section 8: N1/2 excluding Iron Mountain Lode No. 11
6 and Iron Mountain Lode No. 10
7 Section 9: NW1/4NW1/4 excluding amended Iron Mountain
8 Lode No. 2 and Iron Mountain Lode
9 (12) Sullivan Island
10 Township 34 South, Range 60 East, Copper River Meridian
11 Section 12: SE1/4
12 *added* Township 34 South, Range 61 East, Copper River Meridian
13 Section 7: All
14 Section 18: All
15 Section 19: All
16 Section 30: All
17 (13) Shelter Island
18 Township 39 South, Range 64 East, Copper River Meridian
19 Section 29: All
20 *added* Section 31: All
21 Section 32: All
22 Section 33: All
23 (14) Saint James Bay
24 Township 37, Range 62 East, Copper River Meridian
25 Section 27: All
26 *added* Section 28: All
27 Section 29: All
28 Section 30: SE1/4, SE1/4SW1/4
29 Section 31: E1/2NW1/4, NE1/4SW1/4, E1/2

1 Section 32: All
2 Section 33: All
3 Section 34: All
4 Section 35: W1/2
5 Township 38 South, Range 62 East, Copper River Meridian

6 Section 2: W1/2
7 Section 3: All
8 Section 4: All
9 Section 5: All
10 Section 6: NE1/4, E1/2SE1/4
11 section 8: N1/2, NE1/4SW1/4, SE1/4
12 Section 9: All
13 Section 10: All
14 Section 11: W1/2
15 Section 14: NW1/4
16 Section 15: N1/2
17 Section 16: N1/2
18 Section 17: N1/2NE1/4, SE1/4NE1/4

*SB 794
Sec. 2(A)(B)
RE: study of
areas for
inclusion*

19 Sec. 41.20.536. INCOMPATIBLE USES PROHIBITED. The commis-
20 sioner of natural resources may prohibit or restrict by regulation
21 incompatible uses within the boundaries of the areas described in
22 AS 41.20.534.

23 Sec. 41.20.538. DISCHARGE OF FIREARMS. Discharge of a firearm
24 is permitted in the areas described in AS 41.20.534 when authorized by
25 regulation of the Department of Natural Resources.

26 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
27 10.070(c).

*SB 794
Record. Required biannual
report to leg*



United States
Department of
Agriculture

Forest
Service

Regional
Office

P.O. Box 1628
Juneau, AK 99802

Reply to 1510

Date MAR. 23 1982

Honorable Bettye Fahrenkamp
Chairman, Committee on Resources
Pouch V
State Capital
Juneau, AK 99811

Dear Ms. Fahrenkamp:

Please find enclosed a listing of those sites identified in SB 794. I have designated those that fail to meet the criteria of Section 6 of the Statehood Act. These sites are being litigated.

Allocation of these sites to marine oriented recreation is compatible with the present management of National Forest lands. In accordance with the National Forest Management Act, we are developing a land management plan for the Chugach National Forest. The draft plan will be available for public review in May. A number of alternatives under consideration include allocation of many of these as well as other sites to marine oriented recreation. I expect that after finalization of the plan, use of these sites for marine oriented recreation will continue to be a compatible use of National Forest land.

We continue to believe that marine oriented recreation facilities in Prince William Sound should result from a joint planning effort with the State of Alaska. Provision of these facilities to State and National publics is best accomplished through a coordinated program between the State, the Forest Service, and private industry, as appropriate.

If I can be of any further assistance, please let me know.

Sincerely,

Michael A. Barton

MICHAEL A. BARTON
Deputy Regional Forester

Enclosure



Senate Bill 794	Name-State Park (Proposed)	Meets Criteria of Section 6 Statehood Act	Does not meet Criteria of Section 6 Statehood Act	Remarks
1	Anderson Bay	X		
2	Bettles Bay	X		
3	Boswell Bay	X		
4	Canoe Passage	X		
5	Cascade Creek		X	
6	Constantine Harbor		X	includes part of #38 also
7	Decision Point	X		within Whittier - Shotgun State selection
8	Disk Island		X	
9	Drier Bay		X	
10	Driftwood Bay	No USDA Action selected prior to		National Forest Status (ANILCA)
11	Eagle Bay		X	
12	Entry Cove	X		
13	Falls Bay		X	
14	Garden Cove	X		within Port Etches State selection
15	Goat Harbor		X	

*Jim Caplan 3/22
all OK*

In SB 128, no areas listed as not meeting statehood act are included. However, several areas in SB 128 (Oliver Inlet, Surprise Cove, Ziegler Cove, Chilkat Islands, Sullivan Islands, Shelter Island, St James Bay) are not found in the above list.

