

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

4999 HRES SB 55 - SB 67

57

The Honorable Jack Coghill

April 12, 1987

Page 2

- 3. Each acre we lock up before resource assessment further affects our ability to feed our families and adds to the cost of the Bureaucracy.*
- 4. ANWAR is a current example of the second class position our people are being put in, behind the environment.*

Thanks for your time.

Regards,

Bill

Bill Hagar

431 Gaffney Road

Fairbanks, Alaska 99701

BH/sh

encls

May 27, 1986

Dear Honorable Member of the Alaska Legislature:

We the undersigned users of the Minto Flats area, urge you to introduce the enclosed legislation to create the Minto Flats State Game Refuge.

The abundance of game and nongame fish and wildlife species in the Minto Flats area is widely recognized (e.g., moose, black bear, beaver, muskrat, river otter, wolf, red fox, waterfowl, northern pike, whitefish [including sheefish], and salmon). The Sport Fish Division of the Alaska Department of Fish and Game estimated that during 1984, 819 anglers spent 1829 days fishing the Minto Flats area and harvested over 2300 fish. The United States Fish and Wildlife Service has been conducting annual aerial waterfowl breeding population surveys in Alaska for 30 years; they state that "The Minto Flats area is one of the highest quality waterfowl nesting habitats on the North American continent." Minto flats is a very popular human use area for hunting, fishing, trapping and other outdoor uses. The Alaska Department of Fish and Game reports that during the 1984 waterfowl season 5,094 hunter days (6.7% of the total waterfowl hunter effort in the state) were expended hunting waterfowl in the Minto area. The estimated 1984 harvest in the Minto area was 11,685 ducks (11.5% of total state harvest) and 777 geese (5.1% of total state harvest).

It is our intent in proposing the creation of the Minto Flats State Game Refuge that the legislation 1) recognize the high value of fish and game and their habitat in the area; 2) guarantee the perpetuation of hunting, fishing, and trapping activities in accordance with harvest regulations as established by the Boards of Fisheries and Game; 3) guarantee historical and customary access to private lands; and 4) perpetuate nonconsumptive uses. It is our intent that the following human uses will continue without further agency authorization unless otherwise provided by law or found to be incompatible with the purpose for which the refuge is established:

- (1) Hiking and backpacking, horse and dog team travel, cross-country skiing, snowmachining, boating, landing of aircraft and camping (to include campfires);
- (2) hunting, fishing and trapping; and

Proposed Minto Flats
State Game Refuge

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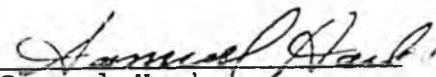
- (3) other related uses that are temporary in duration and have no foreseeable adverse effect on vegetation, drainage, soil stability, fish, game or their habitat.

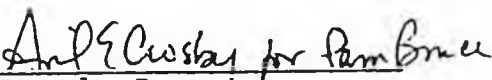
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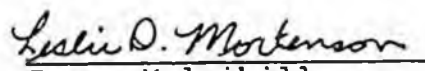
The Department of Fish and Game is to consult with adjacent communities and other interested parties in the preparation of the management plan for the Minto Flats State Game Refuge. It is our desire that the Department of Fish and Game be funded to initiate the management planning process immediately following the legislative designation of this important area.

It is also the objective of this group that this letter of intent be incorporated as part of the legislative record during the establishment of the Minto Flats State Game Refuge.

Sincerely,


vict
Samuel Harbo
President
Alaska Outdoor Council
P.O. Box 73478
Fairbanks, AK 99707

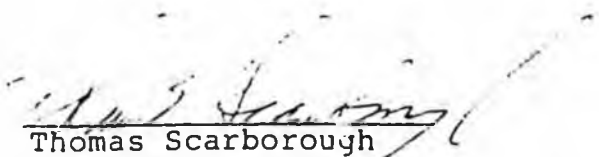

Pamela Bruce
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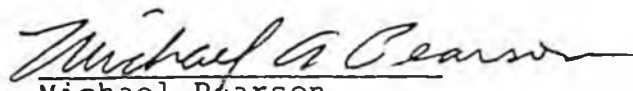

James Mulvihill
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Cleary Sky Sportsmen Club
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Proposed Minto Flats
State Game Refuge

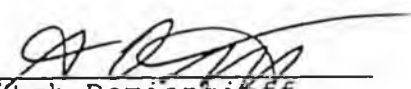
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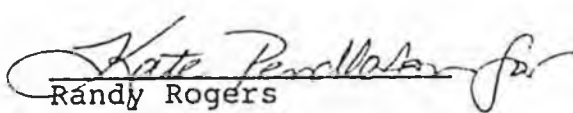
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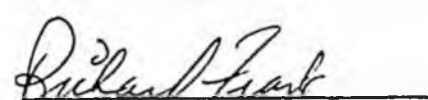

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Seth-de-ya-ah Corporation
Box 849
Fairbanks, AK 99707

Proposed Minto Flats
State Game Refuge

-4-

5/27/86

*Oliver Burris by Joe Nava, Chairman,
Minto Flats Refuge Committee*

Oliver Burris
President
Tanana Valley Sportsman Association
Fairbanks, AK 99701

Enclosure

5/27/86

IN THE LEGISLATURE OF THE STATE OF ALASKA
FIFTEENTH LEGISLATURE - FIRST SESSION
A BILL

For an Act entitled: "An Act creating the Minto Flats State Game Refuge."

