

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 80/2

4322 SRES HB 267 - HB 280 1201

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HB 267

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF



POUCH V  
JUNEAU, ALASKA. 99811  
(907) 485-4807

## Senate Committee on Resources

MEMORANDUM

May 1, 1985

TO: Senate Resources Committee Members

FROM: Senate Resources Committee Staff

RE: CS HB 267 (Resources) *am*  
"An Act creating the Anchorage Coastal Wildlife Refuge."

On March 8 of this year the Senate Resources Committee passed out SB 19 which is the Senate version of this bill. Please bring your packet on SB 19 to the meeting today or contact the Resources Committee staff if you need a new one.

HB 186 is identical to that bill with two exceptions. The first change is on page 4, line 25. SB 19 reads "recommend corridors for access and utilities" and HB 186 reads "recommend a corridor for access and utilities". The house bill also has a letter of intent on this item which is attached to this memo.

The other difference between the house and senate bills is the absence of the senate bill's section (e) which specifies that activities that are prohibited by Municipality of Anchorage ordinance are not permitted on those portions of the refuge that are within the municipality boundaries. House staff has explained that it was felt that this would be covered in the management plan and did not need to be in the bill.

A background memo and map from Rep. Szymanski is also attached.



# Alaska State Legislature

## House of Representatives

Representative Mike Szymanski

11920 Johns Road  
Anchorage, Alaska 99515  
Phone (907) 349-3373

While in Session:

Pouch V

State Capitol

Juneau, Alaska 99811

(907) 465-4978/4979

Finance Committee

Oil and Gas Committee

April 30, 1985

To: Senator Arliss Sturgulewski, Chairman  
Senate Resources Committee

From: Representative *Mike Szymanski*

Re: Background/Intent of HB 186 - Anchorage Coastal Wildlife Refuge

In 1971 the Alaska State Legislature created Potter Point State Game Refuge (AS 16.20.030 (b)) which extends southeasterly along the coastline of Anchorage from Pt. Campbell to Potter Creek. This easily accessible, urban refuge provides excellent wildlife viewing opportunities for city residents, and it enhances the Anchorage economy through its value as a tourist attraction.

In June 1983, the Municipality of Anchorage (MOA) established the Potter Marsh Task Force to address management problems that were developing both within and around the refuge, and to subsequently make recommendations for action. This legislation is one of the task force's recommendations for improving management of the refuge, and it is supported by the MOA, Alaska Department of Fish and Game (ADF&G), Alaska Department of Natural Resources (DNR), and interested public members.

HB 186 would:

1) Rename the existing Potter Point State Game Refuge the "Anchorage Coastal Wildlife Refuge".

Section 1, AS 16.20.031 (a) would establish the Anchorage Coastal Wildlife Refuge to be managed for the protection of waterfowl, shore birds, salmon, and other fish and wildlife species, and their habitat and for the use and enjoyment of the people of the state. Section 3 repeals AS 16.20.030 (b) which is the existing statute establishing the Potter Point State Game Refuge. This new name more accurately reflects the refuge's location and relation to the city of Anchorage.

2) Provide a precise legal description, in surveyable section lines, of the boundaries of the state-owned land and water included in the refuge.

The 1971 legislation reads, "The following described state-owned land and adjacent state water, excluding existing and applied-for highway, pipelines and railway rights-of-way as of May 20, 1971, are established as the Potter Point State Game Refuge: All land and water south and west of and adjacent to the toe of the bluff which extends from Campbell Point southeasterly to Potter Creek." This language does not define any real or measurable limit as to how

far the refuge boundary extends seaward, and the inland boundary is open to wide interpretation. Many times this lack of clarity has resulted in confusion for state agencies, private development interests, and the general public. Therefore HB 186 in Section 1, subsections (1) through (7) describes in detail the legal refuge boundaries.

3) Add additional tidelands and near shore upland to the existing refuge.

The MOA has asked that refuge boundaries be expanded northward from Pt. Campbell to Pt. Woronzof to include municipally owned wetlands within the refuge for management by ADF&G. In 1979, under the Anchorage Coastal Zone Management Plan, these lands were identified as Areas Meriting Special Attention and classified as Preservation Wetlands. Inclusion of these lands within the refuge does not afford them any more protection than they already have under the preservation status, but would facilitate the uniform management of Anchorage's coastal lands. The new boundaries (described in Section 1, subsections (1) through (7)) were cooperatively drawn by the MOA, ADF&G, and DNR.

4) Restrict the state and municipality from acquiring property by eminent domain for inclusion within the refuge.

This would protect private property owners by requiring that property to be included within the Anchorage Coastal Wildlife Refuge be acquired through purchase, exchange, or otherwise (Section 1, (e)), and prohibiting acquisition by eminent domain.

5) Provide for management of the refuge by ADF&G and DNR.

Section 1 (b) provides that, as in the past, both ADF&G and DNR would exercise their respective authorities over the refuge, except as provided in Section 1 (d). Management of the Anchorage Coastal Wildlife Refuge will be consistent with a management plan prepared by the ADF&G under AS 16.20.040 - 16.20.060. The plan will be completed within one year of the effective date of this Act (Section 2).

The management plan prepared by ADF&G shall recommend a corridor for transportation and utilities between Fire Island and the Anchorage mainland (Section 1 (c)). This is to ensure access to the island's landowners for future development and would also be of economic benefit to the MOA.

Hunting, as in the past and in accordance with state regulations, will continue to be allowed on state-owned lands within the refuge west and north of the Alaska Railroad.

While the land and water areas of the Anchorage Coastal Wildlife Refuge are closed to mineral entry under AS 38.05.135 - 38.05.275, the boundary extension north of Pt. Campbell was drawn so that all previously issued offshore mining permits were excluded from within the refuge. Oil and gas leasing will not be affected (Section 1 (f)) by this legislation.

*cl.*



# Alaska State Legislature

House of Representatives

Representative Mike Szymanski

Finance Committee  
Oil and Gas Committee

11920 Johns Road  
Anchorage, Alaska 99515  
Phone (907) 349-3373

While in Session:  
Pouch V  
State Capitol

Juneau, Alaska 99811  
(907) 465-4978, 4979

April 10, 1985

House Letter of Intent  
CSHB 186 (Resources)

Offered by Rep. Mike Szymanski

It is the intent of the Legislature that the Alaska Department of Fish and Game prepare the Anchorage Coastal Wildlife Refuge management plan with recommendations for a transportation and utilities corridor between Fire Island and the Anchorage mainland. This will be done in cooperation with the Alaska Department of Natural Resources, Municipality of Anchorage, and private land owners on Fire Island.

*Mike Szymanski*

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

*OK*  
*3/8*

Revision Date: \_\_\_\_\_

**REQUEST** CS (Res)  
Bill/Resolution No.: HB 186  
Title: Anchorage Coastal Refuge

**FISCAL DETAIL**  
Agency Affected: Natural Resources  
Program Category Affected: NR/EC

Sponsor: Szymanski  
Requestor: \_\_\_\_\_  
Date of Request: \_\_\_\_\_

BRU, Program or Subprogram(s) Affected:  
Land and Water Management

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-

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

<b>REVENUE</b>						
----------------	--	--	--	--	--	--

*ok*  
*3/6/85*

**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

No fiscal impact.

Prepared By: Ned Farquhar  
Division: Commissioner's Office

Phone: 465-2400  
Date: 21 February 1985

Approved by Commissioner: Ned Farquhar ✓ *NF 3/6*  
Agency: Natural Resources

Date: 21 February 1985

Distribution (by Agency preparing fiscal note):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

7/1/84

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF PARKS AND OUTDOOR RECREATION

APR 23 1985

BILL SHEFFIELD, GOVERNOR

225A CORDOVA STREET  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 276-2653

MAILING ADDRESS  
POUCH 7001  
ANCHORAGE, ALASKA 99510

April 19, 1985

Re: Legislation for Campground Fees

The Honorable Arliss Sturgulewski  
Alaska State Legislature  
State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Sturgulewski:

Here's information on our proposed campground fee legislation (CS HB267) which recently passed the House 38-0.

#### The History of Fees in Public Campgrounds

The federal government began collecting fees in national parks over 50 years ago. Of the country's 50 state park systems, only Alaska has no campsite fee program. Here in Alaska, the U.S. Forest Service, National Park Service, U.S. Fish and Wildlife Service and Municipal campgrounds all charge fees for camping. And, of course, private campgrounds charge.

In 1976, there was a \$10.00 annual entrance fee established to use the Alaska State Park System. This program was terminated two years later by legislation dealing with motor vehicles [AS 28.10.411(e)] which stated that any vehicle with an Alaskan license plate need not pay State Park fees.

#### Why Should We Charge Fees Again?

In a few words -- declining revenues and increasing demands. In 1982, there were 2.2 million visitors to our state park system; in 1983, 4.3 million; and last year, about 5 million! We project ending the current fiscal year with 5.9 million visits. Information from other agencies charging fees shows that people desire well-developed, well-maintained camping facilities and they are willing to pay for them. Managers have also found a decrease in vandalism and a number of positive management spin-offs which occur when campsite fees are charged. Although government-operated campgrounds are seldom fully self-supporting, nationwide approximately 10% are. At a minimum, we can reduce the government subsidy of this popular, but nonetheless sensitive, program. By the way, across the nation, state parks now capture about 25% of their operation costs with fees.

The Honorable Arliss Sturgulewski  
April 19, 1985  
Page 2 -

#### How Do People Feel About Campground Fees?

Surprisingly, more than half of facility users will pay without hesitation. The Forest Service here in Alaska reports 77% compliance at more remote facilities and 92% compliance where a volunteer campground host is on the premises. My field staff tells me that many visitors, especially those from Outside, are surprised that no fees are charged in Alaska State Park campgrounds. Owners of private campgrounds are very much in favor of the charge. They are tired of the free government competition. Last year, the Alaska Visitors' Association supported a previous attempt at legislation authorizing campsite fees. Editorials of support of this measure have recently appeared in the Anchorage Times, Anchorage Daily News and the Juneau Empire. The Fairbanks Daily News-Miner reprinted the Times editorial on their editorial page.

#### How Much Would Be Charged and At Which Facilities?

Fees would be approximately \$6.00 per overnight use of a campsite for residents, and approximately \$8.00 for non-residents. At first, only those campgrounds with substantial improvements would be included, with a graduated fee being charged for facilities with running water and modern restrooms. A "season pass" should also be made available at between \$50.00 and \$75.00 per year. Many of the less-developed, more primitive campgrounds should and will remain free. Only half of the state's campgrounds (2,000 campsites in the system now) would have fees.

#### How Would The Fees Be Collected?

The "iron ranger" self-registration fee station has been very successful for other agencies through the years, both outside and in Alaska. This is a simple, slotted iron container located near the park entrance into which fees are deposited by visitors who will be overnighing at the campground. The fee station is self-operating and does not require staff. The station issues a camping permit which is placed on each vehicle dashboard. Park staff can then readily determine who has paid, while on routine patrol. At larger facilities, a volunteer campground host will welcome each visitor, assisting with nearby facility locations and assuring general compliance with the campsite fee program. By the way, we recruited over 200 volunteers last year and hope to expand volunteer assistance to 350 people this year.

#### How Much Revenue Would Be Generated and How Much Would the Program Cost?

If legislation is passed, a pilot collection program at selected sites could be started in mid-July 1985. By June of 1986 the program could be in full swing. The cost for FY'86 would be \$56.0 and in future years drop to \$26.4. These funds would be used to purchase fee collection stations, office safes and additional vehicle miles for collection purposes. The original fiscal note included \$31.4 personal services money to fund a part-time accounting

The Honorable Arliss Sturgulewski  
April 19, 1985  
Page 3 -

clerk in our Department office and several extra person months for our field collection staff. We still feel these funds are important to the program's smooth operation. Personal services funds were dropped in House Finance. In full operation, we should be able to raise half a million dollars a year.

Along with this proposed camping fee, I hope to work through existing regulations and statutes to generate revenue from programs such as public use cabins, guides and outfitters permits, concessions and tours of historical sites. I feel that with tourism being one of the largest job and revenue producing industries in Alaska, State Parks should be an active member of that industry. And with a declining revenue curve, it is encumbant on me to formulate economic strategies which make money and save money while serving the public.

I respectfully ask the support of Senate Resources in passing the bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil C. Johannsen", with a long horizontal line extending to the right.

Neil C. Johannsen  
Director

cc: Members/Senate Resource Committee  
Honorable Esther Wunnicke

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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JUNEAU, ALASKA 99811  
907-465-3800

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

SENATE RESOURCES COMMITTEE, 4/26/85, 2:35

*Banner*

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 267 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees  
7 for the use of state park facilities; and providing  
8 for an effective date."

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

10 \* Section 1. AS 41.21 is amended by adding a new section to read:

1 Sec. 41.21.023. FEES FOR THE USE OF STATE PARK CAMPSITES. (a)

2 The department may by regulation establish and collect fees for the  
3 overnight use of state park developed campsites. When setting these  
4 fees, the department shall consider at public hearings

5 (1) the cost to the state of operating the facility;

6 (2) the fees charged for the use of a similar facility by a  
7 nongovernmental entity;

8 (3) the cost of administering a fee collection program for  
9 the facility; and

10 (4) the public interest.

1 (b) In this section

2 (1) "developed campsite" means a campsite having access to  
3 the following public facilities: restrooms, a picnic table, an out-  
4 door cooking facility, and an approved water source;

5 (2) "state park" has the meaning given in AS 38.04.910.

6 \* Sec. 2. AS 28.10.411(e) and AS 41.35.045(b) are repealed.

7 \* Sec. 3. This Act takes effect immediately in accordance with AS 01.-  
8 10.070(c).

9 \* Sec. 4. AS 41.21.023 is repealed July 1, 1988.

HB 267

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF

POUCH V  
JUNEAU, ALASKA, 99811  
(907) 465-4907

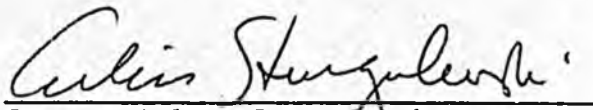


## Senate Committee on Resources

April 26, 1985

COMMITTEE ON RESOURCES  
LETTER OF INTENT  
FOR  
SCS HB 267 (Resources)

It is the intent of the Legislature that fees charged for overnight use of Alaska State campgrounds not exceed six dollars a night for Class A campgrounds.

  
\_\_\_\_\_  
Senator Arliss Sturgulewski  
Chairman, Senate Resources Committee

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF



POUCH V  
JUNEAU, ALASKA. 99811  
(907) 465-4907

## Senate Committee on Resources

MEMORANDUM

April 26, 1985

TO: Senate Resources Committee Members

FROM: Senate Resources Committee Staff *MEK*

RE: CS HB 267 (Resources) am  
"An Act relating to the levy and collection of fees for the use of state park facilities; and providing for an effective date."

This bill would allow the Department of Natural Resources to establish and collect fees for the overnight use of developed state park campsites.