Senate Bill 794	NAME-State Park (Proposed)	Meets Criteria of Section 6 Statehood Act	Does not meet Criteria of Section 6 Statehood Act	Remarks
16	Golden Creek		X	
17	Granite Cove		X	
18	Gravina Point	X		
19	Horseshoe Bay	X		within Latouche State selection
20	Jack Bay	X		within Valdez-Jack Bay selection
21	Long Bay		X	
22	Main Bay		X	
23	Marsha Bay		X	
24	Outside Bay		X	
25	Perry Island		X	
26	Port Chalmers		X	
27	Port Fidalgo		X	
28	Port Nelli Juan		X	
29	Princeton Creek		X	
30	Safety Cove	No USDA Action		selected prior to National Forest status
31	Salmon Creek	X		Part of Valdez- Anderson Bay Selection

Senate Bill	NAME-State Park (Proposed)	Meets Criteria of Section 6 Statehood Act	Does not meet Criteria of Section 6 Statehood Act	Remarks
794				
32	Sawmill Bay	X		
33	Shoestring Cove		X	
34	Shoup Bay	No USDA Action		Not within National Forest boundary
35	Siwash Bay		X	
36	South Elrington Island		X	
37	South Esther Island	X		
38	Nuchek Island			Already included in #6 Constantine Harbor
39	"Unnamed Island"	No USDA Action		Not within National Forest Boundary

SB 794

1982

.520 Designates state-owned or acquired land and water within described sections of the following parcels as units of the state marine park system:

1. Bettles Bay Marine Park
2. Decision Point Marine Park
3. Entry Cove Marine Park
4. Oliver Inlet Marine Park
5. Sawmill Bay Marine Park
6. Shoup Bay Marine Park
7. South Esther Island Marine Park
8. Surprise Cove Marine Park
9. Swanson Harbor Marine Park
10. Ziegler Cove Marine Park

Sec. 2: Requires the commissioner of natural resources to assess the state selected, tentatively approved, and patented land and water in certain areas, considering the values of each area, as set out in sec. 506, and with regard to private land ownership, community expansion, and other potential uses.

Requires the commissioner to consider recreational opportunities, and the demand and desirability of selecting land for inclusion in the state marine park system in selections under sec. 6(a) of the Alaska Statehood Act.

Lists 81 areas for assessment by the commissioner.

Sec. 3: Requires the commissioner to report to the Governor on actions under this Act by December 1 of each even-numbered year, to be submitted to the legislature by the tenth day of the first session of each legislature. Requires the report to include progress in assessments required under sec. 2, and recommendations by the Governor for additional areas for inclusion as units and other recommendations for legislation.

Sec. 4: Immediate effective date.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 14, 1982

SUBJECT: Privileges within a marine park
(CSSB 794 (Resources))

TO: Senator Bettye Fahrenkamp
Chairman, Senate Resources Committee

FROM: Richard A. Bradley 
Legislative Counsel

I have been asked to clarify the language within Sec. 41.-
20.515(d).

I am advised that the language is intended to allow for the
continued use within a marine park of the various activities
such as the erection of docks for use by hunters and other
activities associated, perhaps, with fishing or hunting.

It may be that such activities may be fairly described as
"privileges obtained under law" in the former language of
subsec. (d). But the solution seems somewhat circular since
the former language denied the commissioner of natural
resources the discretion to do things that seem to be part
of his normal discretion.

I believe that the ideas may need more elaborate treatment
than the bill gives them at this time. Alternatively,
recognize that Sec. 41.20.515(c) seems to give the
commissioner discretion to develop the parks for various
purposes. The authority to do the things that the committee
is concerned about may already be located in the management
plan authority granted by this subsection.

And as rewritten, subsec. (d) limits the authority of the
commissioner of natural resources to regulate fish and game
activities permitted by the Department of Fish and Game.

If I may assist further, please advise.

RAB:ljb

Enclosure

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUR:EAU ALASKA 99811
907-465-3600

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 11, 1982

SUBJECT: Marine park system -- SB 794
(Work Order No. 12-2667)

TO: Senator Betty Fahrerkamp
Chairman, Senate Resources Committee

FROM: Richard A. Bradley
Legislative Counsel

SB 794 establishes a "state marine park system".

Sec. 41.20.506 constitutes a declaration of purposes. The section states that the purpose of the bill is to restrict, subject to valid existing rights, the state owned lands and waters as well as acquired lands and waters described in sec. 41.20.520 to use as units of the state marine park system. More specific purposes are "to protect and provide for the public use of the recreational, natural, cultural, scenic, wilderness, and wildlife resources" and to protect the "natural and wilderness character of the coastline in these areas".

The bill also contains in sec. 41.20.506(b) the usual recitals regarding Article VIII, Sec. 7 of the Alaska Constitution and of AS 38.05.300.

Sec. 41.20.515(a) designates the Department of Natural Resources as the agency assigned to control, maintain, and develop the state land and water consistent with the purposes of the bill. The Department is required to develop a management plan "for these areas".

Sec. 41.20.515(b) assigns the Department of Fish and Game responsibility for fish and game management consistent with the purposes of the bill "in these areas".

March 11, 1982

Sec. 41.20.515(c) directs the Department of Natural Resources to consult with the Department of Fish and Game and others during the preparation of a management plan "for the marine park system".

Sec. 41.20.515(d) directs the Alaska Department of Fish and Game to consult with the Department of Natural Resources before adopting regulations governing fish and game management "in the marine park system".

Sec. 41.20.515(e) grants the commissioner of natural resources the usual authority to establish by regulation "incompatible uses within the areas".