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

* Section 1. AS 16.20 is amended by adding a new section AS 16.20.037, to read:

Section 16.20.037. Minto Flats State Game Refuge.
(a) All state-owned land and water contained in the following description is established as the Minto Flats State Game Refuge:

Township 1 N., Range 6 W., Fairbanks Meridian
Sections 2 - 11
Sections 14 - 23
Sections 26 - 34

Township 1 N., Range 7 W., Fairbanks Meridian
Sections 1 - 36 All

Township 1 N., Range 8 W., Fairbanks Meridian
Sections 1 - 16
Sections 21 - 28
Section 35: E $\frac{1}{2}$
Section 36

Township 1 N., Range 9 W., Fairbanks Meridian
Sections 1 - 12

Township 1 N., Range 10 W., Fairbanks Meridian
Sections 1 - 12

Township 1 N., Range 11 W., Fairbanks Meridian
Sections 1 - 4
Sections 8 - 17
Sections 20 - 29

Township 2 N., Range 6 W., Fairbanks Meridian
Sections 1 - 36 All

Township 2 N., Range 7 W., Fairbanks Meridian
Sections 1 - 36 All

Township 2 N., Range 8 W., Fairbanks Meridian
Sections 1 - 36 All

Township 2 N., Range 9 W., Fairbanks Meridian
Sections 1 - 36 All

Township 2 N., Range 10 W., Fairbanks Meridian
Section 3
Sections 8 - 10
Section 11: S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$
Section 12: S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$
Sections 13 - 36

Township 2 N., Range 11 W., Fairbanks Meridian
Sections 13-15
Sections 22-27
Sections 34-36

Township 3 N., Range 6 W., Fairbanks Meridian
Sections 13 - 36

Township 3 N., Range 7 W., Fairbanks Meridian
Sections 6 - 8
Section 9: S $\frac{1}{2}$ S $\frac{1}{2}$
Sections 13 - 36

Township 3 N., Range 8 W., Fairbanks Meridian
Section 1
Sections 5 - 10
Sections 14 - 23
Sections 25 - 36

Township 3 N., Range 9 W., Fairbanks Meridian
Section 24: S $\frac{1}{2}$
Section 25
Sections 33 - 36

Township 3 N., Range 10 W., Fairbanks Meridian
Sections 34 - 35

Township 4 N., Range 6 W., Fairbanks Meridian
Sections 2 - 9
Sections 16 - 21

Township 4 N., Range 7 W., Fairbanks Meridian
Sections 1 - 4
Section 5: S $\frac{1}{2}$
Section 6: S $\frac{1}{2}$
Sections 7 - 24
Sections 30 - 31

Township 4 N., Range 8 W., Fairbanks Meridian
Sections 10 - 15
Sections 22 - 27

Sections 30 - 31
Sections 35 - 36

Township 5 N., Range 5 W., Fairbanks Meridian
Section 6: W $\frac{1}{2}$
Section 7: W $\frac{1}{2}$
Section 18: W $\frac{1}{2}$

Township 5 N., Range 6 W., Fairbanks Meridian
Sections 1 - 3
Section 4: SE $\frac{1}{4}$
Section 9: E $\frac{1}{2}$
Sections 10 - 15
Section 16: E $\frac{1}{2}$, SW $\frac{1}{4}$
Section 20: S $\frac{1}{2}$
Sections 21 - 29
Sections 31 - 36

Township 5 N., Range 7 W., Fairbanks Meridian
Section 35: SE $\frac{1}{4}$
Section 36: S $\frac{1}{2}$

Township 1 S., Range 6 W., Fairbanks Meridian
Sections 5 - 8
Sections 17 - 20
Sections 29 - 31

Township 1 S., Range 7 W., Fairbanks Meridian
Sections 1 - 36 All

Township 1 S., Range 8 W., Fairbanks Meridian
Sections 1 - 2
Sections 11 - 14
Sections 23 - 26
Sections 35 - 36

Township 1 S., Range 9 W., Fairbanks Meridian
Sections 1 - 36 All

Township 1 S., Range 10 W., Fairbanks Meridian
Sections 7 - 36

Township 1 S., Range 11 W., Fairbanks Meridian
Sections 25 - 26
Sections 35 - 36

Township 2 S., Range 6 W., Fairbanks Meridian
Section 6: S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$
Section 7: All N. and W. of the Alaska
Railroad ROW
Section 18: All N. and W. of the Alaska

Railroad ROW
Section 19: All N. And W. of the Alaska
Railroad ROW

Township 2 S., Range 7 W., Fairbanks Meridian
Sections 1 - 12
Section 13: NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
Section 14: W $\frac{1}{4}$
Sections 15 - 22
Section 23: W $\frac{1}{4}$
Section 24: All N. and W. of the Alaska
Railroad ROW
Section 27: NW $\frac{1}{4}$
Section 28 - 32
Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$

Township 2 S., Range 8 W., Fairbanks Meridian
Section 1
Sections 12 - 13
Sections 24 - 25
Section 36

Township 2 S., Range 9 W., Fairbanks Meridian
Sections 1 - 12
Section 17: W $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 18
Section 19: N $\frac{1}{4}$, N $\frac{1}{4}$ S $\frac{1}{4}$

Township 2 S., Range 10 W., Fairbanks Meridian
Sections 1 - 20
Section 21: NE $\frac{1}{4}$, W $\frac{1}{4}$
Section 22: NW $\frac{1}{4}$
Section 24: N $\frac{1}{4}$, N $\frac{1}{4}$ S $\frac{1}{4}$
Sections 29 - 31

Township 2 S., Range 11 W., Fairbanks Meridian
Sections 1 - 5
Sections 7 - 36

Township 2 S., Range 12 W., Fairbanks Meridian
Sections 25 - 26
Sections 35 - 36

Township 3 S., Range 7 W., Fairbanks Meridian
Section 5: N $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$
Sections 6 - 7
Section 18: NE $\frac{1}{4}$, W $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 3 S., Range 8 W., Fairbanks Meridian
Section 1
Section 12

Section 13

Section 22: NE $\frac{1}{4}$ (That portion above the ordinary high water mark right bank Tanana River.)