In this packet is a fiscal note prepared by the house finance committee and an explanation of the note by DNR. Also attached is a proposal by the Division of Parks on how they would implement the fees. The director of the Parks division will be at the meeting to explain the proposal.

cc 37  
sep

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: CSHB 267 (Res)  
Title: State Park Fees

FISCAL DETAIL

Agency Affected: Dept. Natural Resources  
Program Category Affected: NRMEC

Requestor: Resources Committee  
Requestor: House Finance Committee  
Date of Request: 3/28/85

BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		9.0				
400 SUPPLIES		42.0				
500 EQUIPMENT		5.0				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		56.0				
<b>CAPITAL</b>						
<b>REVENUE</b>		108.6				

FUNDING: (Thousands of Dollars)

GENERAL FUND		56.0				
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

These funds will allow for installation of iron rangers and related services. Accounting costs and overtime can be absorbed in FY 86 budget. The legislature can better assess future fiscal needs after the program has been implemented.

Prepared By: <sup>ADA</sup> Representative Adams - Chairman Phone: 465-3706  
Division: House Finance Committee Date: 3/28/85

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
Agency: \_\_\_\_\_

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

Attachment to Fiscal Note for CSHB 267 (Res)

This bill would authorize camping fees for developed campgrounds in the state park system. Fees would be charged on a daily, per vehicle basis in those campgrounds that offer the highest level of facilities and that are economical in terms of administering the program. The cost of implementing the proposed fee system is \$56.0 in FY 86. These funds would provide for the installation of "iron rangers" at self-service fee payment stations at the entrances of state-operated campgrounds. The "iron ranger" is a heavily built iron deposit box that is designed to receive envelopes and provide a high degree of security for received funds.

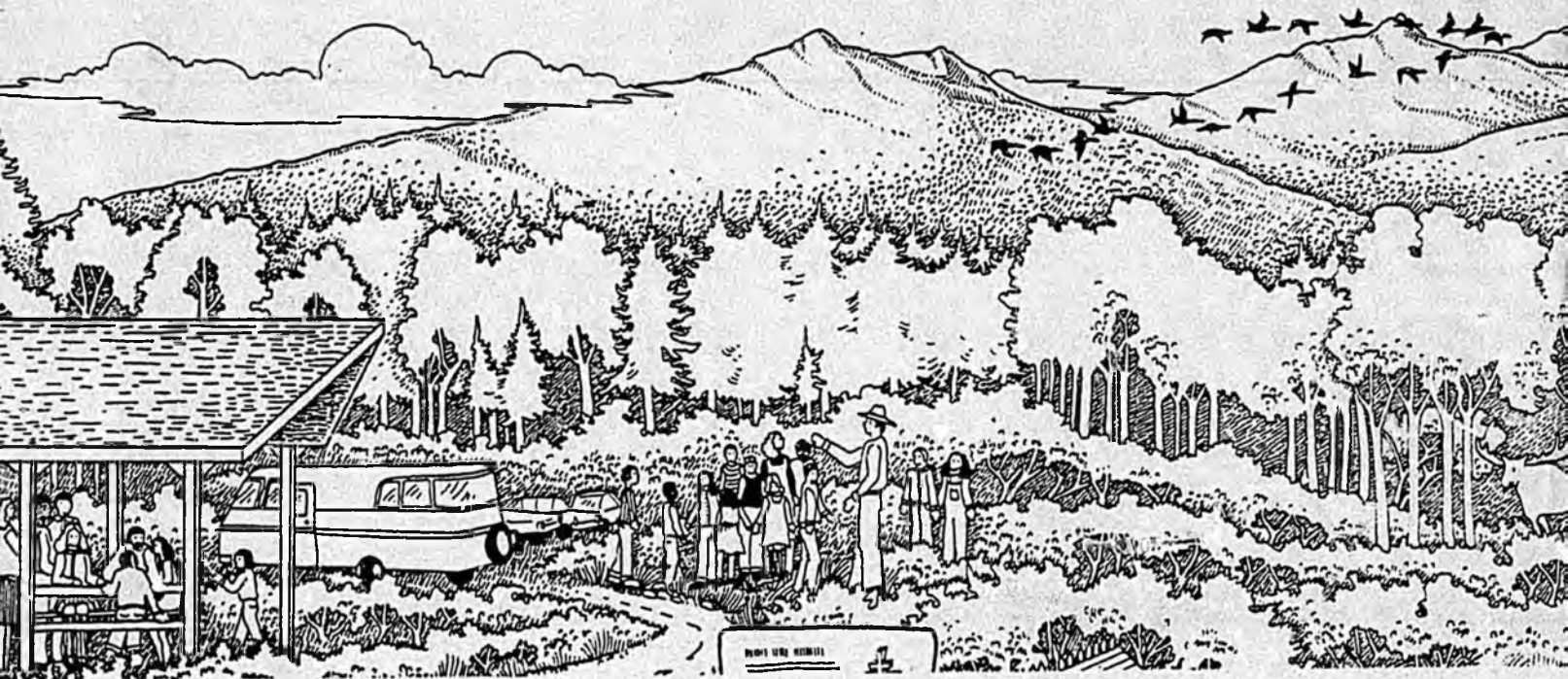
The DNR Division of Parks and Outdoor Recreation would implement the fee collection system through the use of the "iron ranger", and volunteer camp hosts would help to ensure compliance with the system. The U.S. Forest Service, National Park Service, British Columbia Provincial Park Service and numerous state park systems have found self-collection "iron rangers" to be vandal proof and to have a very high rate (80%) of public compliance.

The contractual funds would be used to build instructional signs at fee stations and to fund additional vehicle mileage involved with collection, cash deposits, and compliance checks. Supplies funding is needed to purchase the building materials for the self-service collections stations, printing of collection envelopes and field accounting forms. Equipment funds will be used to purchase safes for remote ranger stations.

The fiscal note reflects the high first year start up costs of a camping fee program. Yet, if the fee system is in operation by July 15 in only nine campgrounds, the expected revenue to the state is \$108.6. Revenues would be likely to increase substantially over the years.

# PROPOSED ALASKA STATE PARK CAMPGROUND FEES: A PROGRAM TO REDUCE GOVERNMENT SUBSIDIES

**-HOW AND WHY-**



PREPARED BY: NEIL C. JOHANNSEN, DIRECTOR  
DIVISION OF PARKS AND OUTDOOR RECREATION  
ALASKA DEPARTMENT OF NATURAL RESOURCES

1984

Proposed Alaska State Park Campground Fees:  
A Program to Reduce Government Subsidies

Contents

Page

Fees in Alaska State Parks: Questions & Answers	1
HB 486 (Bettisworth)	3
HB 486 Bill Analysis by DNR	4
HB 486 Fiscal Note	5
1978 Statute Prohibiting Park Fees for Alaska Residents	6
Potential First Year Revenues (Limited Program)	7
Camping Fee Schedule: Alaska State Parks	8
Camping Fee Schedule & Revenues: Western U.S.	9
Article on Self Registration Fee Program	10
Typical Fee Envelope Depository	11
Typical Fee Payment Instruction Sign	13
Typical Fee Envelope	14
Draft Alaska State Park System User Fee Policies	15

## Fees in Alaska State Parks

### How long have fees for recreation been charged?

Of the 50 state park systems in the United States, Alaska stands alone in not levying any entry or user fees for its facilities. Within Alaska, the U.S. Forest Service, National Park Service, U.S. Fish & Wildlife Service, the Bureau of Land Management, Municipal campgrounds and (obviously) private campgrounds have fees. Alaska State Parks' 3,000 campsites are free.

Fee collection in National Parks was instituted over 50 years ago by President Franklin D. Roosevelt. Years later, in 1951, the U.S. Congress passed legislation requiring that facilities providing "service, benefit or privilege should be self-sustaining to the full extent possible". In 1964 Congress passed legislation specifically calling for recreation user fees as part of the Land and Water Conservation Fund Act. Since 1964 federal acts dealing with user fees have been constantly updated.

Most state and federal parks capture a portion of park and recreation area operation and maintenance costs nationwide.

### Has Alaska State Parks ever charged user fees for recreation?

Yes. Through the Alaska Administrative Code (11 AAC 12.310) fees are authorized. The Division of Parks and Outdoor Recreation utilized an annual \$10.00 entrance fee. Individuals were given a decal that could be affixed to a vehicle allowing access for the entire year. On occasion fees have been charged by park concessionaires for boat rentals and other services.

### When was the fee stopped?

The fee was stopped by the passage of a somewhat obscure piece of legislation in a body of law dealing primarily with motor vehicles in 1978. AS 28.10.411(e) said if you have an Alaska license plate on your car, you do not have to pay fees for use of a state park or campground.

### Why should we charge fees again?

Times have changed. In 1978 Alaska was in the beginning of a period of record high government spending. Today the tables are turned. Revenue is tight and it will continue to decline. Also, research has shown that vandalism is reduced in campgrounds where fees are charged.

### How do people react to user fees and will they pay?

Surprisingly, more than half of campground users will normally pay without hesitation. In British Columbia up to 80% compliance has been recorded. With limited staff contact they experienced 96% compliance from users.

Even closer to home, here in Alaska, the U.S. Forest Service charges campground fees of \$5.00 per night. Their program gets 77% user compliance and up to 92% user compliance when campground hosts (volunteers) are used.

What method would Alaska State Parks use to charge fees and is it really worth it?

Research tells us that "iron rangers" appear to be the most practical method. The iron ranger is essentially a self-registration station that is virtually theft and vandal proof. Staff time needed to operate it is very limited, installation is cheap, maintenance is minimal and user compliance elsewhere with this system is good to excellent. By using Campground Hosts (Volunteers in Parks) to contact campers, we expect to increase user compliance and understanding of the fee system.

Exactly what kind of fees would be charged?

Only overnight camping fees at selected well-developed campgrounds and a tour fee for the House of Wickersham. People who overnight in parks utilize the full range of facilities provided and logically should pay to help defray the costs of operating and maintaining the campgrounds. The House of Wickersham, a non-profit foundation, is envisioned which would support its existence through tour fees. Fees charged by park concessionaires would be established on an individual basis.

How much revenue do other states generate and what could Alaska expect to earn?

The more heavily populated states like California and Michigan collect \$26,000,000 and \$10,000,000 annually. Over 15 other states earn over \$1,000,000 and 33 states generate over \$500,000 each year. Preliminary analysis allows us to predict first year revenues of \$200,000. Usually revenue goes up after the first year.

Exactly how much will our campers pay?

The fee per night per campsite will be six or eight dollars. Rates will be structured with higher fees for campgrounds with the most amenities/services. Most of the small, remote and rustic vehicle campgrounds will remain free.

What do Alaska's private campground operators think of the idea?

Each operator we have contacted favors the idea. Private operators have long felt free state campgrounds constituted unfair competition.

Introduced: 1/9/84  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY BETTISWORTH

2

HOUSE BILL NO. 486

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act authorizing fees for the use of state park  
7 facilities; and providing for an effective date."

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

9 \* Section 1. AS 41.21 is amended by adding a new section to read:

10 Sec. 41.21.021. FEES FOR THE USE OF RECREATIONAL AND EDUCATIONAL  
11 FACILITIES. (a) The department may establish and collect fees for  
12 the use of recreational and educational facilities established under  
13 this chapter. In adopting fees for the use of recreational or educa-  
14 tional facilities, the department shall consider:

15 (1) the cost to the state of operating the facility;

16 (2) fees charged for the use of a similar facility by the  
17 private sector;

18 (3) the cost of administering a fee collection program at  
19 the facility; and

20 (4) the public interest.

21 (b) The department shall submit a report to the legislature  
22 within the first 10 days of a regular session of the legislature that  
23 indicates the revenue generated, the cost of administering the fees,  
24 and public comments on the fees.

25 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-

26 10.070(c).



STATE OF ALASKA  
OFFICE OF THE GOVERNOR

BILL ANALYSIS

Department Natural Resources	Sponsor (Principal) Rep. Bettisworth	Bill Number HB 486
---------------------------------	---	-----------------------

Department Position  
Support with amendment noted below

Division/Office <i>W. J. Hansen</i>	Date 1/31/84	Commissioner	Date
--	-----------------	--------------	------

GOVERNOR'S OFFICE USE

Comments

<input type="checkbox"/> Position Noted	By	Date
---	----	------

SUMMARY

1. a) Related Bills (Similar or Conflicting) none	1. b) Other Agencies Affected by Bill Revenue, Commerce & Econ. Devel. - (Tourist)
2. a) Organizational Support for Bill Private campground operators	2. b) Organizational Opposition to Bill none known

3. Program Effects of Bill  
The bill seeks to establish a system of user fees for facilities located in units of the state park system. Rates charged are to be based on state cost of operating a facility, fees charged by the private sector for similar facilities, cost of administering fee program and the public interest. Program is estimated to generate \$200,000 in revenues to the state in the first year and increase at a 10%-15% rate for the next several years as compliance improves and park system visitation increases. Fees will be from \$3.00 to \$8.00 for camp per night depending on level of service and amenities. Other fees will be charged for tour of historic buildings and by future park concessionaires for use of their facilities and services. Volunteers and existing staff to admin. program.

4. Fiscal Impact:  None  Fiscal Note Attached

5. Amendments Proposed  
The bill should be amended to repeal AS.28.10.411 (e). This statute states that fees paid for registering a vehicle in Alaska shall include all fees required for entry into and use of a state park or campground. The effect of this law is to prevent the state from charging to Alaskans. This law was passed in 1978 and effectively resulted in the elimination of

6. Comments: previous \$10 state park annual entry permit. A non-resident only program would likely not be worth the cost of administering it and may run into constitutional law problem.

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

I. REQUEST

Bill/Resolution No.: HB 486  
 Title: State Park Facility Fees  
 Sponsor: Rep. Bettisworth  
 Requestor: \_\_\_\_\_  
 Date of Request: 1/31/84

II. FISCAL DETAIL

Agency Affected: Natural Resources  
 Program Category Affected: NRM&EC  
 BRU, Program of Subprogram(s) Affected: Parks, Park Management/Operations

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		13.5	14.0	14.6	15.2	15.8
200 TRAVEL						
300 CONTRACTUAL		3.0	4.5	4.5	4.5	4.5
400 COMMODITIES		1.5	1.5	1.5	1.5	1.5
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		18.0	20.0	20.6	21.2	21.8
CAPITAL		35.7	17.9	17.9	-0-	-0-
REVENUE		200.0	210.0	231.0	254.1	280.0

FUNDING: (Thousands of Dollars)

GENERAL FUND		53.7	37.9	38.5	21.2	21.8
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL		53.7	37.9	38.5	21.2	21.8

POSITIONS:

FULL-TIME						
PART-TIME		1	1	1	1	1
TEMPORARY						
TOTAL		-0-	-0-	-0-	-0-	-0-

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Alan Meiners/Mike Lee/Mary Halloran Phone: (907) 265-4506  
 Division: Parks/Management Date: 1/31/84  
 Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Department: Natural Resources

Distribution:

Original to Legislative Finance  
 Copy to Office of Management and Budget (for Legislature introduced bills)  
 Copy to Department (for Governor introduced bills)  
 Copy to Sponsor  
 Copy to Requestor (if different from Sponsor)

9/14/83

IV. ANALYSIS

User Fees are the rule in every state park system in the nation except Alaska. The initiation of this proposed fee system would cost approximately \$35,700 in the first year for the installation of "iron rangers" at fee payment stations at the entrances to campgrounds. \$4,500 is required for the acquisition of payment envelopes. No new staff will be required. Campground hosts (volunteers) will be used to encourage compliance with the program. Existing park rangers will collect the fee envelopes and deal with persons failing to pay the fee. Existing district office and state office staff will handle accounting of the funds.