Sec. 41.20.515(f) provides that the commissioner of natural resources may not restrict the exercise of "valid fishing rights or privileges obtained under law". The phrase seems not as clear as it might and may mean any of the following:

- (1) the commissioner may not restrict non-fishing privileges granted by a statute;
- (2) the commissioner may not restrict non-fishing rights granted by a statute (the distinction between "rights" and "privileges" is largely lost in modern law); and
- (3) the word "privileges" is associated with "valid fishing rights" and nothing more than fishing rights and privileges are being described here.

The phrase should be clarified.

Sec. 41.20.515(g) authorizes the commissioner of natural resources to permit aquaculture developments within the marine park system.

One point about the style of the language in the section may be noted. Some 39 marine parks are established. At this time, I cannot say whether the law requires that they be managed as a unit or discretely. The suggestion in the language of the section is that the usual management decision will apply to the system as a unit but the point should be clarified.



United States
Department of
Agriculture

Forest
Service

Regional
Office

P.O. Box 1628
Juneau, AK 99802

Reply to: 1510

Date: MAR 26 1982

Honorable Bettye Fahrenkamp
Chairman, Committee on Resources
Pouch V
State Capital
Juneau, AK 99811

Dear Senator Fahrenkamp:

During your hearing Wednesday on Senate Bill 794, you inquired as to whether or not any of the proposed State Marine Parks were considered by the Chugach Regional Study for the Chugach Natives, Incorporated land settlement.

I find that four sites proposed by SB 794 for State Marine Parks are included in the Federal proposal for settlement. They are Horseshoe Bay Site #19, Eagle Bay Site #11, Nuchek Island Site #38 and Shotgun Cove Site #7 (called Decision Point Marine Park).

I have enclosed a copy of the study recommendations that were transmitted to Congress in response to Section 1430 of Alaska Land Act.

Please let me know if you have additional questions or if we might assist you in any way.

Sincerely,

THOMAS P. LENNON
Acting Director of Lands, Minerals,
and Watershed Management

Enclosure (2)

cc: Department of Natural Resources

ditto Horseshoe
ditto Eagle
ditto Nuchek
#2 Shotgun (Decision)



Pat,

Attached are some approximate acreage figures for marine park units proposed under SB 128.

There is still some problems with these figures - they don't quite jive with previous acreage totals reported by DNR. The final figures should be here shortly and will vary by no more than a 1,000 acres total acreage, plus or minus, the total figure reported here.

I'll get the final tally to you as soon as it comes here .

Ginger Baim
4954
Vic Fischer's Office
2/24

ALASKA MARINE PARK SYSTEM (Acreage & Location)				
Unit Name	Total	Sea	Land	Area
Bettles Bay	680	200	480	PWS
Decision Point	3120	1760	1360	PWS
Entry Cove	1200	200	1000	PWS
Oliver Inlet	560	100	400	SE
Sawmill Bay	2320	620	1700	PWS
Shoup Bay	4560	2040	2520	PWS
S. Esther Is.	3000	840	2160	PWS
Surprise Cove	2220	800	1420	PWS
Chilkat Is.	7260	6720	540	SE
Ziegler Cove	720	180	540	PWS
Horseshoe Bay	790	500	470	PWS
Sullivan Is.	2080	1000	1080	SE
Shelter Is.	2560	1920	640	SE
St. James Bay	6685	2000	3685	SE
TOTAL	37,935	19,940	17,995	
(PWS - Prince William Sound, SE - Southeast Panhandle)				

Alaska State Legislature

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STATE CAPITOL
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(907) 465-3834
(907) 465-3835

Senate

Committee on Resources

March 23, 1983

Memo

To: Bettye
From: Pat
Subject: Hearing on SB 128, Marine Parks

Attached is a summary of the bill, maps of the areas, a chart with acreage figures. To note:

- This year's bill has five new sites from last year's bill and deletes one;
- Acreage figures run from 680 acres to 7260 acres including substantial water acreage;
- Four of the 14 sites are in southeast near Juneau, the rest in Prince William Sound (most in P. Fischer's district).

Specific Questions

- Why were the new sites included?
- Why are the sites so large? for picnicking, overnight camping, resting?
- Would any commercial developments be allowed, encouraged?
- How would inclusion of water areas affect commercial fishing and other uses?
- The bill prohibits DNR from restricting fishing or hunting rights, yet requires that discharge of firearms be authorized by DNR regulation--IS this contradictory?
- The bill says that nothing would preclude the use of or access to privately owned lands. Would this include mining claims or adjacent prospects?
- Specifically, I understand that there are major gold deposits near St. James Bay, and other mineral deposits near Horseshoe Bay on La Touche Island. If these areas are designated as Marine Parks would there be any conflicts?
- If disposals are a problem, are there other options to protecting these sites?

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: SB 128 Date on Bill: _____
 Title: "An Act establishing certain areas as marine park units of the Alaska state park system"
 Sponsor: Fisher, et al.
 Requestor: _____

1. Estimated fiscal impacts on:

a. Expenditures:

		(Thousands of Dollars)			
		FY 83	FY 84	FY 85	FY 86
Capital					
Operating					
Total		0	0	0	0

b. Revenues:

Revenue					
---------	--	--	--	--	--

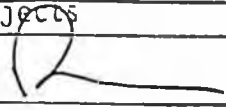
2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It therefore does not represent the final estimate of fiscal impact.