Section 23: N $\frac{1}{2}$, SE $\frac{1}{4}$

Section 24: N $\frac{1}{2}$, SW $\frac{1}{4}$

Section 25: NW $\frac{1}{4}$

Township 3 S., Range 11 W., Fairbanks Meridian

Sections 2 - 10

Section 11: N $\frac{1}{2}$

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

Sections 15 - 21

Section 22: NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: NW $\frac{1}{4}$

Section 27: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Sections 28 - 31

Section 32: NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 33: W $\frac{1}{2}$

Township 3 S., Range 12 W., Fairbanks Meridian

Sections 1 - 2

Sections 11 - 14

Sections 23 - 26

Sections 35 - 36

- (b) The Minto Flats State Game Refuge is established to ensure the protection and enhancement of habitat and the conservation of fish and wildlife species dependent thereon; and to guarantee its continued use and enjoyment by the public for hunting, fishing, trapping and other uses compatible with the protection of habitat and the conservation of the fish and wildlife species.
- (c) Public access including, but not limited to, the use of horses, boats, aircraft, dog teams and snowmachines is guaranteed provided that such use is consistent with (b) of this section.
- (d) The state may not acquire by eminent domain privately-owned land within the state game refuge established by this Act but may acquire privately-owned land by purchase, exchange, or otherwise for inclusion in the Minto Flats State Game Refuge.
- (e) Egress and ingress to and from private property within the Minto Flats State Game

Refuge shall be guaranteed through access corridors established through agreement between the Department of Fish and Game and the private property owners involved.

- (f) The Minto Flats State Game Refuge will be managed in accordance with a management plan prepared by the Department of Fish and Game. The management plan will be prepared in a timely fashion in accordance with available funding.

* Section 2. All state-owned land and water within the state game refuge established by this Act are closed to mineral entry under AS 38.05.185 - 38.05.280.

* Section 3. This Act takes effect immediately in accordance with AS 01.10.070(c).

Senator Johne Binkley

Alaska State Senate
P.O. Box V • Juneau, Alaska 99811 • (907) 465-4985



FINANCE COMMITTEE
SENATOR JOHN BINKLEY

MEMORANDUM

April 30, 1987

TO: REPRESENTATIVE SAM COTTEN, CO-CHAIR
REPRESENTATIVE ADELHEID HERRMANN, CO-CHAIR
House Resources Committee

FROM: SENATOR JOHN BINKLEY, CO-CHAIR
Senate Finance Committee

Subj: CSSB 55(Res), "An Act relating to establishing the
Minto Flats State Game Refuge."

Minto Flats is located in interior Alaska, 35 air miles west of Fairbanks adjacent to the village of Minto and five miles north of Nenana. The Minto Flats area is primarily low-lying wetlands fed by the Tolovana, Chatanika, and Tatalina Rivers and Goldstream and Washington Creeks. The flats are drained by the Tanana River. The proposed refuge encompasses approximately 507,136 acres.

Minto Flats supports vast concentrations of waterfowl and fur-bearing animals, as well as productive fisheries and a variety of game. The U.S. Fish and Wildlife Service has reported that the Minto Flats area is one of the highest quality waterfowl nesting habitats on the North American continent. The Service estimates that Minto Flats produces 150,000 ducks annually, supporting breeding populations averaging 213 ducks per square mile.

The Minto Flats area is used year-round by residents of Minto and Nenana as primary subsistence hunting, fishing and trapping grounds. In addition, sportsmen from Fairbanks and other areas hunt, fish and trap extensively in the Minto Flats area.

Minto Flats is the third most popular duck hunting area in the state, logging over 5,000 hunter days with over 11,000 ducks and 700 geese taken annually. Minto Flats is also one of the most productive sports fisheries in the state; each year over 800 anglers spend 1,800 days fishing in the Minto Flats area harvesting over 2,300 fish. In addition, over 100 beavers are taken each year on Minto Flats. Land otter, lynx, wolverine, wolf, red fox, mink and muskrat are also regularly trapped on the flats.

Representative Sam Cotten
Representative Adelheid Herrmann
April 30, 1987
Page 2

The proposed legislation to establish the Minto Flats State Game Refuge has the endorsement of a wide range of user and interest groups throughout the region. Support for the bill comes from the Alaska Outdoor Council, Arctic Audubon, Cleary Sky Sportsmen Club, Fairbanks Fish and Game Advisory Committee, Healy/Clear Fish and Game Advisory Committee, Minto Native Council, Nenana Native Council, Northern Alaska Environmental Center, Seth-de-ya-ah Corporation (Fairbanks), Tanana Chiefs Conference, and the Tanana Valley Sportsman Association.