The comparative cost in the initial year is higher due to start-up costs associated with establishing the fee stations. In subsequent years this cost will be for the establishment of seven new fee stations at existing campgrounds in the second and third years. After that, the cost of the fee collection will be included in the costs of new or rehabilitated campgrounds.

An annual increase in revenues from increased visitation, and improved compliance is estimated at 10 to 15%.

A part-time accounting clerk will be needed in DNR's Division of Management to assist the Division of Parks and Outdoor Recreation in accounting for user fees collected throughout the state.

title fee required under § 441 of this chapter, the department shall issue a new certificate of title. (§ 7 ch 178 SLA 1978)

Article 5. Fees and Charges.

<p>Section 411. Registration fees levied 421. Registration fee rates</p>	<p>Section 431. Annual motor vehicle registration tax 441. Schedule of other fees and charges</p>
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Sec. 28.10.411. Registration fees levied. (a) For every year during any part of which a vehicle is subject to registration under this chapter, a registration fee shall be paid to the department at the time of original registration and at each annual renewal of registration after that time.

(b) Motor carrier and bus transportation fees paid on vehicles subject to the Alaska Motor Freight Carrier Act (AS 42.10) and the Alaska Bus Act (AS 42.15) shall be paid to the department at the same time the registration fee is paid.

(c) A resident 65 years of age or older is entitled to an exemption from tax under this section for one motor vehicle subject to registration. No exemption may be granted except upon written application for the exemption on a form prescribed by the department.

(d) The Department of Community and Regional Affairs shall pay to the borough and to the city in which a person who is granted an exemption under (c) of this section resides an amount equal to the tax levied under § 431(b) of this chapter regardless of whether the borough or city is eligible for the tax levied under that section.

(e) Notwithstanding any other provision of law, the fees paid for registering a vehicle under § 421(b)(1), (2), (5), (6) or (d) of this chapter shall include all fees required for entry into and use of a state park or campground. (§ 7 ch 178 SLA 1978)



Sec. 28.10.421. Registration fee rates. (a) Unless otherwise provided by law, the fees prescribed in this section shall be paid to the department at the times provided under §§ 101—111 of this chapter.

(b) The annual registration fees under this subsection are imposed within the following classifications for:

- (1) a passenger vehicle or motor home not used or maintained for the transportation of persons or property for hire or for other commercial use ..... \$30;
- (2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not used or maintained for the transportation of persons or property for hire or for other commercial use ..... \$35;
- (3) a taxicab ..... \$65;
- (4) a motor bus with a seating capacity for 20 or more persons and used exclusively for commercial purposes in the transporting of visitors or tourists ..... \$80;
- (5) a motorcycle or a motor-driven cycle ..... \$15;

Statute which prohibits the charging Alaska residents for entering or using a state park or campground

STATE PARK FACILITY USER FEE PROGRAM  
 POTENTIAL REVENUES

First Full Year of Operation (Limited Program)

Facility		rate	x	% mean occupancy	x	facility capacity	x	number days open	x	compliance rate	=	annual revenue
Eagle River CPD Chugach SP	A	8		80		36		150		85		29,376
South Rolly CPD Nancy Lk SRA	B	6		40		98		120		80		22,579
Byers Lake CPD Denali SP	B	6		40		61		90		80		22,253
Johnson Lk SRA	B	6		30		43		120		80		22,324
Ninilchik SRA New CPD Ninilchik Up- land CPD	B	6		50		31		150		85		16,601
		6		50		15		150		85		5,738
Chilkat SP	B	6		50		32		130		80		9,954
Chilkoot SRS	B	6		80		33		120		80		15,206
Bird CPD Chugach SP	B	6		80		25		150		75		13,500
Dry Creek SRS	B	6		40		58		90		80		10,022
Eagle Trail SRS	B	6		45		40		90		80		7,776
Chena SRS	B	8		80		51		120		80		31,334
Settler's Cove SRS	B	3		80		15		130		80		3,744
TOTAL										7		200,497

ALASKA STATE PARK OVERNIGHT CAMPING FEE SCHEDULE (Proposed)

<u>A \$8.00</u>	<u>B \$6.00</u>	<u>C \$3.00</u>
1. Flush toilets	1. Vaulted latrines	1. Vaulted or pit latrines
2. Running water	2. Clearly defined spaces	2. Spaces not clearly defined.
3. Individual spaces with separation.	3. Recent major maintenance and upgrading	3. Roads hard packed dirt or sand.
4. Campground Host on duty, ranger/maintenance staff Daily on grounds.	4. Hand pump or running water.	4. With or without drinking water.
5. Close to or within major population center.	5. Road surfaced with gravel.	5. No host-rangers/maintenance. Staff intermittantly.
6. Proximity to good roads.	6. Single entrance.	6. May be remote from hard surfaced roads or major highways.
7. May have dump station.	7. Rangers/maintenance staff/volunteer host frequently on grounds.	7. Fewer than 6 over-night spaces.
8. Single entrance.		
<u>D Free</u>	<u>H TBA</u>	
1. Vaulted or pit latrines or no latrines.	Fees for these areas may be charged if demand for facility is high enough and if facility has a finished product to offer, i.e. Independence Mine SHP - yes; Fort Abercrombie SHP - no for historic portion.	
2. Dirt roads and pads.		
3. Facilities minimum of lacking.		
4. May be no drinking water.		
5. Sporadic or infrequent maintenance and enforcement.		
6. Multiple entrances.		
7. Fewer than 6 over-night spaces.		
8. More than 40 miles from maintenance station.		

Campground  
Fee Schedule - Western United States

Park Systems

	CLASS A	CLASS B	CLASS C	1983 Campsite Fee Total Revenue
	Table, grill, shower etc., water, flush toilets	Table, grill, water, flush toilets, surfaced roads	Table, grill, pit toilets, Rustic	
California	\$ 9.00	\$ 6.00	\$ 3.00	\$8,596,464
Colorado	6.50	5.00	4.00	\$ 394,277
Idaho	7.00	5.00	n/a	\$291,500
Montana	n/a	3.00	2.00	\$112,317
Nevada	n/a	4.00	4.00	\$262,936
New Mexico	5.00	3.00	n/a	\$370,500
Utah	7.00	6.00	4.00	\$76,617
Washington	8.00	5.50	4.00	\$2,815,331
Wyoming	n/a	2.00	n/a	\$67,224
Arizona	10.00	6.00	3.00	\$443,054
British Col.	10.00	6.00	4.00	not. avail.
Anchorage Muu.	8.00	n/a	n/a	"
NPS - Denali	n/a	6.00	.00	"
USFS	n/a	6.00	5.00	"
*Norlite (Fbx)	11.00 (14.00 in 84)	8.50	n/a	"
*Tan. Fair (Fbx)	n/a	6.00 (up in 84)	n/a	"
=Alaska (State)	n/a	10/6.00	3.00	"

\*Private campgrounds



Province of  
British Columbia  
Ministry of  
Lands, Parks  
and Housing

# FORUM

## SELF REGISTRATION IN PARKS A SUCCESS

Will B.C. campers voluntarily register and pay for campground use when there isn't an official there to ask for their money? The answer is an overwhelming "yes", as the Parks and Outdoor Recreation Division showed this year in 52 provincial parks.

Two years ago, the division launched a pilot program of self-registration fee collections in seven parks, then increased it to 11 parks in 1979 and 52 this year. The objective was to monitor both the response of campers and the effectiveness from an operations standpoint. It has proven to be an entirely valid system for both users and operators.

B.C. was the first Canadian province to use the self-registration system, but credit for its organization goes to the U.S. Forest Service, which pioneered it in the early 1970's.

The principle behind self-registration is simple: the responsibility for registering and paying camping fees falls to the camper rather than park staff. The advantage to campers is obvious: convenience. They can now pay their fee when they arrive instead of waiting for a collector to come around at a specified time. They can also pay in advance for as many nights as they wish. Assuming they do (and statistics now show this to be an entirely valid assumption), fee collectors are now free to work in other areas of park operations to improve service to the public.

The implementation of the system is also fairly simple: as campers enter the campground, a sign advises them that attendants do not collect fees. Campers are asked to select a site, then go to the self-registration station and pay. At these fee stations, strategically located in the campground, envelopes are provided, the camper fills in the registration information, puts the fee in the envelope, seals it, and deposits it in a vault, first tearing off the receipt stub. During the evening, park staff check each vault to ensure payment has been received.

During the two year period, the average voluntary compliance rate was over 80% and, when additional information, instruc-

tions, or reminders were given, the average was a stunning 96%! This rate is as high as that achieved with traditional methods of fee collection. Based on B.C.'s experimental program, Yoho National Park started a similar system in the summer of 1979. Their volunteer compliance averaged 92% — another indication of the system's viability and people's basic honesty!

To get public reaction to the new system, the division monitored some of the 20,000 camping parties who participated in the 1978 pilot program. At that time, users did not show any strong objections to the system. They were undecided as to whether or not there was a decrease in contact with staff and it was generally felt there were no problems with change, foreign currency (American) or the instructions. They did, however, remark on the appearance of the fee station, because it did not blend with park environment. This response was welcomed because the fee stations and vaults were designed to be easily identified.

As with most new concepts, improvements are an integral part of their success. The self-registration system was no exception. Several recommendations were made by field staff and improvements and modifications were made.

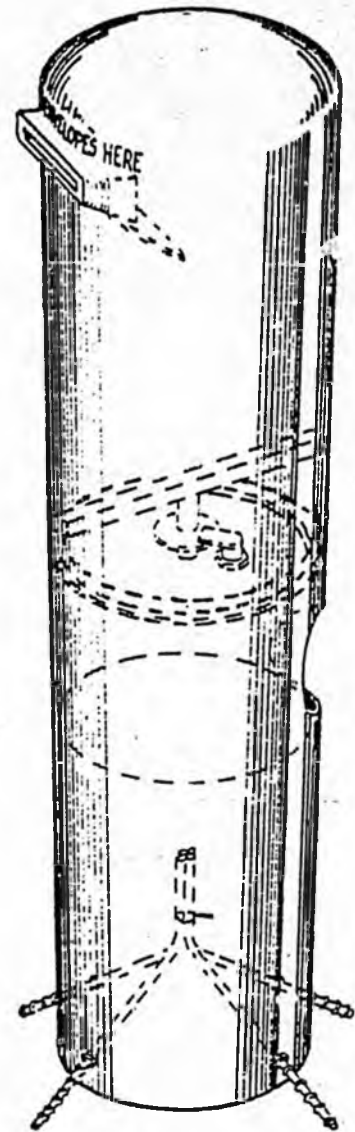


*Ron Kerr of the Parks and Outdoor Recreation Division Operations Branch demonstrates the self-registration fee system. Ron is filling out the permit envelope following the instructions on the sign. In the foreground is the vault where Ron will deposit the permit envelope and camping fee.*

# ENVELOPE DEPOSITORY

SAMPLE

- D-625 DEPOSITORY BOX 48" HIGH
- DOMED HEAD AND REINFORCED SLOT PREVENTS DISTORTION BY PRYING
- STURDY 8" IRON PIPE PREVENTS USE OF PIPE CUTTER
- HIDDEN LOCK PANEL INACCESSIBLE FOR CHISELING, DRILLING OR PRYING
- ANTI TILT RING ABOVE LOCK PLATE
- CEMENT CAST INTO PIPE ANCHORS IT PERMANENTLY TO BASE
- FOREST GREEN PAINT



72.50 EACH

ALL PRICES F.O.B. ORLAND  
Subject To Change Without Notice

NOTE: ALL shipments will be prepaid via most economical method  
Shipping charges will appear as a separate item on your invoice.