Prepared By: William C. Bivin Phone: 465-2018
 Division: Office of Special Industrial Projects Date: _____

Approved by Commissioner: Richard A. Lyon  Date: _____
 Department: Commerce and Economic Development

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/15/83

PROPOSED AMENDMENTS SB 128, Marine Parks

- 1) On page 3, lines 20-25 make the following changes:

"The commissioner of natural resources shall permit adequate and feasible access across state land within a marine park unit of the Alaska state park system to and from private land or mining ^{claim} and lease within or outside a unit if the commissioner of natural resources determines that the access is reasonably necessary to the development of the private land. In the granting of such access the commissioner of natural resources may adopt reasonable regulations to protect the natural and other values of the marine park unit lands and water.

- 2) On page 4, lines 4-6 make the following changes:

"The commissioner of natural resources may prohibit or restrict by regulation incompatible uses within the state-owned land and water described in AS 41.20.534.

- 3) On page 9, lines 7-10, make the following changes:

"Discharge of a firearm is permitted in state-owned land and water described in AS 41.20.534 unless the land or waters are closed by regulation of the commissioner of natural resources for public safety and other management purposes.

MARINE PARKS FOR ALASKA

The International Connection

By Neil C. Johannsen, Chief of Planning, Alaska State Parks

Reprinted from ALASKA magazine, April 1979
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Box 4-EEE, Anchorage, Alaska 99509

MARINE PARKS FOR ALASKA

The International Connection

By Neil C. Johansen, Chief of Planning, Alaska State Parks



An international system of marine parks and recreation areas, stretching from near Olympia, Washington, along southern Puget Sound northward to the Central Alaska coastline, is taking shape. The marine parks, being established in Washington State and British Columbia and planned in Alaska, are usually small in acreage and are located in protected bays and coves; some are situated on tiny islands and others are on the mainland. Planned for boaters and fly-in recreationists will be 163 marine parks —

most an easy 1-day boat trip from one to another — spread over 1,600 miles of mostly protected waterways.

The legendary beauty of the Northwest Coast, coupled with the area's high per-capita ownership of boats and floatplanes, has resulted in increasing interest in efforts to create marine parks. Few governments in the world have a similar opportunity to leave open key portions of their ocean shoreline properties for public use. In Alaska, 54% of all residents participate in boating, a rate far higher than the



Top — Half a dozen units of the proposed marine park system, some to be managed to accommodate large numbers of recreational boaters, are located within an easy day's sail of this vista of the mountainous east side of Port Wells in northwestern Prince William Sound. (Neil and Betty Johansen)

Above — The sloop Nellie Juan inches through the narrow entrance of Disk Island lagoon, near the north end of Knight Island in Prince William Sound. As part of the proposed marine park system, the tiny anchorage will remain in as near a natural condition as possible. (Neil and Betty Johansen)



Sundum Glacier marks the site of a proposed unit of the marine park system on the south shore of Endicott Arm, off Stephens Passage south of Juneau. Remains of the 1880 gold mining camp of Sundum can be found near the base of the glacier. (Nancy Simmerman)

national average. Boat ownership in the Seattle area is the highest of any large city in the nation. Demand for boat slips in the Vancouver and Victoria areas is many times higher than the supply. A result has been that the state of Washington and the province of British Columbia are working hard to establish 99 marine parks stretching up the coast north from Olympia to a

scant 5 miles south of the Alaska-Canada border.

And now Alaska has drawn plans to continue such marine parks up the coast to the northern Gulf of Alaska. Alaska's opportunity to tie into this international system had its genesis when the Statehood Act, drafted in 1958, included Section 6(a), which allows Alaska to select up to 400,000 acres of

national forest land, which in Alaska covers most of the convoluted shorelines of Southeastern and Prince William Sound. State selections from the U.S. Forest Service domain must be for purposes of community expansion and for recreational purposes. Alaska Governor Hammond and Attorney General Avrum Gross saw the legal opportunities afforded by the Statehood Act and agreed that the state use a portion of its land entitlement to build the last link in an international marine park system. With 85% of Alaskans residing near the coastline, public reception to the plan was enthusiastic.

Through 2 years of research and meetings with residents of coastal communities, the plans slowly took shape. The result was a decision to allocate 70,000 acres of Forest Service land to a comprehensive plan for the proposed marine parks. Selections for the system were filed with the Forest Service on December 19, 1977.