The bill to establish the Minto Flats State Game Refuge is in response to the findings of the Tanana Basin Area Plan. The Resources Committee Substitute for Senate Bill 55 accomplishes the following:

1. establishes Minto Flats State Game Refuge;
2. identifies the purpose for which the area is established;
3. ensures the protection and enhancement of fish and game and their habitat in the area;
4. ensures the conservation of fish and wildlife; and
5. guarantees the perpetuation of hunting, fishing, trapping, and other uses compatible with the protection of habitat and the conservation of fish and wildlife;
6. provides for acquisition of private property from willing owners;
7. guarantees continued access to private inholdings;
8. provides for the management of Minto Flats State Game Refuge including development of a management plan.

May 27, 1986

Dear Honorable Member of the Alaska Legislature:

We the undersigned users of the Minto Flats area, urge you to introduce the enclosed legislation to create the Minto Flats State Game Refuge.

The abundance of game and nongame fish and wildlife species in the Minto Flats area is widely recognized (e.g., moose, black bear, beaver, muskrat, river otter, wolf, red fox, waterfowl, northern pike, whitefish [including sheefish], and salmon). The Sport Fish Division of the Alaska Department of Fish and Game estimated that during 1984, 819 anglers spent 1829 days fishing the Minto Flats area and harvested over 2300 fish. The United States Fish and Wildlife Service has been conducting annual aerial waterfowl breeding population surveys in Alaska for 30 years; they state that "The Minto Flats area is one of the highest quality waterfowl nesting habitats on the North American continent." Minto flats is a very popular human use area for hunting, fishing, trapping and other outdoor uses. The Alaska Department of Fish and Game reports that during the 1984 waterfowl season 5,094 hunter days (6.7% of the total waterfowl hunter effort in the state) were expended hunting waterfowl in the Minto area. The estimated 1984 harvest in the Minto area was 11,685 ducks (11.5% of total state harvest) and 777 geese (5.1% of total state harvest).

It is our intent in proposing the creation of the Minto Flats State Game Refuge that the legislation 1) recognize the high value of fish and game and their habitat in the area; 2) guarantee the perpetuation of hunting, fishing, and trapping activities in accordance with harvest regulations as established by the Board of Fisheries and Game; 3) guarantee historical and customary access to private lands; and 4) perpetuate nonconsumptive uses. It is our intent that the following human uses will continue without further agency authorization unless otherwise provided by law or found to be incompatible with the purpose for which the refuge is established:

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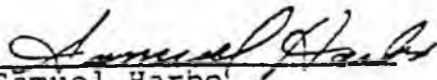
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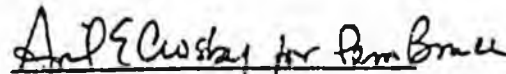
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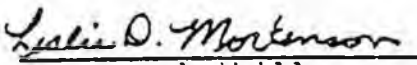
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Sincerely,


Samuel Harbo
Vice President
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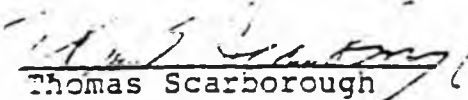

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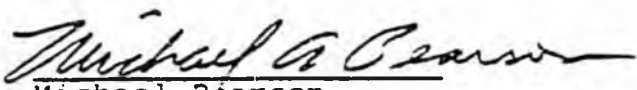

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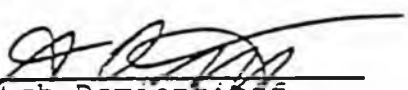
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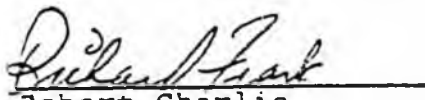

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Robert Charlie
Land Manager
Seth-de-ya-ah Corporation
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Proposed Minto Flats
State Game Refuge

-4-

5/27/86

Oliver Burris, Jr. News Chairman
Minto Flats Refuge Committee
Oliver Burris
President
Tanana Valley Sportsman Association
Fairbanks, AK 99701

Enclosure

Proposed Minto Flats State Game Refuge
Background Information

Location: Minto Flats is located in interior Alaska, 35 air miles west of Fairbanks adjacent to the village of Minto and five miles north of Nenana.

Area Description: Minto Flats is a large expanse of low-lying wetlands fed by the Tolovana, Chatanika, and Tatalina rivers and Goldstream and Washington creeks. The flats are dotted with numerous large and small lakes, oxbow lakes, and small potholes in addition to major and minor stream channels. Wetland bog vegetation is prevalent throughout, with shrub and tree cover found in elevated areas. The flats are drained by the Tanana River.

Justification: Minto Flats supports outstanding concentrations of waterfowl and furbearers, as well as productive fisheries and a diversity of game, both large and small. Minto Flats has been estimated to be one of the highest quality waterfowl habitats in Alaska and probably in all of North America. U.S. Fish and Wildlife Service data suggests that Minto Flats produces 150,000 or more ducks annually, supporting breeding populations averaging 213 ducks per square mile. Numerous lakes on the flats provide high density nesting habitat for trumpeter swans. The flats are also important nesting habitat for white-fronted geese, sandhill cranes, and loons, both common and arctic. In the fall, large numbers of tundra swans rest and feed on Minto Flats.

Minto Flats provides excellent habitat for a large beaver population. Healthy populations of river otter, lynx, wolverine, wolf, red fox, mink, and muskrat inhabit the flats. Even marten, normally a dry land dweller, have been common on the flats in recent years. At present, moose populations on the flats are very low and special management measures have had to be implemented. However, moose habitat potential on the flats is very good. The moose population appears to be increasing, and could conceivably reach a density of 2 moose/square mile.