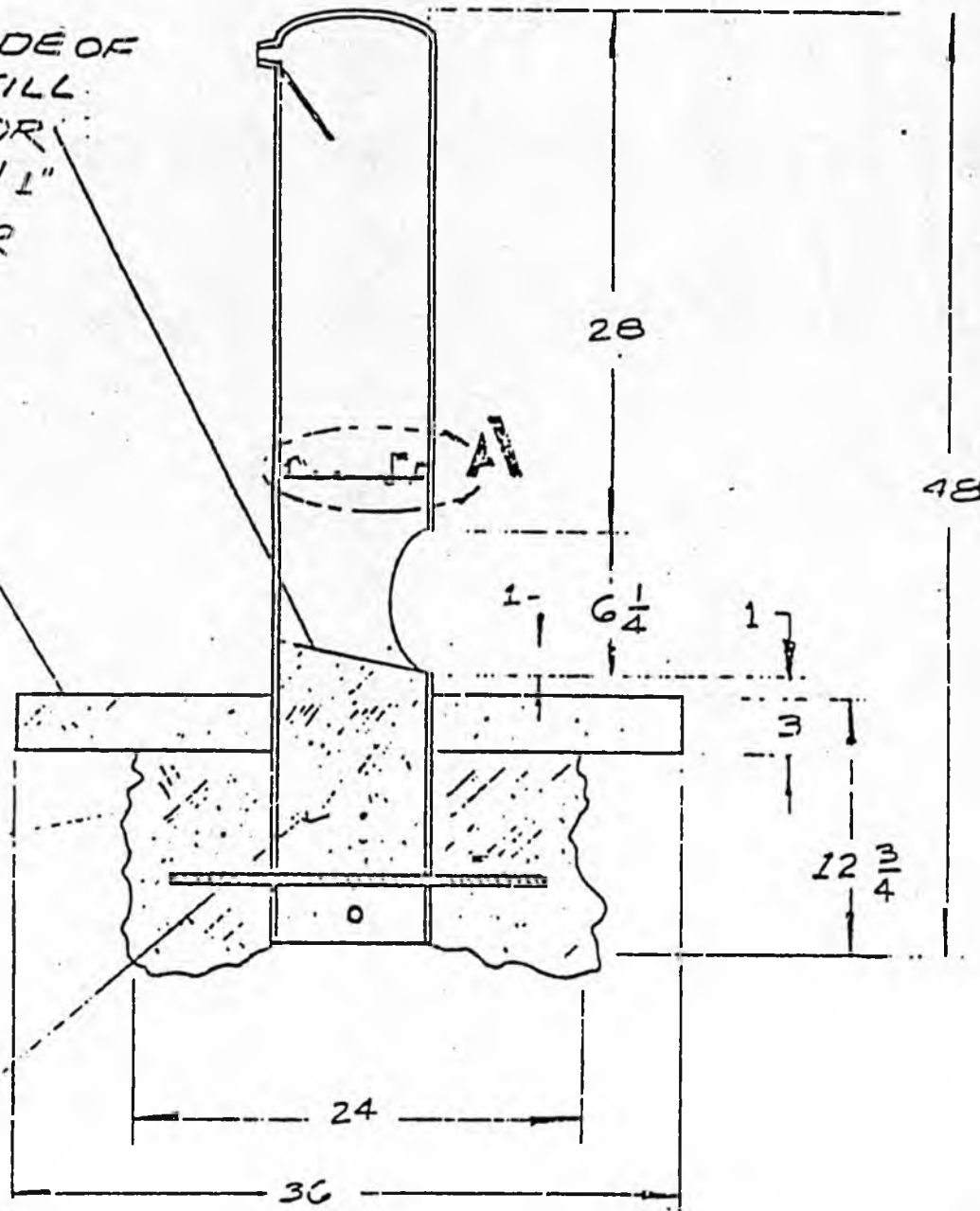
B&K INDUSTRIES INCORPORATED

NOTE: FILL INSIDE OF  
TUBE W/ CONG. TILL  
EVEN WITH DOOR  
... LOWER LID, W/ 1"  
FLANGE TO OTHER  
SIDE

20 X 20 X 3"  
10 FT. PAD  
2.5 J.F.

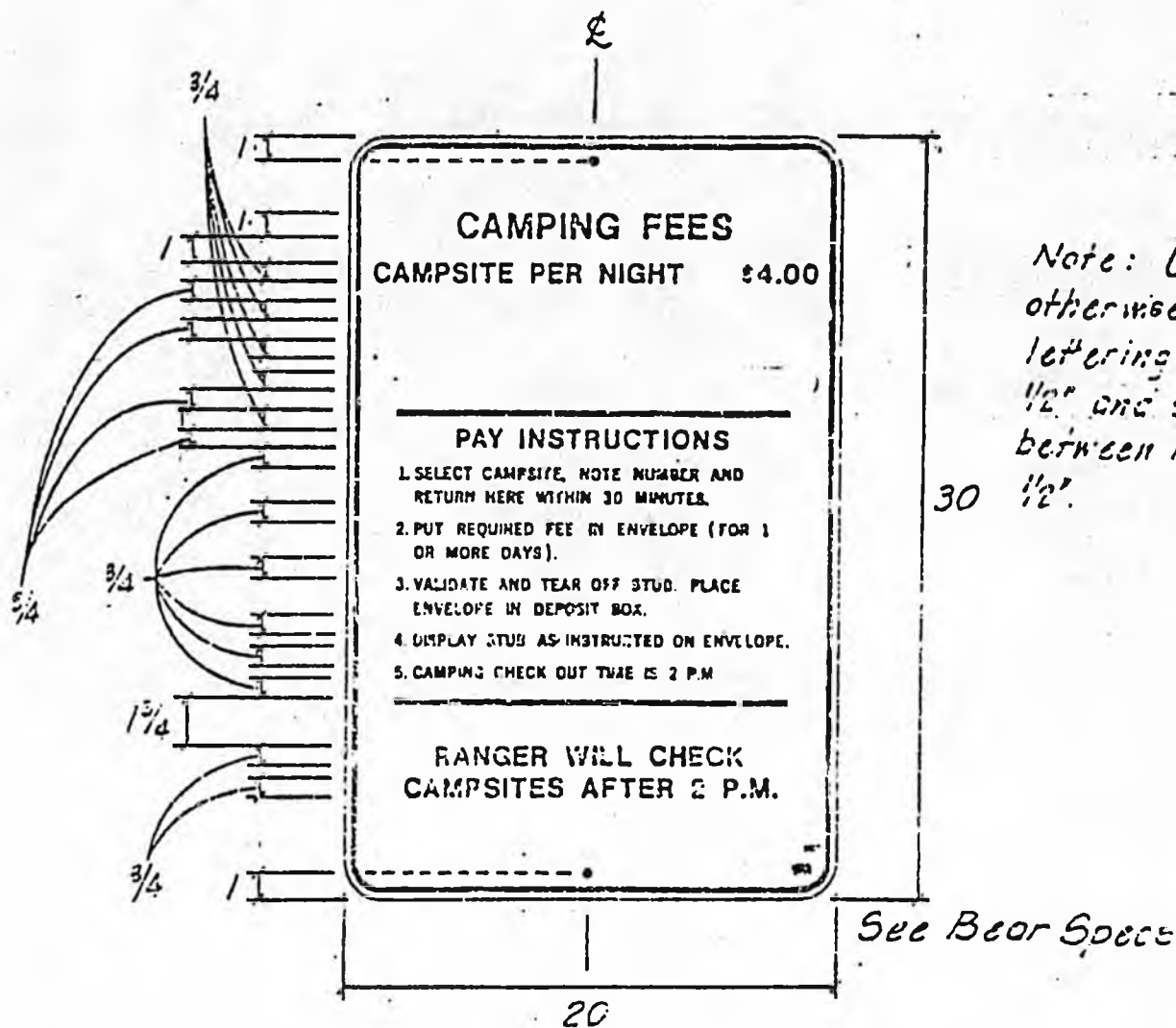
3.1 CU. FT.  
CONCRETE

.458 CU. FT.  
CONCRETE



Side view of a typical  
fee collection devise  
or "iron ranger".

SIGN DIMENSIONS



Sign Number: 790-477 (Revised) ALL DIMENSIONS IN INCHES

Size	Border Width	Margin				Frame Stiffener			Bear	Hole	Gauge	Corner Radius	
		Top	Bottom	Left	Right	Dwg.	A	B					C
20x30	1/4	3	4	1	1	—	—	—	—	1/2	5/16	.050	1 1/2

Colors	Production Method
Symbol	Reflective    Non-Reflective
Sign	
Border	Background
Background	Border
Letters	Letters & Symbols
Diamond	Die Cut Letters
Diamond Letters	Die Cut Letters & Symbols
Approved	Drawn By: J.F.

Typical Fee Payment Instruction Sign

PERMIT

Valid Only at This Site for  
the Day(s) Paid Beginning  
Purchase Date \_\_\_/\_\_\_/\_\_\_  
Camps: Check Out 2 p.m.  
Number of Days Paid \_\_\_\_\_



No. B 0531009

Detach this stub and display on  
vehicle dashboard clearly visible  
from outside.

No. B 0531009

U.S. Department of Agriculture  
Forest Service

COMPLETE THIS BLOCK ONLY ONCE DURING YOUR STAY			
ARRIVAL _____	(HOUR)	_____	(AM or PM)
No. PEOPLE IN VEHICLE _____	HOME ZIP CODE _____		
EXPECTED DEPARTURE _____	(DATE)	_____	(HOUR) (AM or PM)

**TO VALIDATE COMPLETE THE FOLLOWING**

Amount Enclosed \$ \_\_\_\_\_ Number of Days Paid \_\_\_\_\_

Purchase Date \_\_\_/\_\_\_/\_\_\_

Car License \_\_\_\_\_ State \_\_\_\_\_

Golden Age Passport No. (if applicable) \_\_\_\_\_

**CAMPGROUND USERS MUST COMPLETE THE FOLLOWING:**

Camp Unit No. \_\_\_\_\_

2300-26b (2/76)

PERMIT

Valid Only at This Site for  
the Day(s) Paid Beginning  
Purchase Date \_\_\_/\_\_\_/\_\_\_  
Camps: Check Out 2 p.m.  
Number of Days Paid \_\_\_\_\_



No. B 0531010

Detach this stub and display on  
vehicle dashboard clearly visible  
from outside.

No. B 0531010

U.S. Department of Agriculture  
Forest Service

COMPLETE THIS BLOCK ONLY ONCE DURING YOUR STAY			
ARRIVAL _____	(HOUR)	_____	(AM or PM)
No. PEOPLE IN VEHICLE _____	HOME ZIP CODE _____		
EXPECTED DEPARTURE _____	(DATE)	_____	(HOUR) (AM or PM)

**TO VALIDATE COMPLETE THE FOLLOWING**

Amount Enclosed \$ \_\_\_\_\_ Number of Days Paid \_\_\_\_\_

Purchase Date \_\_\_/\_\_\_/\_\_\_

Car License \_\_\_\_\_ State \_\_\_\_\_

Golden Age Passport No. (if applicable) \_\_\_\_\_

**CAMPGROUND USERS MUST COMPLETE THE FOLLOWING:**

Camp Unit No. \_\_\_\_\_

2300-26b (2/76)



DRAFT  
Alaska State Park System User Fee Policy

The policy of the Division of Parks and Outdoor Recreation regarding user fees in state park units is:

1. To establish and levy affordable entry, facility use and program fees where it is practical to do so and where the facilities or programs are worthy of the fees charged. Initial fees shall be levied only for high quality and urban adjacent campsites and for tours of the Wickersham State Historic Site.
2. Fees should be charged for highly specialized developments or programs catering to a specific clientele. Fee schedules shall seek to significantly reduce, or if possible eliminate, user subsidies.
3. Some fees may be adjusted annually, effective January 1. The overall percentage fee increase shall not be greater than the rate of inflation for the preceding year and/or a reasonable amount of increase if it is found that a user fee has been artificially low.
4. Fees schedules shall generally be in round dollar numbers to avoid the expense and inconvenience of making change.
5. Fees may be waived for school groups on a reservation basis, when their visit or trip is in conjunction with an educational program for grades K through 12.
6. Where fees are charged on an individual rather than a per vehicle basis, fees may be reduced for visitors under 12 or over 65 years of age.
7. Insofar as possible every effort should be made to insure that user fees do not unreasonably discriminate against economically disadvantaged or other minority groups.
8. Annual use permits may be established and used in lieu of paying daily fees to provide a moderate savings to frequent users of park facilities.

FEB 25 1985

February 11, 1985  
Box 116  
Willow, Alaska 99688

Senator Arliss Sturgulewski  
Pouch V  
Juneau, Alaska 99811

Dear Senator Sturgulewski,

I hope that you are well and surviving the budget wars in Juneau. This is not going to be an easy session for legislators or budget managers, so I will be as brief as possible. I'm sure that you remember our conversation at the Nancy Lake Property Owners Association annual meeting in 1983, during which you suggested that I give you information concerning capital projects for the Nancy Lake State Recreation Area. Last year my supervisor Larry Wilde did not think it prudent to do it because he was "walking on eggshells" with our director's office. Well, Larry is retiring this July and Nancy Lake was once again too far down the Parks' CIP priority list to make even DNR's cut, much less the governor's, hence this letter.

I have enclosed a copy (for what it's worth) of the Parks project, but it is slightly different from what I am proposing. The projects I have listed below are all fairly small in scope, but will add up to a worthy CIP. Each project will correct a resource or user problem already existing and provide facilities needed to operate the program. Best of all is that I don't foresee an operating cost for any of these projects beyond current expenditures.

- 1) Canoe Trail System - Use on the canoe trails has grown rapidly in the last decade. We have 17 campsites scattered throughout the system and need at least that many more. In the last two sessions we put in an 8-unit "cluster" of sites on Lynx Lake complete with latrines. By clustering the sites, they are more easily service by us and reduce the overall impact throughout the system. We have done this entire canoe system without specific money for the project, but we can no longer do this. The length of time it takes us to do one 8-unit (or whatever size) facility means that we can't hope to ever catch up to the demand. We need funds to put 16 to 24 more sites as soon as possible.

- 2) Red Shirt Lake Hiking Trail - Several thousand people a year use what was originally a survey line to get from South Rolly Campground to Red Shirt Lake. This trail was never intended for hiking and therefore has knee-deep black mudholes, tree roots, and no switchbacks on the hills. These cause numerous twisted ankles and an occasional broken leg. The present trail is a real hazard and embarrassment. For four summers, youth crews have been clearing a new trail, properly laid out and all on high ground. But with only one 6 week youth crew whose time must be divided between the canoe trails (they have put in the cluster campsite and over a mile of boardwalk), ski trails and hiking trails, it will be four more years to completion. The labor can be more youths, a contractor or whatever. This project would include several campsites on the shore of Red Shirt Lake.
  
- 3) Canoe Trailhead Expansion - There are currently 17 parking spaces at the trailhead, which is half of what is needed. Counts of over 40 vehicles parked there are not uncommon and over 80 is the record. Vehicles are forced to park in the trees, the ditch, and out on the main road, which is a safety hazard because the road is narrowed to one-lane on a curve.
  
- 4) Winter Trailhead Improvement - We presently use an old borrow pit for our winter parking lot and trailhead. It was never intended for this use and consequently causes several maintenance problems. Large frost heaves prevent our snowplow from being able to operate in certain areas and soft spots that don't freeze solid cause the plow to become stuck, sometimes for days at a time. Because there is no traffic control in the parking lot, vehicles usually park wherever is most convenient for the visitor. This becomes haphazard, resulting in other visitors' cars being trapped or the entrance to the lot being blocked. The trailhead needs to be designed as a trailhead, a layer of gravel needs to be put down and the parking area needs leveling. These changes would make the area easier to plow and maintain as well as ease the visitor's parking headaches.

- 5) Ski Trailhead - An adjunct to the above project is to move the Ski Trailhead a mile back down the parkway from the Winter Trailhead. This would eliminate the user conflicts between dog mushers and skiers with their pets that now exist in the parking lot. It would also allow access to the trails for skiers while the rec area is still closed to snowmachines due to lack of snow. There is a gate across the parkway at the site of the proposed Ski Trailhead. It would also somewhat reduce the space needed for parking at the Winter Trailhead. Parking for 24 to 30 vehicles at the Ski Trailhead should be sufficient into the foreseeable future. This project would include a few hundred yards of ski trail re-routing and possible widening and straightening of 15 kilometers of existing ski trail.
- 6) Rehabilitation of Campsites in South Rolly Campground - About 30 of the 100 sites there are suffering from major erosion and/or soil compaction problems. These need attention before it gets worse. Also, we need to install 30 to 40 tent pads in the campground, something which was not designed for originally but for which there is a large demand.
- 7) Public Use Cabins - Four existing cabins on the west shore of Nancy Laske have been designated as Public Use Cabins. Two areas are already being rented on a daily basis, and the other two will be fixed up and on-line in the near future. The problem is that there is no parking off the Parkway for the renters and no foot trails to the cabins. We need parking spaces off the shoulder of the road for 8 vehicles and a total of two miles of high standard, four season trail.

The total costs for these projects would be a guess on my part without going to our engineers for estimates, but \$300,000.00 - \$400,000.00 would probably do it. The most expensive items, of course, would be the trailhead parking lots. The trail work and remote campsites are labor-intensive projects; labor which we don't have. Once the trails and campsites are in, our 6-week youth crew can then be better used maintaining them. They won't have to do construction while maintenance of existing trails is neglected.

NANCY LAKE STATE PARK

I am afraid that this letter has gone on longer than I planned, but I want to introduce one more item. South Rolly Campground is already receiving 70-80% of capacity use on a routine basis, with peaks of 120-200%. The time is coming when we will need the second campground called for in the master plan (about mile 3 on the parkway). Of course, there would be an operating cost associated with the new facility. If money were available now, the earliest it would be operational would be 1987 and by then South Rolly would probably be overused. If \$50,000.00 or so were made available for design and engineering, then whenever construction money was available, we would be one season away from being operational.

In my 10 years here, we have done a lot of work trying to provide varied recreation to an ever-increasing number of visitors. I'm very proud of the 15 kilometers of good ski trail, the nature trail, the canoe trails, and remote campsites. We have not received CIP funds here for over a decade; what has been done was accomplished with dedicated employees and "borrowing from Peter to pay Paul". We have now reached the point where there are no funds to siphon from and no man-hours to devote to trail construction. The problem is that the public is demanding more trails, better trails and remote campsites. The use and impact are already there, these projects will only allow us to do a better job and reduce some of the negative impacts of heavy use.