Overall strategy focused on the idea that numerous small parks would allow for a wider variety of accessible coastal environments than selection of just a few large areas. In addition, the theme used in British Columbia and Washington could be followed. Thus, within Alaska's marine parks, facilities such as docks, mooring floats, beach campsites, trails and toilets could be developed. The vast majority of these proposed Alaska parks are near well-



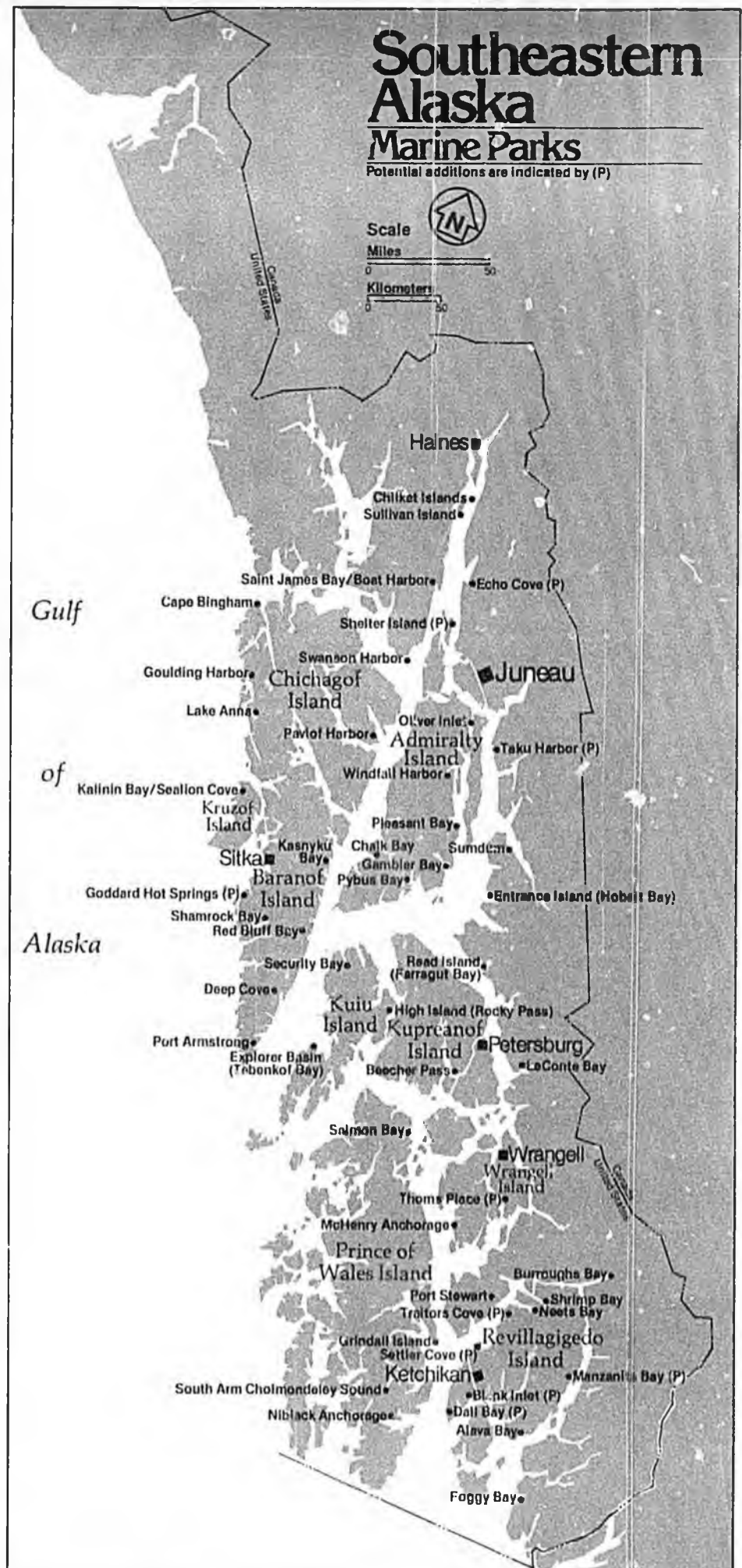
established pleasure boat routes and floatplane landing sites. Some parks are close to communities, while others are in remote wilderness. Areas were carefully selected for scenic quality, productive sport fishing and protection from prevailing winds. Recreational opportunities include beachcombing, crabbing, shrimping, hunting, camping, scuba diving, observing wildlife or visiting historical areas.

Only 15% of Alaska's selections from forest lands is necessary to provide this park system. In total, 25 areas were selected in Prince William Sound and 39 areas were identified for marine park status in Southeastern Alaska. Terry McWilliams, director of Alaska's state park system, recently pointed out that with "growing interest in coastal logging and other extractive industries along Alaska's ocean shores, an unparalleled opportunity is provided to create the system, with only 70,000 acres being reserved for existing plans for wilderness and industrial development."

Though development and management plans for the proposed marine park system haven't yet been drawn up, the primary goal will be to maintain the natural appearance of the sites, providing only basic facilities for the safety and enjoyment of visitors, whether they arrive by powerboat, sailboat, floatplane, kayak or even passenger ferry.

The Alaska Visitors Association, a group dedicated to creating a healthy environment in Alaska for the tourism and hospitality industry, supports the marine park system. The AVA has urged the Forest Service to take favorable action on the state's selection of Forest Service domain. The Forest Service has so far resisted, approving only 3 of the proposed 64 parks. A court battle could result between the state and federal bureaucracies if their resistance persists.