Land Status: The proposed refuge encompasses approximately 792 square miles (507,136 acres) and is composed primarily of state and state-selected land. Within the refuge boundary, are isolated parcels of private land including several dozen certified and pending native allotments. One parcel of village land is also found within these boundaries. There are no mental health lands in the area.

State Game Refuge status would affect only state lands within the refuge boundaries.

Current Uses: The area is currently used year-round by Minto and Nenana villagers as their primary hunting, fishing and trapping grounds. It is also a popular hunting, fishing and trapping area for residents of Fairbanks and the surrounding area. Minto Flats is the third most popular duck hunting area in all of Alaska, logging over 5,000 hunter days with over 11,000 ducks and 700 geese taken every year. A handful of personal use and trapping cabin permits have been issued on Minto Flats. Over 100 beaver are taken each year on Minto Flats with recent historical catches as high as several hundred a year. Land otter, lynx, wolverine, wolf, red fox, mink, and muskrat are also regularly trapped on the flats. Minto Flats is easily accessible by floatplane or boat. Black bear hunting on the flats is popular during spring and summer. An average of 10 bears is taken annually.

The Minto Flats' sport fishery is one of the most productive in the state, especially for northern pike. Other important fish found on Minto Flats are sheefish, humpback whitefish, grayling, king salmon, silver salmon and chum salmon.

Public Access: Public access is gained via the villages of Minto and Nenana, from the Murphy Dome Road and by air. In the summer, boat and floatplane are the primary methods of access. In the winter, snowmachines and ski planes are used.

Other Natural Resources: The proposed Minto Flats State Game Refuge does not support any commercially viable stands of timber. There are no known coal deposits or valuable ore deposits within the area. There are no known oil or gas reserves. The area is not suitable for agriculture or grazing. It is not suitable for year-round settlement.

Area's History: Minto Flats has a continuous history of use as a productive hunting, fishing, and trapping grounds. Athabaskan Indian communities in Minto Flats predate historic contact (late 1800's) as evidenced by archeological materials uncovered from prehistoric sites on the flats. The Athabaskan community of Old Minto, in the central portion of the flats, was founded in 1915. The current site of New Minto was established in 1970 when most residents of Old Minto resettled on higher ground. An influx of people into the Fairbanks area in the early 1900's, spurred in part by gold discoveries in two tributaries of the Tolovana River, resulted in increased hunting, fishing, and trapping activity on the flats.

Sportsmen from Fairbanks began to build permanent recreational cabins, largely in the Big Minto Lake area, in the late 1940's and early 1950's. Use of the flats increased slowly before statehood, moderately in the 1960's and rapidly after 1970. Population growth of the Fairbanks area combined with improved access to Minto Flats fueled the impressive increase in activity. By 1970, the road to New Minto had been built, providing a new launch access for boats. More private float-planes also increased the number of people with access to the flats. Construction of a road from Murphy Dome to the Chatanika River in 1982 provided more access to the Chatanika River and Minto Flats by boat and by snowmachine.

Threats: Hydraulic gold mining activity in the Chatanika River drainage and Goldstream Creek from the early 1920's to 1963, dumped an estimated 100 million cubic yards of hydraulic muck (overburden) onto Minto Flats, altering hydrology, vegetation, habitat, and drainage patterns on the flats. More recently, over a dozen placer mines have operated in the Minto Flats watershed in the Chatanika and Tolovana rivers and Goldstream Creek. Although of much less impact than the earlier hydraulic mining activity, two of these placer mines did not meet EPA standards for settleable solids in 1984. No mining activity is currently occurring on the flats.

The potential for additional settlement in the area is raised by the current discussion at DNR regarding remote cabin permits in the nearby Tanana Valley State Forest.

Support and Opposition: An impressive coalition of sports hunting and fishing groups, environmental groups, fish and game advisory committees, and native community groups have joined forces to propose this refuge. The coalition, composed of the Alaska Outdoor Council, Arctic Audubon, Clear Sky Sportsmen Club, Fairbanks Fish and Game Advisory Committee, Healy/Clear Fish and Game Advisory Committee, Minto Native Council, Nenana Native Council, Northern Alaska Environmental Center, Seth-de-ya-ah Corporation, and Tanana Valley Sportsmen Association have sent a letter and draft legislation to their legislators urging creation of the Minto Flats State Game Refuge.

The Department of Natural Resources has endorsed creation of the Minto Flats State Game Refuge in the Tanana Basin Area Plan, although a smaller acreage was indicated. Additional lands proposed for refuge status by the coalition were classified Wildlife Habitat in the Tanana Basin Area Plan.

Some members of the Alaska Miners Association have recently voiced some concerns regarding closure of the proposed refuge to mineral entry.

Information taken primarily from Impacts of Resource Development and Use on the Athabaskan People of Minto Flats, Alaska, Peter E.K. Shepherd and Marguerite Paine Matthews, August 1985.

10/85

WHAT IS A STATE GAME REFUGE?

State game refuges are multiple use areas established by the legislature for the protection of productive fish and wildlife habitats and for the public's use and enjoyment.

Alaska Statute 16.20.020 states, "The purpose (of establishing state game refuges) is to protect and preserve the natural habitat and game population in certain designated areas of the state."

State game refuges have a history that is old as the State of Alaska itself. In 1960 the first two state game refuges, Izembek and Chagvan Bay (Cape Newenham), were set aside for waterfowl and shorebirds. Over the years, as one or another outstanding area came to the attention of Alaskans and their legislators, other state game refuges were established.