I know that this will be a difficult state budget to prepare and I trust your best judgement. Thanks for the opportunity to present this information. I will be happy to answer any questions or provide more data. Good Luck.

Sincerely,

*Dennis Heikes*

Dennis Heikes  
Nancy Lake S.R.A.

Priority 12 of 13

Project Title: Nancy Lake SRA Development

Project Location: Matanuska-Susitna Borough

Project Description: Upgrade canoe, stritar, and drinking water facilities accessible by road.

Project Description: Upgrade canoe trail by providing 24 more remote campsites, toilets, shelters, and improved portage trails. Develop high standard trail to Red Shirt Lake and a 40-50 unit campground on Shem Pete Lake.

Current Use: Heavy use on summer weekends. Use of canoe trail has eroded portages and resulted in overcrowding at remote campsites and South Rolly Lake Campground.

Expected Benefits: Proposed developments will provide more stable footing in wetland portions of portages and relieve overcrowding at remote campsites and South Rolly Lake Campground.

Costs:

Capital Costs: \$800,000

Operating Costs: \$10,000

Positions: No increase

March 6, 1985

DRAFT Revenue Enhancement Proposal for Alaska

1. With the exception of contract concessionaires within the NPS, all commercial operators within federal lands will pay a flat annual fee for their appropriate commercial permits and licenses. This fee will be assessed on the basis of use not on profit or receipts.

Generally all commercial operations within federal lands in Alaska are providing a valuable service to users. They provide the mechanism for access and organized uses to visitors of Alaska's National Interest Lands that otherwise would not be available. These commercial operations also provide essential monitoring of other visitor uses and wildlife. Included with each permit or license is an array of reporting requirements that provide important information to the land manager on how the areas are being used and managed. Additionally most commercial users contribute other services such as trash hauling not associated directly with their commercial operation.

Essential in our consideration of revenue enhancement programs is the scope of administrative or internal costs each program may require. With the assessment of an annual fee, based on use, the agencies would not need to expand personnel or other operating costs beyond what is already in place. This makes the program much more cost effective than some suggested approaches using a percentage of gross receipts.

Within each agency there is already a reporting requirement on the commercial operator. The collection of a flat fee at the time the license or permit is issued allows one person to do two jobs at the same time.

A sliding scale of fees per use is recommended.

EXAMPLE:

1-20 users per year	\$100
21-40 users per year	\$200
41-60 users per year	\$300
....and so forth	

Use is computed on the basis of previous years reporting and estimated use for the coming year. These reporting mechanisms are already in place for most agencies.

2. For some time there have been efforts by public land managers both federal and state/local to assess and recover user fees from those who most directly benefit from the provision of these public lands. Unfortunately there are a number of specific provisions in law that prohibit the collection of "entrance fees".

The prohibitions are based on two philosophical concepts.

- a. The lands are "public" lands and should be available without additional fees.

This concept evolves from the position that the public has already paid for the lands and should not have to pay for their use.

We would argue that what the public has paid for is the establishment, protection, and management of these lands to insure they are available for use. Clearly all taxpayers do not receive equal value/return on their public land investment when only a few actually use these lands.

Therefore, the user should pay for the use even though he/she may have already paid for the availability/opportunity for use. To not assess a user's fee requires the public to subsidize a small group of users. Remember that a substantial and growing number of users are not American tax payers.

- b. The other concept is that the assessment of an entrance fee or users fee will discourage use.

State and local outdoor recreation providers have proven this concept to be without factual base for many years. In many cases state and local governments have found the reverse to be true. Certainly if fees are not reasonable they will discourage use, but in most instances the fees are nominal in relation to the actual cost of providing the services.

A second part of this concept is the concern that those who may not be able to afford the fee, within their discretionary income, will be deprived of use of public facilities/lands.

This too has been shown to be a concern without factual base. Any individual in Alaska, either visitor or resident, who decides to use public lands can afford to do so. Within the personal/individual decision to use public lands is the consideration of cost in dollars and time. A nominal fee for such use is an insignificant cost compared to the other costs associated with a visitors decision.

Any programmatic proposal to assess and collect a fee from the general public user of federal lands must be based on a sense of equity and fairness. By law it cannot discriminate in favor or against residents or nonresidents. The administrative costs must be minimal and efficient. The program must generate sufficient revenue to justify the effort. Distribution must be cost effective and accessible to users. The fee must be reasonable.

Following a review of a variety of user fee concepts the one that appears to have the greatest acceptance and cost effectiveness is the following:

#### The Alaska Recreation Stamp

All users of federal and possibly state lands would purchase the Alaska Recreation Stamp annually from commercial vendors or state and federal officials. The stamp could be affixed to a state fishing or hunting license. There exists an infrastructure to distribute and sell the stamps via commercial vendors who presently provide hunting and fishing licenses. Additional commercial vendors can be solicited. Commercial operations who provide any variety of outdoor equipment, books, etc. will find the sale of the Alaska Recreation Stamp a way to attract people into their businesses. Those businesses, in the recreation and visitor industry, will make the stamp part of their package program or tour.

As we have found with the National Duck Stamp, there is almost universal acceptance of the concept once presented and properly marketed. Also with the Duck Stamp we have received significant additional revenues from collectors who incur no user costs. This would be an annual stamp at a cost of \$10 per person 18 years or older. Those visitors 17 years and younger would be encouraged to purchase the stamp but would not be required to do so.

Accounting is relatively simple. Vendors turn in their unused stamps and receipts as appropriate.

Enforcement is by spot checks of users. If a user does not have a stamp, then the person checking can sell them one or direct the user to an appropriate vendor. All commercial or otherwise permitted users will be required to insure their clients or groups have the stamp.

Stamp development: Similar to the Duck Stamp, the State of Alaska and the Federal agencies (principally Interior) will host an annual art competition (national entries) the year prior to issue of the stamp. The cost of the production of the stamp should be deducted from the revenues generated by the program. As in the duck Stamp program the artist may sell reproductions of the original. This provides an incentive to the artist to participate. The original, however, should become the property of the program and part of a growing collection. This collection would tour as a promotional mechanism to sell the program concept, stamps and prints.

If the stamp is to be used jointly by federal and state land managers, an appropriate agreement must be developed between the two governments to recover costs and direct revenues. Initially all revenues from the federal side must be deposited into the general fund.

There is substantial interest to dedicate the revenues of this type of program to the continued protection and management of areas upon which the use fees are based. This is important in light of the desires of users to obtain a sense of equity in the program and in the land areas they use.

### 3. Permit Fees other than for commercial visitor uses.

In addition to fees charged for commercial operations within federal lands there is a need to collect a reasonable fee for other permits. For example, many tours are organized and managed by nonprofit groups. The fee assessed should be based on the length of the permit and not on the number of users as they will have paid for their Recreation Stamp.

The purpose of this fee is to recover part of the cost of providing the permit which in itself is assessed for a protection need.

The above proposals are still in DRAFT form and do not constitute the official position of the Department of the Interior or of the Assistant Secretary for Fish, Wildlife and Parks. They are provided as information and it is hoped they will generate discussion. These concepts are a reflection of a number of interagency discussions, user group meetings, and professional efforts.

Your comments and ideas are appreciated. Please write or call Ric Davidge, Special Assistant to the Assistant Secretary, FWP, P.O. Box 100120, Anchorage, Alaska 99510. (907) 271-5011.



# RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

11/24/89  
Date

HB

280

# STATE OF ALASKA THE LEGISLATURE

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

## LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

SENATE RESOURCES COMMITTEE		4/29/85, 1:35
"	"	5/1/85, 1:35
"	"	5/3/85, 1:35

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF

POUCH V  
JUNEAU, ALASKA. 99811  
(907) 465-4907



## Senate Committee on Resources

MEMORANDUM

April 27, 1985

TO: All Members  
Senate Resources Committee

FROM: Staff *A*  
Senate Resources Committee

RE: CSSS HB 280 (Finance) "An Act creating the Anchor River and Fritz Creek Critical Habitat Area."

CSSS HB 280 (Finance) would establish a 19,000 acre critical habitat area six miles north of Homer along the Anchor River and Fritz Creek drainages.

This area would be managed as a critical habitat area but would allow for construction of a dam and reservoir for a municipal water source if necessary in the future. Valid existing rights and interests in this area are protected and future conveyances may occur as long as they are compatible with the creation of the critical habitat area. At the present time, some of the lands in the eastern portion of the area are under review for possible conveyance to the Kenai Borough or the University of Alaska. The Department of Natural Resources will provide a review of this matter at the public hearing.

The bill also calls for a management plan to be completed by July 1, 1989 by the Department of Fish and Game in consultation with the Department of Natural Resources and the concurrence of the Kenai Peninsula Borough for any of its lands with critical habitat area.

The fiscal note is zero.

Enclosures:

1. Fiscal note
2. The Anchor River/Fritz Creek Critical Habitat Area Proposal
3. ADF&G memo reviewing permitted activities in critical habitat areas
4. Letters of support for the creation of the Anchor River/Fritz Creek Critical Habitat Area

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: CS 55 HB 280 (FIN)  
 Title: Anchor River Critical Habitat

Sponsor: Navarre and Goll  
 Requestor: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: Natural Resources  
 Program Category Affected: NRMEC

BRU, Program or Subprogram(s) Affected: Land and Water Management

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>		-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>		-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Prepared By: Mike Vediner  
 Division: Land and Water Management

Phone: 465-2400  
 Date: March 28, 1985

Approved by Commissioner: Robert D. Arnold  
 Agency: Department of Natural Resources

Date: March 28, 1985

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

082

FROM THE OFFICE OF  
REP. MIKE NAVARRE  
FOR YOUR INFORMATION

A PROPOSAL

THE ANCHOR RIVER/FRITZ CREEK CRITICAL HABITAT AREA

Submitted by:

Kenai Peninsula Critical Habitat Task Force

Dave Vanderbrink, Chairman  
P.O. Box 1236  
Homer, Alaska 99603

235-8784

Lynn Whitmore

235-7220

Bob Moss

235-8788

John H. McLay

235-8816

Allen S. Davis

235-8626

Derek Stonorov

235-8273

December 17, 1984

AREA NAME

Anchor River/Fritz Creek Critical Habitat Area

PURPOSE

The primary purpose of the proposed special area is to protect and maintain critical moose winter habitat along the upper Anchor River and Fritz Creek drainages. A secondary purpose is to protect the habitats of salmonid fishes and other wildlife which occur along these drainages. These lands would be managed by the Alaska Department of Fish and Game (ADF&G).

LEGAL DESCRIPTION

T4S, R13W, Seward Meridian

Sections: 25, 35 and 36.

T5S, R14W, Seward Meridian

Sections: 13, NE $\frac{1}{2}$ 20, 21, 22, 23, 24, N $\frac{1}{2}$ 26, N $\frac{1}{2}$ 27 and N $\frac{1}{2}$ 28.

T5S, R13W, Seward Meridian

Sections: 2, 3, E $\frac{1}{2}$ 4, S $\frac{1}{2}$ 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, W $\frac{1}{2}$ 21 and 24.

T5S, R12W, Seward Meridian

Sections: 17, 18, 19 and 20

AREA DESCRIPTION

The proposed special area is located approximately 6 miles due north of the City of Homer on the lower Kenai Peninsula, Alaska (see Appendix A). It is approximately 19,000 acres in size, and includes most of the upper Anchor River valley and the adjacent sloping uplands, the area known as "Beaver Flats", and the headwaters of Fritz Creek. The main

valley consists of a relatively narrow valley floor with a meandering stream, moderately steep hillsides which flank either side of the valley floor, and numerous small tributaries. Vegetation along the Anchor River is comprised of a mosaic of willow thickets, grass/forb meadows, scattered Sitka spruce, and clumps of cottonwood; mature Sitka spruce forests and stands of alder on the adjacent hillsides; dense willow thickets along small tributaries; and spruce forests and open meadows on gently sloping ground above 1,000 feet elevation. The extensive muskeg along Beaver Creek supports low heath shrubs and willows. The terrain in the headwaters of Fritz Creek is gently sloping; and the vegetation consists of an open spruce forest with a dense understory of willows in the bottomlands, and mixed spruce forests and open meadows at higher elevations.

#### WILDLIFE RESOURCE VALUES

The Anchor River valley and Fritz Creek drainages function as moose winter habitat. Aerial survey information collected by the ADF&G indicates between 300 and 500 moose concentrate in this area during average winters. A density of 23 moose per square mile were documented on Beaver Flats in 1983. The riparian habitats along these drainage systems provide moose with a concentrated food supply in the form of willow browse, adjacent resting and hiding cover in the form of spruce forests, and an environment where snow accumulations are normally small enough to not impede winter feeding activities. The existence of areas which provide these elements is absolutely essential to winter survival of moose on the lower Kenai Peninsula.

The Anchor River is spawning and rearing habitat for king salmon, coho salmon, steelhead/rainbow trout, and dolly varden char. These habitats are also essential with respect to the life cycle and perpetuation of these species.

Riparian habitats such as those found in the proposed special area are important to a variety of other wildlife. Spawning salmon along the Anchor River are important food sources for brown bear, black bear and bald eagles. Stands of mature cottonwoods at the western end of the proposed area have been used by bald eagles for nesting. The valley serves as a travel corridor for most species of big game, furbearers and small forms of wildlife.

#### RECREATIONAL USES

The Anchor River valley and Fritz Creek drainages are popular recreation areas. In recent years uses have included hunting, trapping, fishing, wildlife viewing and photography, general hiking, snowmachining, snowshoeing, and nordic skiing. ADF&G records show that in the 1983 moose season 25% of the bull harvest (n=61) was taken in the Anchor River drainage. Beaver, river otter, mink, coyote, and wolf are the furbearers most commonly taken in this area. Sport fishing for salmon is prohibited in the proposed special area, but trout and char fishing are allowed from July through December. Snowmachining, snowshoeing, and nordic skiing occur throughout the area during most winters. All of the above recreational activities would be encouraged in the proposed special area as long as they did not pose a serious threat to wildlife of habitat resources.

#### JUSTIFICATION

Moose are the dominant big game animal on the Kenai Peninsula. They occupy a vital position in the food chain of the boreal forest, and represent an important renewable resource. Moose are browsers which assimilate energy and nutrients from the plant material they eat. In turn, large predators such as the wolf and the brown bear and a host of smaller scavengers are dependent upon moose as a source of food. Moose are directly important to man through the viewing and hunting opportunities they provide and the revenue these activities funnel

into local economies. ADF&G records show that the moose resource on the Kenai Peninsula has generated a total of 92,018 hunter days of recreation and a total harvest of 3,162 moose worth an estimated 5.5 million dollars between 1978 and 1983. In a less tangible sense, most Alaskans feel that the mere presence of wildlife, of which the moose is symbolic, contributes highly to their quality of life. They want future generations of Alaskans to be able to enjoy the tradition of a rich wildlife heritage.