But the vision of an international marine park system remains strong in Alaska. The plans, if implemented, will offer boaters a chance to explore the Northwest Coast from Puget Sound to Prince William Sound, with daily stops in parks managed for scenic protection and recreational opportunity. Washington and British Columbia's 99 marine parks, coupled with Alaska's planned 64 units, will provide accessible, usable recreation gems that will be the envy of the world. □



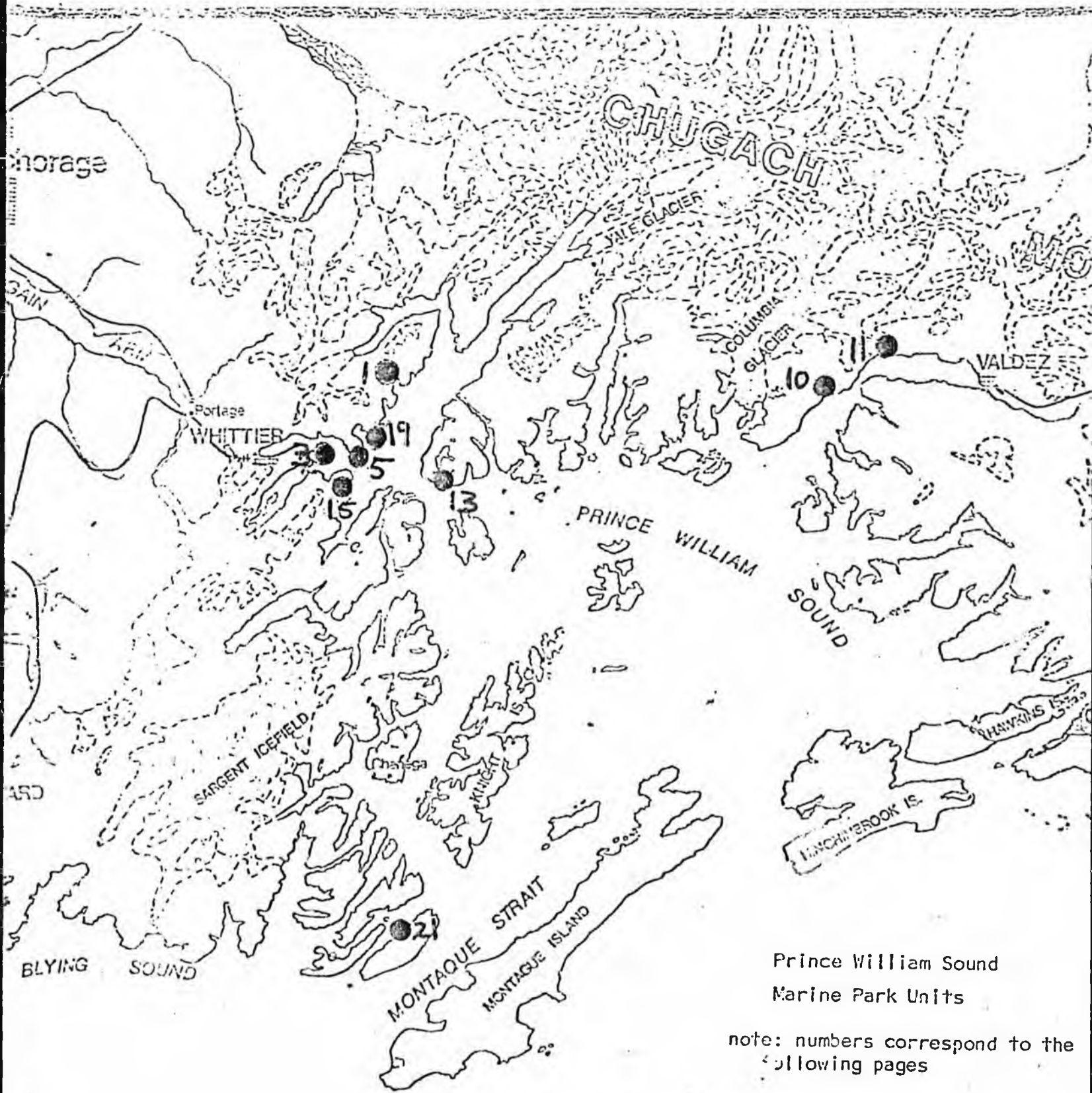
Information on Marine Parks

Proposed for Designation in SB 128

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Southeast Alaska Region Map.....	B
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prepared by