Protection of fish and wildlife and their habitats and maintenance of public use is the primary focus of the Department of Fish and Game's game refuge management program. Activities which are encouraged and do not require a refuge permit include hunting, fishing, trapping, public access, recreational activities (hiking, skiing, horseback riding, dog team travel, camping, mountain climbing, etc.), boating, berry picking, firewood gathering (dead and down timber) and many others. Other land use activities are

allowed in a manner compatible with those primary values. These other activities which may impact primary uses are authorized through a special area permit system administered by the Habitat Division, Alaska Department of Fish and Game.

Multiple uses which pre-date creation of the refuge and multiple uses which fulfill important public needs for which there is no feasible alternative site are permitted on the refuge. But they must be conducted in a manner compatible with the fish and wildlife values and public use for which the area was established.

Why is it important to establish this area as a state game refuge? Each year the status of state lands changes dramatically. Some lands are sold; some lands are leased for development. Creating a state game refuge guarantees that the land will remain in public ownership and will be managed to maintain fish and wildlife populations.

Behind each one of our state game refuges are citizens who enjoy using the area and who helped to get the area designated a state game refuge. As the years go by many things will change, but through the foresight of Alaskans and their Legislature, state game refuges will always remain for the wildlife, for the fish, and for the people to enjoy.

<u>REFUGE</u>	<u>ACTIVITY</u>	<u>DECISION</u>
Palmer Hay Flats	Personal Use Cabins (3)	Approved
Palmer Hay Flats	Pipeline Survey	Approved
Palmer Hay Flats	Natural Gas Pipeline	Approved
Palmer Hay Flats	Grazing Lease	Denied
Palmer Hay Flats	Gravel Fill and Bridge	Approved
Trading Bay	Personal Use Cabins (19)	Approved
Trading Bay	Negotiated Lease (Set Net Cabin)	Approved
Susitna Flats	Personal Use Cabin (111)	Approved
Susitna Flats	Gravel Mining	Approved
Susitna Flats	Negotiated Lease (3 Commercial Cabins)	Approved
Susitna Flats	Negotiated Lease (Set Net Cabin)	Approved

<u>REFUGE</u>	<u>ACTIVITY</u>	<u>DECISION</u>
Susitna Flats	Insect poisoning removal	Approved
Susitna Flats	Seismic Exploration	Approved
Susitna Flats	Negotiated Lease (Set Net Cabin)	Approved
Susitna Flats	Negotiated Lease (6 Commercial Cabins)	Approved
Susitna Flats	Gravel Mining	Approved
Susitna Flats	Transmission Line Upgrade	Approved
Susitna Flats	Bridge Repair/Log Jam Removal	Approved
Susitna Flats	Fisheries Research Station	Approved
Susitna Flats	Gas Wells/Pipeline	Approved
Susitna Flats	Gravel Extraction	Approved
Susitna Flats	Gravel Extraction	Denied

<u>PROJECT</u>	<u>ACTIVITY</u>	<u>DECISION</u>
Susitna Flats	Pipeline Survey	Approved
Susitna Flats	Road Upgrade	Approved
Susitna Flats	Natural Gas Pipeline	Approved
Susitna Flats	Motorized Vehicle Use	Approved
Susitna Flats	Barge Landing	Approved
Susitna Flats	Storage Yard	Approved
Susitna Flats	Hydrological Research	Approved
Susitna Flats	Winter/Ice Road	Approved
Susitna Flats	Survey/Brush Clearing	Approved
Susitna Flats	Material Extraction	Denied
Susitna Flats	Transmission Line	Approved
Goose Bay	Leach Field Construction	Approved
Goose Bay	Seismic Exploration	Approved

<u>REFUGE</u>	<u>ACTIVITY</u>	<u>DECISION</u>
Goose Bay	Road and Utility Corridor Construction	Approved
Potter Point	Erosion Control Outfall Stilling Basin	Approved
Potter Point	Roadway/Parking Area	Approved
Isambek	Gravity Survey	Approved
Mendenhall Wetlands	Buried Sewer Outfall Line	Approved
Mendenhall Wetlands	Airport Maintenance	Approved
Mendenhall Wetlands	Salmon Rearing Pens	Approved
Mendenhall Wetlands	Stream Channel Alternation	Denied
Mendenhall Wetlands	Log Transfer and Storage	Approved



Minto Village Council

Minto, Alaska 99758

(907) 798-8607

7112

December 3, 1986



Mr. John Birkley
Senator, Alaska Legislature
P.O. Box 1065
Bethel, AK 99559

Dear Mr. Birkley:

Congratulations on your bid for the Alaska state legislature.

The Minto Village Council is working on putting the Minto Flats into a state refuge. The Minto Village Council doesn't agree with the boundaries as they are now. We want the refuge to go all the way to the river banks of the Tanana River. We would like both sides of the river bank to be included in the refuge.

We took this concern to the people of Minto at a general meeting on November 13, 1986, and they were also concerned about banks of the Tanana River. Our concern is for the future disposals of lands along the river and commercial development along the banks.

The refuge is for a wildlife habitat, and preservation of the animals and their habitat. We would appreciate your support in our efforts. The Minto Flats are of great concern to each resident of Minto.