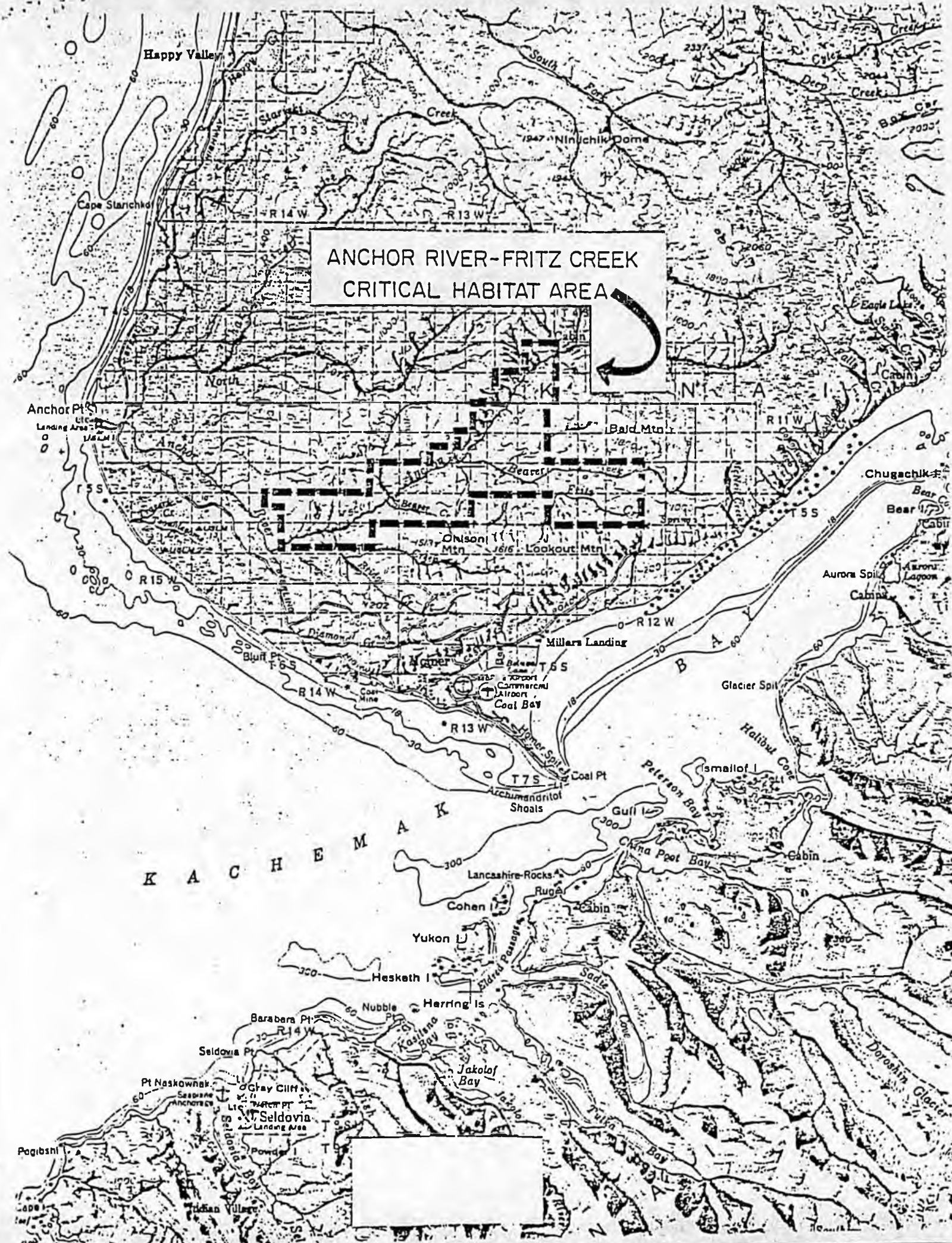
It is estimated that there are currently between 2,500 and 3,000 moose on the lower Kenai Peninsula (Game Management Subunit 15C). These moose range throughout most of the 760,000 acres of lowlands in Subunit 15C in summer and early fall, but are restricted to stream and river bottoms and south-facing benchlands below 800 feet elevation during winter. ADF&G tagging studies and aerial surveillance of moose show that the Homer Benchland, lower Fox River valley, lower Anchor River valley, lower Deep Creek/Ninilchik River valleys, Fritz Creek and the Coho Beach area are historic winter habitats. These areas provide the concentrated food, cover, and relatively small snow accumulation necessary for successful overwintering of moose. It is significant to note that the sum of these winter habitats comprise less than 10% of the surface area of all the utilized summer and early fall habitat in Subunit 15C. Virtually no overwintering of moose occurs in the Kenai National Wildlife Refuge south of Tustumena Lake.

Moose winter habitats on the lower Kenai Peninsula are mostly privately owned and have been seriously diminished in the quality and extent by human development in the last three decades. For instance, an estimated 4,500 people now compete with moose for space on the Homer Benchland, and considerable habitat alteration and loss have occurred. Consequently, this historically important winter habitat can now support only a fraction of the moose it once did. Substantial amounts of residential and commercial development have also occurred on the Coho Beach, lower Ninilchik, lower Deep Creek, lower Anchor River and Homer Benchland winter habitats.

The lower Fox River winter habitat has been intensively grazed by horses and cattle since the 1940's, and supports a growing human population of approximately 200 people. It is reasonable to assume that these developments have lowered the winter carrying capacity of that area for moose. Water development and intensive cattle grazing are potential threats which have recently been proposed for the Fritz Creek winter habitat.

These trends are expected to worsen as the human population on the Kenai Peninsula continues to grow. Lands along the upper Anchor River valley and headwaters of Fritz Creek are in State ownership, and present the best opportunity to protect and maintain moose winter range on the lower Kenai Peninsula. Legislative designation as a State critical habitat area would keep these lands in public trust, and ensure the future of their wildlife resource and habitat values.

APPENDIX A



ANCHOR RIVER-FRITZ CREEK  
CRITICAL HABITAT AREA



K A C H E M A K

Happy Valley

Cape Starichko

Starichki Creek

South Fork

1947 Ninilchik Dome

Deep Creek

Bog Car

Eagle Lake

Woods Creek

Woods Cabin

Chugachik

Bear Cabin

Aurora Spill

Aurora Lagoon

Camp

Cabin

Dorooshin Glacier

Anchor Pt

Landing Area

VA-11

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Bald Mtn

Bear

Bear C.

Onison Mtn

Lookout Mtn

Millers Landing

Commercial Airport

Coal Bay

Coal Pt

Archimandrit Shoals

Gull Is

Lancashire Rocks

Cohen Is

Ruga

Cabin

Herring Is

Jakof Bay

Seldovia

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# SELDOVIA



# MEMORANDUM

## State of Alaska

TO: Roland Shanks  
Special Assistant  
Office of the Commissioner

DATE: April 9 1985  
COMMISSIONER'S OFFICE

RECEIVED  
APR 9 1985

FILE NO:

TELEPHONE NO:

465-4105

SUBJECT:

Permit <sup>Activities</sup> in Critical Habitat Areas  
DEPARTMENT OF FISH AND GAME

FROM: *Bruce*  
Bruce H. Baker  
Acting Director  
Habitat Division  
Department of Fish and Game

As you requested, we have reviewed the files on Critical Habitat Area permits for the past three years. There were a total of 30 applications received for activities in seven of the Critical Habitat Areas. Of these, 28 were approved and 2 were denied. Activities in Critical Habitat Areas which were permitted include: seismic exploration; placement of fill material; sewage outfall; dredging; heavy equipment transport; storage of marine drilling rig; small boat harbor expansion; log rafting and transfer; retaining walls/bulkheads; oil and gas leases; and geological exploratory work. Details are provided in the attached list.

Critical Habitat Areas are multiple use areas. Activities are allowed in Critical Habitat Areas in a manner consistent with the purpose for which each area is established. Activities which are permanent in nature or will have a significant effect on fish and game populations or their habitats (other than lawful hunting and fishing) require a permit from the Department of Fish and Game. All other activities do not require permits. Activities which do not require a critical habitat area permit include hunting, fishing, trapping, public access, recreational activities (hiking, skiing, horseback riding, dog team travel, camping, mountain climbing, etc.), boating, berrypicking, firewood gathering (dead and down timber) and many others.

Enclosure

FROM THE OFFICE OF  
REP. MIKE NAVARRE  
FOR YOUR INFORMATION

Permits Requested in  
Critical Habitat Areas Since 1982

Area	Activity	Decision
Kachemak Bay CHA	Seismic exploration	Approved
Kachemak Bay CHA	Geophysical exploration	Approved
Kachemak Bay CHA	Placement of fill material for construction of Campground Homer Spit	Approved
Kachemak Bay CHA	Sewage Outfall Line	Approved
Kachemak Bay CHA	Storage of Temporary Jack-Up Drilling Rig	Approved
Kachemak Bay CHA	Homer Small Boat Harbor Expansion	Approved
Kachemak Bay CHA	Bulkhead (Mud Bay)	Denied
Kachemak Bay CHA	Unauthorized Fill (Jackaloff Bay)	Denied
Kachemak Bay CHA	Pier construction and Maintenance Dredging Homer Small Boat Harbor	Approved
Kachemak Bay CHA	Mariculture (Blue Mussel Farm)	Approved
Kachemak Bay CHA	Dock construction (Tutka Bay)	Approved
Kachemak Bay CHA	Log Rafting and Transfer	Approved
Kachemak Bay CHA	Retaining Wall Construction	Approved
Kachemak Bay CHA	Bulkhead construction and Dredging Seldovia Small Boat Harbor	Approved
Clam Gulch CHA	Dredging Ninilchik Small Boat Harbor	Approved
Clam Gulch CHA	Beach and River Erosion Control	Approved
Clam Gulch CHA	Dredging Ninilchik Small Boat Harbor	Approved

Area	Activity	Decision
Clam Gulch CHA	Oil and gas lease	Approved
Fox River Flats CHA	Heavy Equipment/Track vehicle movement	Approved
Fox River Flats CHA	Track Vehicle Crossing	Approved
Fox River Flats CHA	Four wheel drive crossing	Approved
Fox River Flats CHA	Heavy Equipment Crossing	Approved
Port Moller CHA	Geological Field Reconnaissance	Approved
Port Moller CHA	Gravity Survey	Approved
Port Moller CHA	Seismic Exploration	Approved
Port Moller CHA	Geological Field Program	Approved
Port Moller CHA	Marine Seismic Exploration	Approved
Kalgin Island CHA	Oil and gas lease	Approved
Pilot Point CHA	Oil and gas lease	Approved
Cinder River CHA	Oil and gas lease	Approved

Box 1236  
Homer, Alaska 99603  
March 14, 1985

Representative Mike Navarre  
Pouch V  
Juneau, Ak. 99811

Re: HB 280

Dear Mike:

Enclosed find a packet of letters and resolutions in support of HB 280, an Act creating the Anchor River and Fritz Creek Critical Habitat Area. We are pursuing additional ones and will forward them as we receive them.

Our task force has found strong support for the proposal. In fact, we have encountered no opposition to it. You will note that some of the endorsements are conditional upon the accomodation of additional uses. We believe that there is no conflict in meeting such identified needs as water supply within the critical habitat area.

Please feel free to contact me or any member of our task force should you need any more information. We look forward to working with you towards passage of HB 280.

Sincerely,

*Dave Vanderbrink*

Dave Vanderbrink, Chair  
Kenai Peninsula Critical Habitat  
Task Force

Mike -

Thanks for introducing HB 280! Let us know when it's scheduled for Resources and we'll get someone down there.

These packets also went to Fischer, Marrou, Sheffield, DNR, and F&G.

*Henry Lord*

CITY OF KACHEMAK  
KACHEMAK, ALASKA

RESOLUTION NO. 85-4

A RESOLUTION SUPPORTING THE CRITICAL MOOSE WINTER HABITAT

WHEREAS, the Common Council of the City of Kachemak recognizes the need to protect and maintain critical moose winter habitat along the upper Anchor River and Fritz Creek Drainages; and,

WHEREAS, the Kenai Peninsula Critical Habitat Task Force, working with the Alaska Department of Fish and Game proposes such; and,

WHEREAS, the area in question is approximately 19,000 acres, as proposed by this Task Force; and,

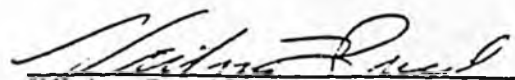
WHEREAS, the City of Kachemak recognizes that a watershed and critical habitat area are compatible; and,

WHEREAS, the City of Kachemak is appealing the Department of Natural Resources conveyance of 3,183.4 acres in the Fritz Creek drainage to the Kenai Peninsula Borough; and,

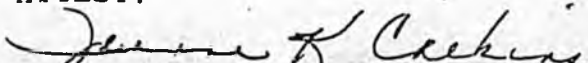
WHEREAS, the 3,183.4 acres in question is included in the proposal of the Kenai Peninsula Critical Habitat Task Force for the critical moose winter habitat;

NOW THEREFORE LET IT BE RESOLVED: that the Common Council of the City of Kachemak supports the Kenai Peninsula Critical Habitat Task Force, Dave Vanderbrink, Chairman, in its efforts to provide, protect and maintain critical winter moose habitat along the upper Anchor River and Fritz Creek Drainages AS LONG AS THE WATERSHED INTERESTS OF THE CITY OF KACHEMAK ARE NOT AFFECTED IN ANY NEGATIVE MANNER.

CITY OF KACHEMAK:

  
Vicke Pugil, Mayor

ATTEST:





Alaska Center for the Environment  
1069 W. 6th Avenue  
Anchorage, Alaska 99501 274-3621

Position Statement  
of the Alaska Center for the Environment  
In Support of the Proposed  
Anchor River/Fritz Creek Critical Habitat Area.

The lands proposed for designation on the Anchor River/Fritz Creek Critical Habitat Area, which are among the last state-owned lands in the region, are critical to the future of a healthy moose population on the southern Kenai Peninsula. The proposal would also protect the habitats of other wildlife such as brown and black bear and bald eagles, and of king and silver salmon, steelhead/rainbow trout, and dolly varden char.

The Anchor River Valley and Fritz Creek drainages support a wide variety of recreational uses including hunting, fishing, trapping, hiking and skiing. The critical habitat area proposal would encourage all recreational activities that do not jeopardize fish and wildlife habitat or populations. According to the Department of Fish and Game, 92,018 hunter days, with a total harvest worth \$5.5 million/dollars, were generated on the Kenai Peninsula between 1978 and 1983.

Moose on the lower Kenai Peninsula are restricted during the winter to less than 10% of the area they inhabit during the summer and fall periods. Furthermore, little moose overwintering occurs in the Kenai National Wildlife Refuge south of Trustumena Lake. On the other hand, as many as 300 to 500 moose generally winter in the Anchor River valley and Fritz Creek drainages.