Alaska Division of Parks
March 1983



Prince William Sound
Marine Park Units

note: numbers correspond to the following pages

of Alaska

Scale



Southeast Alaska
Marine Park Units

note: numbers correspond to the following pages

ZUIENCHORAGE A-41

15

10

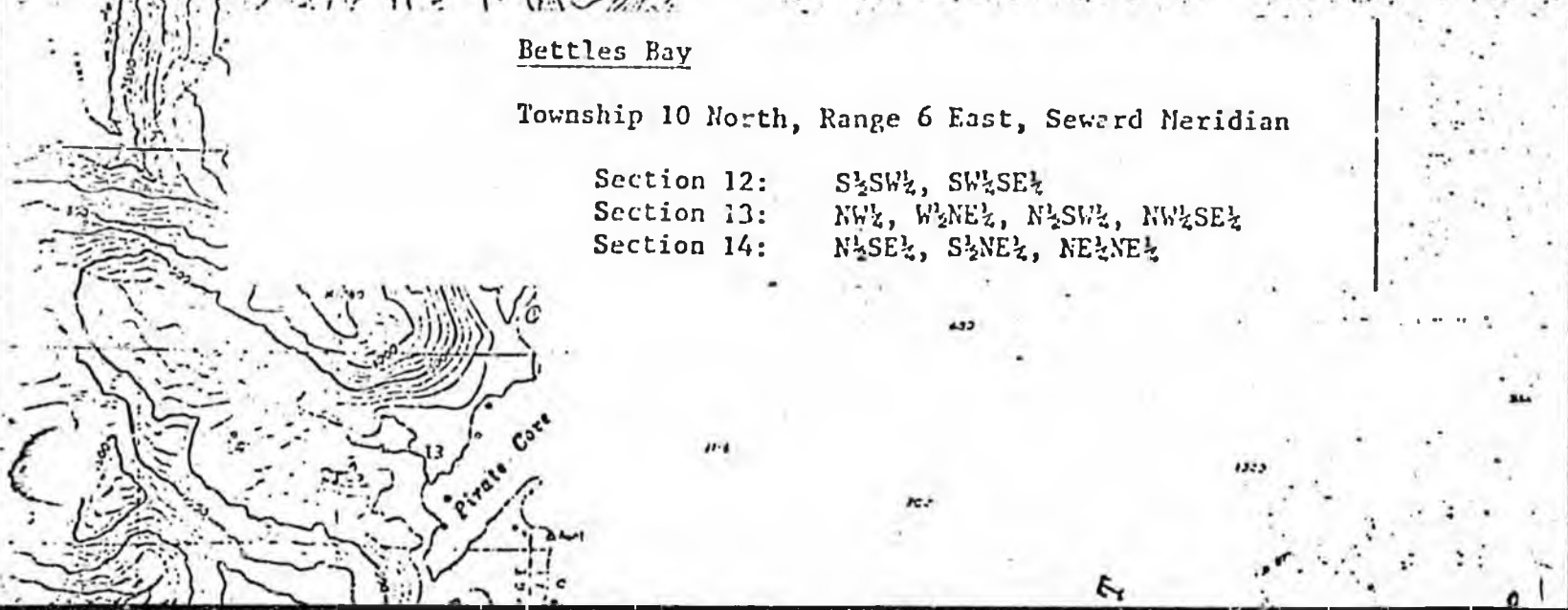
5000 FT



Bettles Bay

Township 10 North, Range 6 East, Seward Meridian

- Section 12: S $\frac{1}{2}$ SW $\frac{1}{2}$, SW $\frac{1}{2}$ SE $\frac{1}{2}$
- Section 13: NW $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$
- Section 14: N $\frac{1}{2}$ SE $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{2}$, NE $\frac{1}{2}$ NE $\frac{1}{2}$