Sincerely,

Philip Titus

Philip Titus, Member
Minto Village Council
P.O. Box 26
Minto, AK 99758

BT/nc

Enclosure



FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: ADF&G
 Title: Minto Flats State Game Refuge BRU: Habitat
 Sponsor: _____ Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES			60,000			
TRAVEL			5,000			
CONTRACTUAL			8,000			
SUPPLIES			2,000			
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING			75,000*			

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND			75,000			
FEDERAL FUNDS						
OTHER						
TOTAL			75,000			

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Bruce H. Baker Phone: 465-4105
 Division: HABITAT Date: 2/2/88
 Approved by Commissioner: Donnell Smith Date: 2-2-88
 Agency: ADF&G

Distribution (by preparer): *Amount required if two plans are prepared concurrently.
 Legislative Finance if existing schedule of one plan per year is adhered to,
 Legislative Sponsor the operating budget would be adequate and this fiscal
 Requestor note would not be necessary.
 Office of Management and Budget
 Impacted Agency(ies)

Minto Flats State Game Refuge Plan (would take one year to complete and would require the following expenses)

Personnel

Habitat Biologist	(18C)	10 mos.	4500/mo.	45,000
Game/Fish Biol.	(16C)	3 mos.	4000/mo.	12,000
Drafting Tech.	(14D)	1 mo.	3500/mo.	3,500
Clerk Typist	(8A)	1 mo.	2300/mo.	2,300
				<u>\$62,800</u>

Travel

One two-day trip to Fairbanks and one two-day trip to Fairbanks for 2 people

2,000

Contractual

telephone	900
photocopy	120
public notices	1,000
aerial photography	700
printing/photography/blueprinting	5,000
	<u>7,720</u>

Supplies 2,000

TOTAL \$74,520

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSSB 55 (Res)
PUBLISH DATE: 4/14/87

FISCAL NOTE

REQUEST:

Revision Date: Senate Res
Title: Ninto Flats Refuge
Sponsor: Binklev/Kertulla
Requestor: Senate Res. Comm.

Agency Affected: DNR
BRU: Div. Land and Water Mgt.
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Janet Burleson Phone: 465-3400
Division: Land and Water Management Date: 2/1/83

Approved by Commissioner: *Janet Burleson* Date: _____
Agency: _____

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

January 1988

ALASKA DEPARTMENT OF FISH AND GAME
SPECIAL AREA PLANNING SCHEDULE

State FY88-FY89

Anchor R./Fritz Cr. Critical Habitat Area Management Plan
November 1987-November 1988

State FY89-FY90

Mendenhall Wetlands State Game Refuge Management Plan
November 1988-November 1989

State FY90-FY91

*Anchorage Coastal Wildlife Refuge Management Plan
November 1989-November 1990

State FY91-FY92

*Minto Flats State Game Refuge Management Plan
November 1990-November 1991

*Depending upon legislative designation.

July 1, 1985

Special Area Plans
Proposed Order of Priority

<u>TOP</u> <u>PRIORITY</u>	
	Anchorage Coastal Wildlife Refuge* Palmer Hay Flats State Game Refuge Susitna Flats State Game Refuge
2nd Priority Group	Mendenhall State Game Refuge Katchemak Bay State Critical Habitat Area Anchor River/Fritz Creek Critical Habitat Area** Trading Bay State Game Refuge Fox River Flats State Critical Habitat Area Copper River Delta State Critical Habitat Area Clam Gulch State Critical Habitat Area Goose Bay State Game Refuge
3rd Priority Group	Port Moller State Critical Habitat Area Port Heiden State Critical Habitat Area Egegik State Critical Habitat Area Pilot Point State Critical Habitat Area Cinder River State Critical Habitat Area Izembek State Game Refuge
4th Priority Group	Walrus Island State Game Refuge Cape Newenham State Game Refuge McNeil River State Game Sanctuary Kalgin Island State Critical Habitat Area
5th Priority Group	Chilkat River State Critical Habitat Area Creamer's Field Migratory Waterfowl Refuge

- * First priority after legislative passage
** To be completed by 1989 as per legislative mandate

SPECIAL AREAS PLAN PRIORITY CRITERIA

The order in which special area plans are undertaken is determined, in part, by the following considerations:

1. Statutory mandate to prepare plan.
2. Statutory due date to prepare plan.
3. Proximity to major population centers/level of public use.
4. Presence of major land use issues in need of resolution.
5. Local interest in preparation of a plan.

ALASKA STATE ALASKA STATE

REFUGES

ALASKA STATE ALASKA STATE

CRITICAL HABITATS

ALASKA STATE ALASKA STATE

SANCTUARIES

ALASKA STATE ALASKA STATE

1. Izembek State Game Refuge
2. Port Moller State Critical Habitat Area
3. Port Heiden State Critical Habitat Area
4. Cinder River State Critical Habitat Area
5. Pilot Point State Critical Habitat Area
6. Egegik State Critical Habitat Area
7. Walrus 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. Clam 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. Chilkat River State Critical Habitat Area
22. Menoenhall Wetlands State Game Refuge



State of Alaska
 Department of Fish and Game
 Habitat Division
 Box 3-2000, 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

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.