Moose winter habitats on the lower Kenai Peninsula are mostly privately owned and have been notably reduced in both quality and quantity due to residential and commercial development in places such as Coho Beach, lower Deep Creek, lower Ninilchik River, lower Anchor River and Homer Benchland winter habitats. If we hope to insure a significant moose population in this region, it is essential to protect the remaining winter ranges on the state-owned lands along the upper Anchor River and Fritz Creek drainages

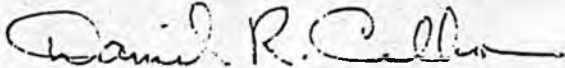
Finally, large portions of the proposed area are being threatened by a major cattle grazing and feedlot operation. Preventing this incompatible use by designating the critical habitat area would protect not only moose winter range but also water quality in both Fritz Creek, a source of water for Homer, and the Anchor River, one of Southcentral's top sportfishing streams.

*Mary Cone*  
Mary Cone  
Executive Director  
March 11, 1985

February 27, 1985

To Whom it May Concern:

In a meeting on 2/19/85 the Homer Fish and Game Advisory Committee unanimously voted to support the establishment of the Anchor River/Fritz Creek Critical Habitat Area as proposed by the Kenai Peninsula Critical Habitat Task Force.



Daniel R. Calhoun  
Chairman Homer Fish and Game Advisory Committee  
Box 566  
Homer, Alaska 99603.



# CITIZENS FOR RESPONSIBLE LAND USE

Co-Chairmen:  
Roberta Highland  
235-8214 (home)  
235-5223 (work)

Michael Sheppard  
235-7486 (home)  
235-5397 (work)

P.O. Box 15227 • Fritz Creek, Alaska 99603

March 5, 1985

To: Mr. Dave Vanderbrink, Chairman

From: Ed Schumann

Subject: Anchor River- Fritz Creek Critical Moose Habitat Area

Dear Dave;

Citizens for Responsible Land Use respectfully submit our endorsement of the Kenai Peninsula Critical Habitat Task Force proposal to create the 19,000 acre Anchor River- Fritz Creek Critical Moose Habitat Area.

We offer our continual support on this matter. We have to date; held public meetings, attended meetings, initiated letter writing campaigns to our legislators, circulated petitions and written appeals to the Department of Natural Resources. What can be done, will be done.

Sincerely,

Ed Schumann  
committee member  
Citizens For Responsible Land Use



**KPCS**

March 1, 1985

Dave Vanderbrink  
POB 1236  
Homer, Alaska 99603

Dear Mr. Vanderbrink:

This is to inform you that the Kachemak Bay Conservation Society Board of Directors voted unanimously to support the Kenai Peninsula Critical Habitat Task Force's proposed "Anchor River/Fritz Creek Habitat Area." We have conveyed our support to Governor Sheffield and will do what we can to see that this vital watershed remains viable for moose and other wildlife.

Sincerely,

Edgar Bailey

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United States Department of the Interior

KENAI NATIONAL WILDLIFE REFUGE  
P.O. BOX 2139  
SOLDOTNA, ALASKA 99669-2139  
(907) 262-7021

IN REPLY REFER TO:

January 31, 1985

Kenai Peninsula Critical Habitat Task Force  
ATTN. Mr. Allen Davis  
P. O. Box 598  
Homer, Alaska 99603

Dear Mr. Davis:

We have reviewed the proposal on "The Anchor River/Fritz Creek Critical Habitat Area" as submitted by the task force and offer these comments.

Designation of critical habitat areas in Game Management Unit (G.M.U.) 15C, other than lands contained within the Kenai National Wildlife Refuge, will be essential if viable populations of moose, brown bear, and wolves are to continue. Refuge lands in GMU15C do not contain all of the essential habitat components to support populations of these species year around.

Delineation of critical habitat areas off of the refuge is a logical and essential action, if the public desires to have moose and other wildlife species in GMU15C, coincidental with a variety of other uses on these lands.

This concept has our support. We feel it is the only practical alternative that will allow viable wildlife populations to coexist with increased human use and development within GMU15C.

Sincerely,

Robert L. Delaney  
Refuge Manager

MBH/pf  
0115p/7

Resolution No. 85-8

**FRITZ CREEK WATERSHED**

The cities of Homer and Kachemak City have a need for additional quantities of water for municipal use in the immediate future. The cities have identified Fritz Creek as the best source to meet their needs, evaluating water quantity, quality, and proximity of the stream. Because the use of Fritz Creek would be for a public water supply, a watershed protection plan would need to be established.

A possible solution would be to designate the watershed area as a wildlife reserve. This could serve two useful purposes: it would preserve some rapidly diminishing winter habitat for game animals on the lower Kenai Peninsula, and it would protect the watershed of the municipal water supply.

THE ALASKA WATER RESOURCES BOARD recommends that the Director of the Division of Land and Water Management put into motion the mechanism to designate the Fritz Creek Drainage as a wildlife refuge to preserve winter habitat for large game animals and to protect the watershed for the future municipal water supply for the cities of Homer and Kachemak City.

Adopted this 1st day of November, 1984

ALASKA WATER RESOURCES BOARD



David Vanderbrink, Chairman

RESOLUTION 85-2

A RESOLUTION OF NORTH PACIFIC FISHERIES ASSOCIATION  
SUPPORTING THE PROPOSED  
ANCHOR RIVER/FRITZ CREEK  
CRITICAL HABITAT AREA

WHEREAS: the Anchor River and Fritz Creek both support runs of anadromous fish, and;

WHEREAS: lower Cook Inlet's fisheries play a significant role in State economy by revenues created both through the commercial harvest of fish and the taking of fish by sport fishermen, and;

WHEREAS: there exist conflicting demands of the watershed areas of Fritz Creek and the Anchor River, and;

WHEREAS: watershed alteration can lead to significant changes in riverine habitat, and;

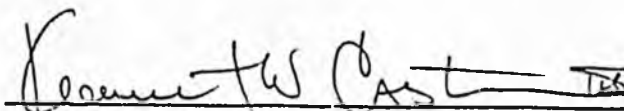
WHEREAS: the life cycles of anadromous fish depend on natural and unaltered conditions, and;

WHEREAS: it is sound public policy to protect the natural runs of anadromous fish;

NOW THEREFORE BE IT RESOLVED THAT: NORTH PACIFIC FISHERIES ASSOCIATION, INC., SUPPORTS THE CREATION OF THE ANCHOR RIVER/FRITZ CREEK CRITICAL HABITAT AREA.

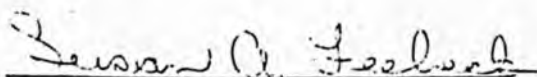
DATED AT HOMER, ALASKA this 14th day of March, 1985

NORTH PACIFIC FISHERIES ASSOCIATION



Ken Castner, President

ATTEST:



Land Acq. and  
Introduced by: Legislative  
Affairs Committees  
Date: April 2, 1985  
Vote: 14 Yes, 1 No  
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 85-50

SUPPORTING THE ENACTMENT OF HOUSE BILL 280 CREATING THE ANCHOR RIVER AND FRITZ CREEK CRITICAL HABITAT AREA.

WHEREAS, the Kenai Peninsula Critical Habitat Task Force was formed by a group of citizens; and

WHEREAS, after study, this task force has recommended the creation of a critical habitat area in the Anchor River/Fritz Creek drainage area; and

WHEREAS, Representatives Navarre and Goll have introduced HB 280 in the legislature proposing the creation of the Anchor River and Fritz Creek critical habitat area; and

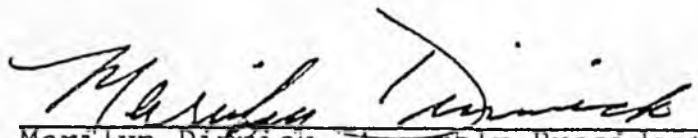
WHEREAS, the assembly supports creation of the Anchor River/Fritz Creek critical habitat area;

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


Section 1. That the assembly supports the passage of HB 280 which provides for creation of the Anchor River and Fritz Creek Critical Habitat Area.

Section 2. That the clerk is directed to forward copies of this resolution to Governor William Sheffield, to the House Resources Committee, the House Finance Committee, Senate President, Don Bennett, Speaker of the House, Ben Grussendorf, Senators Paul Fisher, Jalmar Kerttula, Edna DeVries and John Sackett, and to Representatives Mike Navarre, Andre Marrou, Bette Cato, Mike Szymanski, Kay Wallis and Peter Goll.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 2nd DAY OF April, 1985.

  
Marilyn Dinnick, Assembly President

ATTEST:

  
Joanne Bradley  
Borough Clerk

CITY OF HOMER  
HOMER, ALASKA

RESOLUTION 85-33

A RESOLUTION ENDORSING HOUSE BILL 280 "AN ACT  
CREATING THE ANCHOR RIVER AND FRITZ CREEK  
CRITICAL HABITAT AREA".

WHEREAS, the City of Homer has an interest in preserving  
the Fritz Creek Watershed for future use as a water supply for  
residents of the Southern Kenai Peninsula; and

WHEREAS, the City has an interest in preserving areas for  
wildlife habitat; and

WHEREAS, the City has an interest in protecting and  
preserving certain lands for public access and public  
recreation purposes;

NOW THEREFORE, the City endorses House Bill 280 "An Act  
creating the Anchor River and Fritz Creek Critical Habitat  
Area";

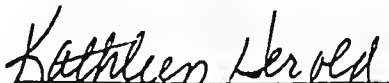
DATED, at Homer, Alaska this 25<sup>th</sup> day of March, 1985.

CITY OF HOMER



Wayne Kessler, Mayor

ATTEST:

  
Kathleen Herold, City Clerk

March 29, 1985

Dave Vanderbrink, Chairman  
Kenai peninsula Critical Habitat Task Force  
Box 1236  
Homer, Alaska 99603

Dear Mr. Vanderbrink:

In a meeting held March 22, 1985 the officers and board of directors voted unanimously to support HB #280.

The International Moose Federation feels that any use of this land other than preservation for the use of wild life on the Southern portion of the Kenai Peninsula would cause a permanent decline in opportunities for recreational use of our wildlife resources and water quality.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan O. Smith", with a long horizontal flourish extending to the right.

Stan O. Smith  
President  
International Moose Federation



Homer Soil Conservation Sub-District  
P.O. Box 415 - Homer, Alaska 99603 - Telephone: 235-8177

March 26, 1985

Dave Vanderbrink  
Kenai Peninsula Critical Habitat  
Task Force  
P.O. Box 1236  
Homer, Alaska 99603

RE: Critical Habitat - Anchor River & Fritz Creek Drainage


Dear Dave,

I am writing on behalf of the Board of Supervisors of the Homer Soil & Water Conservation District. As you well know, we have followed your committee's activities with regard to the formulation of the critical moose habitat legislation.

We wish to express our support and encouragement for the ultimate passage of this legislation. On 13 March 1985, we were given ample assurances by you and your committee that the critical habitat designation would allow continued management as a multiple resource, thus allowing open grazing of livestock and associated activities that would not conflict with or deplete the habitat. This assurance eliminated our primary concern.

We therefore wish to, once again, express our support for the critical habitat designation by legislation and hope that your activities will bring a successful conclusion to your efforts.

Sincerely,

  
Pat Marquis  
Chairman

bg

To Whom It May Concern:

Whereas the South Central Regional Council represents 17 Local Fish and Game Advisory Committees and;

Whereas those Advisory Committees are concerned with the moose population in South Central Alaska as well as Game Management Unit 15 C and;

Whereas the South Central Regional Council realizes the critical function of winter moose habitat and;

Whereas the South Central Regional Council understands that development in the Homer area has and will continue to spread and eliminate critical winter moose habitat and;

Whereas this critical habitat must be set aside before development begins in the area where this habitat exists;

Therefore be it Resolved by the South Central Regional Council, a meeting on March 21, 1985 by unanimous vote, to support the ANCHOR RIVER/FRITZ CREEK CRITICAL HABITAT AREA.

Submitted by:

*Daniel R. Calhoun*

Daniel R. Calhoun  
Vice-Chairman  
South Central Regional Council



# Alaska Environmental Lobby, Inc.

204 N. Franklin Street, Suite 3 Juneau, Alaska 99801

907-586-2345

March 25, 1985

Representative Mike Navarre  
Pouch V  
Juneau, Alaska 99811

Dear Representative Navarre:

Congratulations on your recent introduction of HB 280, "An Act creating the Anchor River and Fritz Creek Critical Habitat Area." This proposed legislative designation would maintain critical moose wintering grounds, protect important riparian and fur bearing habitat, protect popular recreational opportunities on the Kenai, and ensure a future water supply for lower peninsula residents.

Protection of relatively undisturbed stream and river bottoms in the lower Kenai is essential to the perpetuation of the area's moose population. Though wide ranging in the summer and fall months, the estimated 2500 moose of the area rely upon only five or six drainages during the winter for the food, cover and diminished snowfall necessary for survival. These streams and rivers, however, are changing quickly as the human population of the Kenai increases. The moose must contend with loss of habitat and associated human uses of the area such as grazing. Without being alarmist, it is safe to say that protection of some of these overwintering areas is necessary for the survival of moose populations in the lower Kenai.

Of course, moose are not the only users of the area. The riparian habitat that support the moose also support a variety of other important species including dolly varden, steelhead, cohos and king salmon. Bald eagles, black and brown bear, and fur bearing animals like mink, coyote, wolf, river otter and beaver utilize the area as well.

Alaskans would stand to benefit from the proposed designation also. Recreational uses of the area would be encouraged under critical habitat management. Skiing, hiking, hunting, fishing, trapping, wildlife viewing and photography would all be proper uses of the area, subject to ADF&G's protection of the wildlife habitat. (Salmon sportfishing, for instance, is already prohibited in the area) The area is currently widely used for these activities and these uses would be enhanced under critical habitat designation.

Finally, parts of the proposed critical habitat area are being considered for a cattle grazing and feedlot operation. This would threaten both moose habitat and a watershed identified as important by the cities of Homer and Katchemak. Creating the Anchor River and Fritz Creek Critical Habitat Area makes good sense: it means that future generations of Alaskans on the Kenai will be able to enjoy a healthy moose population; and the cities of Homer and Katchemak will be ensured a future source of drinking water. The Alaska Environmental Lobby--on behalf of 19 conservation groups statewide--is pleased to endorse HB 280.

Sincerely,

Scott Highleyman  
Executive Director

cc: Rep. Peter Goll

ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER, SIERRA CLUB • JUNEAU GROUP, SIERRA CLUB • SITKA GROUP SIERRA CLUB  
KNIK GROUP SIERRA CLUB • DENALI GROUP SIERRA CLUB • ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY  
DENALI CITIZENS' COUNCIL • ALASKA FRIENDS OF THE EARTH • JUNEAU AUDUBON SOCIETY • KACHEMAK BAY CONSERVATION SOCIETY  
KENAI PENINSULA AUDUBON SOCIETY • KODIAK AUDUBON SOCIETY • LYNN CANAL CONSERVATION • ALASKA WILDERNESS GUIDES ASSOCIATION  
SITKA CONSERVATION SOCIETY • NORTHERN ALASKA ENVIRONMENTAL CENTER • SOUTHEAST ALASKA CONSERVATION COUNCIL

HELP ESTABLISH THE ANCHOR RIVER/FRITZ CREEK  
CRITICAL HABITAT AREA

SUPPORT HB 280

The future of a healthy moose population on the lower Kenai Peninsula is being threatened. Moose in this region concentrate during the lean winter months in the lower segments of major river valleys and south-facing benchlands. These areas are unique in providing moose with the essentials for overwinter survival-- an abundant food supply in the form of willow browse, resting and hiding cover, and relief from deep snows. Unfortunately, most moose winter habitat on the lower Kenai Peninsula is privately owned and has been seriously diminished in quality and extent by a rapidly growing human population during the past two decades.