Alaska Marine Park System

Name	Size	
Bettles Bay	land	555
	water	125
	total	680

General Location

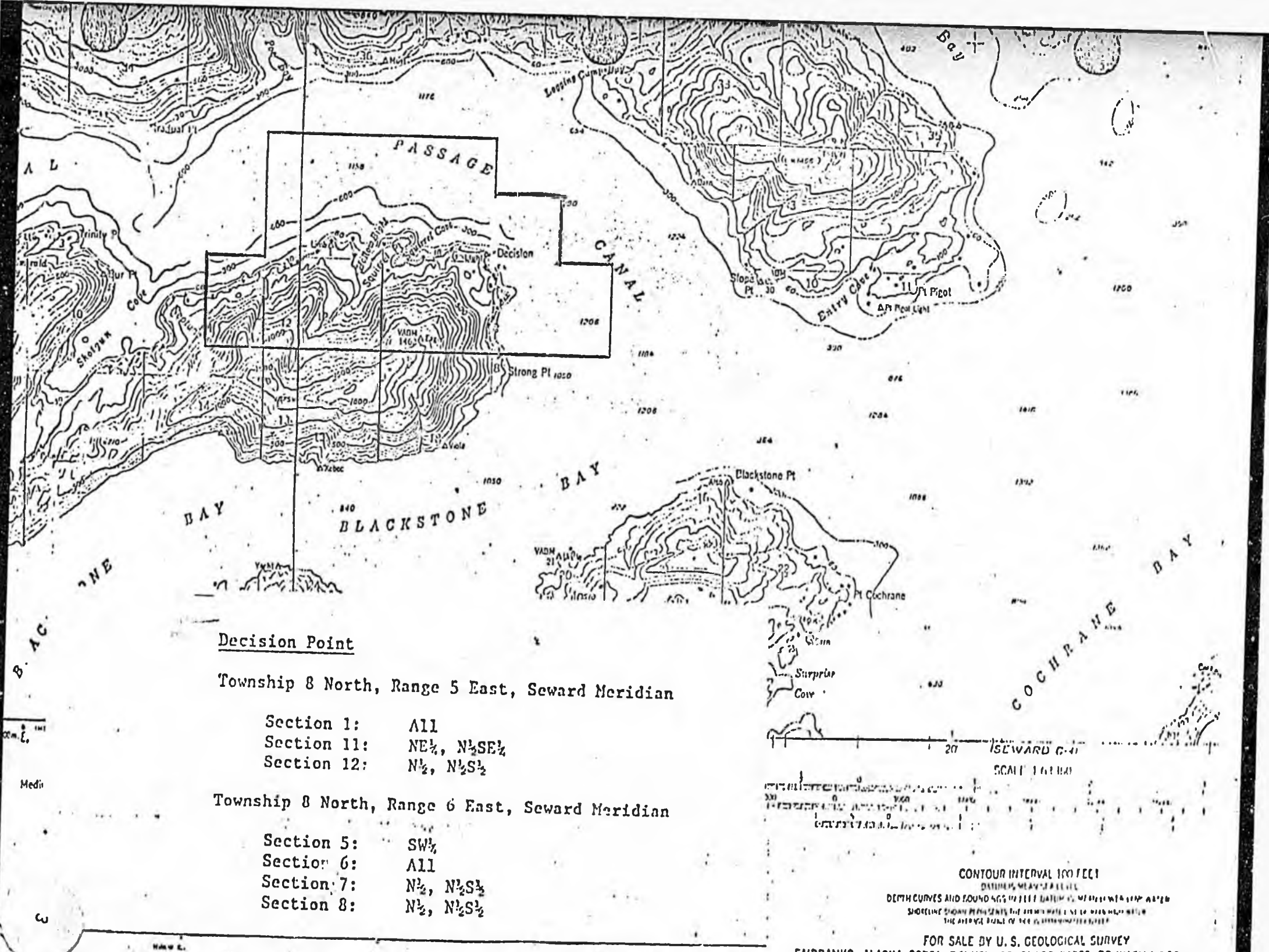
Bettles Bay is located approximately 20 miles from the city of Whittier by small boat. It is located in the central portion of the western shoreline of Port Wells.

Description of the area

Large and well protected, Bettles Bay is a favorite of boaters exploring the Port Wells area, as it is thought to be one of the most scenic bays of the west shore of this major waterway. A number of wildlife species, including the black bear, sea lions, geese, whales, waterfowl, seals, dungeness crab, halibut, pink and chum salmon are reported in the area. An abandoned mine is located outside of the proposed marine parks and is approximately one-half mile southwest of the park boundary.

Reason for Marine Park Status

Bettles Bay has long been a traditional overnight destination anchorage for Whittier-based boaters. Because of this and a well protected anchorage, it is proposed as a unit of the Alaska Marine Park System.



Decision Point

Township 8 North, Range 5 East, Seward Meridian

- Section 1: All
- Section 11: NE $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$
- Section 12: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

Township 8 North, Range 6 East, Seward Meridian

- Section 5: SW $\frac{1}{2}$
- Section 6: All
- Section 7: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$
- Section 8: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

CONTOUR INTERVAL 100 FEET
 DATUM: MEAN SEA LEVEL
 DEPTH CURVES AND SOUNDINGS TO FIFTY FEET WATER ARE FROM THE
 SHORELINE SURVEY PRESENTS THE SHORELINE AS IT WAS MEASURED
 THE AVERAGE DEPTH OF 100 FEET WATER IS 100 FEET

FOR SALE BY U. S. GEOLOGICAL SURVEY
 FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80225, OR WASHINGTON, D.C.
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Alaska Marine Park System

Name	Size	
	Decision Point	land
	water	2,030
	total	3,120

General Location

This area is located approximately seven miles east of the City of Whittier. Decision Point forms the southern shoreline of the entrance to Passage Canal. Shotgun Cove, the site of a proposed boat harbor with road access from Whittier, is located one quarter mile to the west of the proposed park boundary.

Description of the area

The Decision Point area has a generally rugged shoreline with several large coves suitable for the use as a pleasure craft anchorage during periods of good weather. Numerous beaches found within the area offer kayakers and persons using inflatable boats with excellent opportunities for beach camping. Several runs of pink salmon occur. The area's topography is generally steep with several relatively flat areas located near Squirrel Point and Decision Point. Black bears frequent the area. Eagles nest near Decision Point and whales and seals frequent the nearshore waters.

Reason for Marine Park Status

Because of plans for a road from Whittier to Shotgun Cove, this area offers the potential to be developed with automobile access. This area will insure that persons visiting Whittier who do not have a boat, or access to one, can at least experience Prince William Sound by visiting this park.

It is anticipated that the Division of Parks will develop this area with hiking trails, beach campsites, roads and campgrounds for those persons arriving with automobiles. This area, if developed for public use, will be the only public campground where people in Southcentral Alaska can experience the Sitka spruce forested marine coastline which is so commonly found in Southeastern Alaska. Thus, on a regional basis, this area will provide a unique recreational tourist attraction. The area will compliment the development of the small boat harbor and private enterprise offering visitor services. Native corporation lands, state lands and city lands are scheduled for development in nearby Shotgun Cove.