House Bill 280, introduced in the Alaska Legislature on March 13, 1985 by Representative Mike Navarre (D-Kenai) at the request of many Homer-area residents, would provide for the creation of the Anchor River and Fritz Creek Critical Habitat Area. This legislation needs your support.

Important Facts:

1. The winter period is the bottleneck in the moose's annual cycle. Reproductive success and population growth depend on overwinter survival.
2. Moose on the lower Kenai Peninsula are restricted during the winter period to less than 10% of the area that they occupy in summer and fall.
3. Virtually no moose overwinter on the Kenai National Wildlife Refuge south of Tustumena Lake.
4. Substantial amounts of residential and commercial development have already occurred on moose winter habitat at Coho Beach, lower Deep Creek/Niniichik River, lower Anchor River, and the Homer Bench.
5. The Anchor River is important spawning and rearing habitat for king salmon, coho salmon, steelhead/rainbow trout, and dolly varden.
6. The Anchor River/Fritz Creek area has been identified since the early 1970's as critical moose winter habitat. The effort to have it legislatively designated began several years ago.

- 1 Izembek State Game Refuge
- 2 Port Moller State Critical Habitat Area
- 3 Paul Helden State Critical Habitat Area
- 4 Corder River State Critical Habitat Area
- 5 Point Barrow State Critical Habitat Area
- 6 Egegik State Critical Habitat Area
- 7 Valdez Islands State Game Sanctuary
- 8 Cape Newenham State Game Refuge
- 9 McNeil River State Game Sanctuary
- 10 Kalgin Island State Critical Habitat Area
- 11 Trading Bay State Game Refuge
- 12 Susitna Flats State Game Refuge
- 13 Creamer's Field State Game Refuge
- 14 Palmer Hay Flats State Game Refuge
- 15 Goose Bay State Game Refuge
- 16 Potter Point State Game Refuge
- 17 Chan Gulch State Critical Habitat Area
- 18 Fox River Flats State Critical Habitat Area
- 19 Kachemak Bay State Critical Habitat Area
- 20 Copper River Delta State Critical Habitat Area
- 21 Chukot River State Critical Habitat Area
- 22 Mendenhall Wetlands State Game Refuge



State of Alaska  
Department of Fish and Game  
Habitat Division  
Box 32000, Juneau, Alaska 99802  
November 1983

Juneau headquarters — (907) 465-4107  
Southcentral regional office — (907) 344-0541  
Interior regional office — (907) 479-3104  
Southeastern regional office — (907) 465-4290

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ALASKA STATE ALASKA STATE

## REFUGES

ALASKA STATE ALASKA STATE

## CRITICAL HABITATS

ALASKA STATE ALASKA STATE

## SANCTUARIES

ALASKA STATE ALASKA STATE



The Alaska Legislature has protected portions of Alaska's outstanding natural habitat and associated fish and wildlife resources by establishing State Game Refuges, State Game Sanctuaries, and State Critical Habitat Areas. The statutes which authorize these special areas give the Alaska Department of Fish and Game authority to preserve and protect the unique aspects for which they were established.

STATE GAME REFUGES are established to make sure wildlife continue to populate specific areas and to insure the public continues to have use of these wildlife resources. These areas have fairly sizable concentrations, or many different types, of waterfowl, big game, shorebirds, or other species. One or more elements of habitat — such as food, vegetation, water, etc. — needed by this wildlife is present.

The Alaska Department of Fish and Game manages state game refuges by focusing on a featured wildlife species or group of species. This may mean rehabilitating or improving the habitat on which the wildlife depends. Uses of refuge lands are controlled to prevent habitat changes which would be harmful to the wildlife. Activities are also controlled to prevent disturbance of the wildlife itself. Human uses — including recreational pursuits and harvest of wildlife resources — are permitted so long as they are in keeping with the primary reason for establishing the refuge.



STATE GAME SANCTUARIES are also established to protect fish and wildlife and their natural habitats. The primary reason for setting aside lands as state game sanctuaries is to give asylum to important wildlife populations. The wildlife in these cases normally uses the land in somewhat exclusive ways. A sanctuary may provide the only place where a certain population carries out some part of its annual life cycle such as feeding, nesting, hauling out, or migration. (Sanctuaries are special areas set aside to protect featured wildlife populations.)

In managing sanctuaries, other uses of the land are closely controlled, or are prohibited, in order to prevent changes in the habitat or disturbance of the protected species. Use of the wildlife itself is also closely controlled.

STATE CRITICAL HABITAT AREAS are places where protective emphasis is on the environment in which wildlife occurs. Critical habitat areas may be complete biotic systems — identifiable environmental units that operate as self-sustaining systems — or well-defined areas specifically needed by wildlife for certain functions such as nesting or spawning.

Management by the Alaska Department of Fish and Game is aimed primarily at providing protection for the habitat. All uses of the land which are not compatible with that aim are restricted. In most instances, harvest of wildlife is not precluded in a critical habitat area.

State critical habitat areas are set aside to protect the land and resources necessary for certain species of wildlife.



*Anch. Daily News* Thurs. March 28, 1985

## Plan for creation of habitat area wins support of Homer council

By **RONNIE CHAPPELL**  
Daily News reporter

A plan to create a 19,000-acre wildlife habitat area on the southern Kenai Peninsula has won the support of the Homer city council.

On a unanimous vote, the council Monday enacted a resolution urging the legislature to approve a bill placing the state-owned acreage under the management of the Alaska Department of Fish and Game.

Creation of the critical habitat area would halt development of a major cattle export project in the Homer area. It contains a 3,000-acre grazing lease in the Fritz Creek drainage that Han-A Samick America Corp. says is crucial to its plans for the production and exportation of 10,000 head of beef cattle a year.

According to state biologists, the grazing lease is part of the last big tract of undeveloped winter moose range in the Homer area.

They warn that unless it and other important winter feeding areas are preserved, the number of moose on the southern Peninsula will decline dramatically.

"We need to preserve places for moose to live and for people to enjoy them," said Councilman John Calhoun. "With the continued development of rural subdivisions around the city, it is important to set aside a parcel of land that people can enjoy in its natural state."

The bill now pending before the legislature guarantees the city's right to dam

Fritz Creek and use the resulting reservoir as a municipal water supply.

Similar assurances were offered under other plans for disposal of the Fritz Creek acreage. But city officials were skeptical, Calhoun said, that water quality in the watershed could be protected if the lease was used for intense livestock production.

By endorsing creation of the critical habitat area, Calhoun said, he and other council members were "trying to represent the views of a majority" of people in the Hom-

er area.

More than 600 local residents have signed petitions endorsing the idea. Another 50 have written letters to lawmakers.

The bill protects the rights of inholders and gives the Kenai Peninsula Borough a say in the management of lands it nominates for inclusion in the habitat area. Hunting, trapping, skiing, hiking, camping and snowmachining would be allowed in the area, but residential and agricultural development would not.

••• PRESENTING •••

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# Moose winter food supply threatened

## Biologist, citizens' group want to establish Peninsula habitat area

By RONNIE CHAPPELL  
Daily News reporter

The continued destruction of critical winter feeding areas could decimate the moose population on the southern Kenai Peninsula, state biologists warn.

One of the biologists and a citizens' group want to set aside an area of the Peninsula to assure the moose have a sufficient winter food source.

Residential subdivisions and agricultural development are fast gobbling up the lowland, willow forests on which moose depend for winter browse. Once these feeding areas are destroyed they can never be replaced, said Dave Holderman of the Alaska Department of Fish and Game.

None of the winter feeding areas south of Tustumena Lake lies within the boundaries of the Kenai National Wildlife Refuge, Holderman said. Almost all are on private land "that is being developed at a pretty rapid pace."

This shrinking winter range now represents less than 10 percent of the acreage foraged by the giant ungu-

lates in the spring, summer and fall, Holderman said.

It also is the factor that will determine the size of the area's moose population in the future. If moose don't survive the winter, they can't reproduce in the spring, he said.

To prevent the complete destruction of the winter range, Holderman and an ad hoc citizens' committee from the Homer area have proposed creating a 19,000-acre critical habitat area that includes parts of the Anchor River and Fritz Creek drainages.

Population densities as high as 23 moose per square mile have been recorded in the area. All of the land is owned by the state.

"This is the last opportunity to set aside a big portion of public land for the benefit of the wildlife populations on the southern Peninsula," Holderman said.

If approved by the legislature, the habitat area would be managed by the state Department of Fish and Game. People could still hunt, fish, trap, hike, camp, ski and

snowmachine in the area, Holderman said, but residential and agricultural development would not be allowed.

The plan is a controversial one.

Many of the people who support it see it as a way to block the development of a major cattle export project in the Homer area. A similar tactic was used in the late 1970s to prevent oil exploration in Kachemak Bay.

According to Holderman, the critical habitat area was not conceived as a reaction to the cattle export venture. Work on the plan began in 1981, he said. "We were hoping to get a proposal to the 1985 legislature, which we have done. This other issue came up in the meantime."

The "other" issue is a 3,000-acre grazing lease in the Fritz Creek drainage that almost everybody wants.

The University of Alaska wants title to the land so that it can lease the property to Han-A Samick America Corp., a Korean firm, that says the land is crucial to its plans to raise and export 10,000 head of cattle a year.

The cities of Homer and Kachemak want the drainage preserved as a possible municipal water source. The Kenai Peninsula Borough and the Seldovia Native Association have expressed an interest in owning the land.

Fish and Game, Holderman and the citizens' committee would like to see the tract included in the proposed critical habitat area.

Earlier this month, the state decided to transfer ownership to the borough. But now borough officials say they don't want the land if its use is going to be limited by restrictions placed in the title. University officials say there's a good chance they will appeal the decision.

"It's unfortunate the timing has occurred like this," said homesteader Bob Moss who serves on the ad hoc task force. "No one on the committee has taken a stand, one way or the other."

Instead, he said, task force members oppose the destruction of irreplaceable moose habitat for the sake of a grazing operation that could take place on other state land.

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

POUCH M  
JUNEAU, ALASKA 99811  
PHONE: 907-465-2400

OFFICE OF THE COMMISSIONER

Division of Land and Water Management

July 26, 1985

The Honorable Arliss Sturgulewski  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Sturgulewski:

Following our discussion of today, I'm writing to provide a brief update on the department's actions regarding the proposed land transfer to the Kenai Peninsula Borough in the Anchor River/Fritz Creek Critical Habitat Area. As you know, that legislation, HB 280, allows for municipal land conveyances within the critical habitat.

I've enclosed a copy of Director Hawkin's July 16, 1985 decision on the appeal of the regional manager's decision to convey the land to the borough, in partial fulfillment of the borough's municipal entitlement. In short, the director has upheld the earlier decision. However, with the passage of legislation creating the critical habitat area, the department now proposes to convey the land to the borough subject to the provisions of the critical habitat legislation. Page seven of the enclosed decision explains further.

Please let me know if you have other questions.

Sincerely,



Michael E. Vediner  
Natural Resource Manager

Enclosure

cc: Commissioner Wunnicke  
Tom Hawkins, Director, DLWM

*copy sent to Joanne  
Mannick  
8/2/85  
(initials)*



Offered: 5/8/85  
Referred: Rules

Original sponsors: Navarre and Goll

1 IN THE HOUSE BY THE FINANCE COMMITTEE  
2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 280 (Finance)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Anchor River and Fritz Creek  
7 Critical Habitat Area."

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

9 \* Section 1. AS 16.20.230 is amended by adding a new paragraph to read:

10 (12) Anchor River and Fritz Creek: All state land and water  
11 contained in the following description:

12 (A) Township 4 South, Range 13 West, Seward Meridian

13 Section 25

14 Section 35

15 Section 36

16 (B) Township 5 South, Range 12 West, Seward Meridian

17 Sections 17 - 20

18 (C) Township 5 South, Range 13 West, Seward Meridian

19 Section 2

20 Section 3

21 Section 4: E 1/2

22 Section 8: S 1/2

23 Sections 9 - 11

24 Sections 13 - 20

25 Section 21: W 1/2

26 Section 24

27 (D) Township 5 South, Range 14 West, Seward Meridian

28 Section 13

29 Section 20: NE 1/4

P.7 - Deals w/ Anchor River &  
Fritz Creek Critical Habitat  
Area

OK MV  
see has p/s add to file

DIVISION OF LAND AND WATER MANAGEMENT  
DIRECTOR'S DECISION  
ADL 53853, 206347, 206348

Requested Action: On January 21, 1985 the Southcentral Regional Manager issued a decision to convey three parcels of state land near Homer to the University of Alaska and Kenai Peninsula Borough (See Attachment A). The university would receive the two smaller parcels (the 80 acre "Ohlson Mountain Parcel" and the 789 acre "Red Meat Center" parcel), and the Kenai Peninsula Borough would receive the 3,784 acre "Fritz Creek" parcel. A total of 32 appeals of this decision were received by the director, Division of Land and Water Management, from individuals and groups (See Attachment B). Because these appeals center around similar issues, they have been consolidated for purposes of this decision.

Legal Authority: AS 38.05.035(a) and (e), AS 38.05.810(a), and AS 29.18.201-.213, constitute the legal authority for this decision.

Administrative Record: Department of Natural Resources (DNR) casefiles ADL 53853 (lease to the University of Alaska under AS 38.05.810), ADL 206347 and ADL 206348 (Kenai Peninsula Borough selections under AS 29.18) constitute the administrative record used by the director as the basis for this decision. Other related casefiles are: ADL 203928, an application by the Cities of Homer and Kachemak for a dam site adjacent to the Fritz Creek parcel; right-of-way letter permit, ADL 200045; oil & gas lease, ADL 333075; two coal prospecting permit applications, ADL 68069 and 68070; timber sale ADL 217239; oil & gas lease, ADL 304972; and ADL 74466, land lease application.

Background: On February 1, 1972, the department issued a "public and charitable use" lease under AS 38.05.315(a) (now AS 38.05.810(a)) to the University of Alaska for development of a Kenai Peninsula Beef Research Center. The lease was issued for 55 years (expiring January 31, 2027) and is comprised of 5,052± acres, divided into three parcels: Ohlson Mountain (360± acres), Fritz Creek (3,903± acres), and the Red Meat Center (789± acres).

All land in the original Ohlson Mountain parcel and a portion of the Fritz Creek parcel was selected by the Kenai Peninsula Borough on September 17, 1971 (ADL 55745) as part of the borough's 155,780 acre municipal land entitlement (the borough's remaining land entitlement exceeds 56,000 acres). All but 80 acres (the remaining Ohlson Mountain parcel, S2SW4 of Section 27, T5S, R13W, S.M.) were approved for selection by the department on January 28, 1982. Approximately half of the approved land was conveyed to the borough on March 21, 1983. The affected portion of the university lease was also transferred to the borough. The Kenai Peninsula Borough selected the remainder of the Fritz Creek parcel on July 7, 1980 (ADL 206347 and ADL 206348).