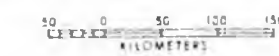
STATE CRITICAL HABITAT AREAS are places where protective emphasis is on the environment in which wildlife occurs. Critical habitat areas may be complete biotic systems — identifiable environmental units that operate as self-sustaining systems — or well-defined areas specifically needed by wildlife for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

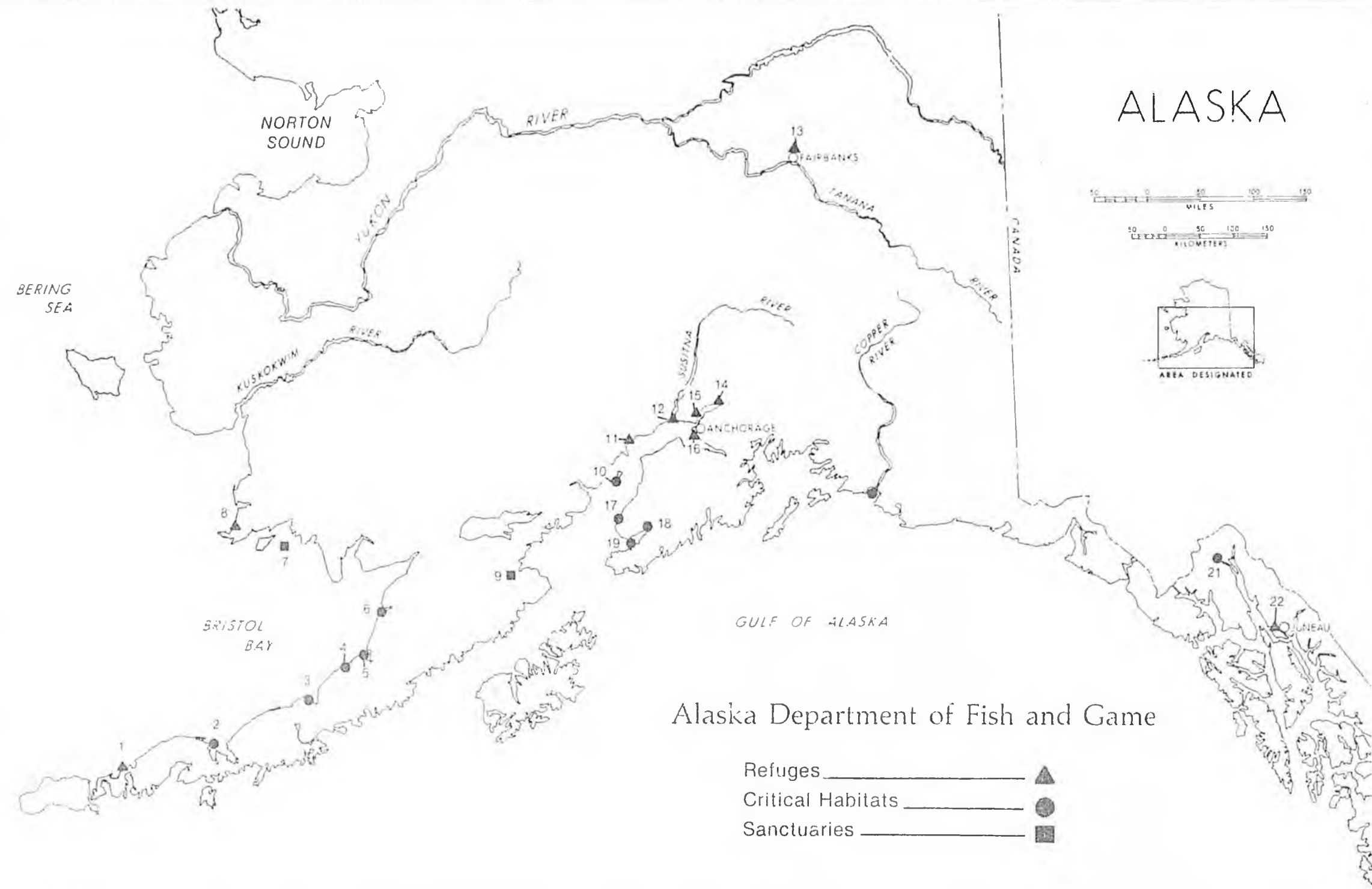
State critical habitat areas are set aside to protect the land and resources necessary for certain species of wildlife.



ALASKA



- 1 Izembek
- 2 Port Moller
- 3 Port Heiden
- 4 Cinder River
- 5 Pilot Point
- 6 Egegik
- 7 Walrus Islands
- 8 Cape Newenham
- 9 McNeil River
- 10 Kalgin Island
- 11 Trading Bay
- 12 Susitna Flats
- 13 Creamer's Field
- 14 Palmer Hay Flats
- 15 Goose Bay
- 16 Potter Point
- 17 Clam Gulch
- 18 Fox River Flats
- 19 Kachemak Bay
- 20 Copper River Delta
- 21 Chilkat River
- 22 Mendenhall Wetlands



Alaska Department of Fish and Game

- Refuges _____ ▲
- Critical Habitats _____ ●
- Sanctuaries _____ ■

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: ADFGG
Title: Minto Flats State Game Refuge BRU: Habitat
Sponsor: _____ Components: _____
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES			50,000			
TRAVEL			5,000			
CONTRACTUAL			3,000			
SUPPLIES			2,000			
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING			75,000			

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND			75,000			
FEDERAL FUNDS						
OTHER						
TOTAL			75,000			

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Bruce H. Miller Phone: 225-4105
Division: Habitat Date: 2/2/88
Approved by Commissioner: Paul R. Williams Date: 2-2-88
Agency: ADFGG

Distribution (by preparer): *Amount required if two plans are prepared concurrently.
Legislative Finance if existing schedule of one plan per year is adhered to,
Legislative Sponsor the operating budget would be adequate and this fiscal
Requestor note would not be necessary.
Office of Management and Budget
Impacted Agency(ies)

Minto Flats State Game Refuge Plan (would take one year to complete and would require the following expenses)

Personnel

Habitat Biologist	(18C)	10 mos.	4500/mo.	45,000
Game/Fish Biol.	(16C)	3 mos.	4000/mo.	12,000
Drafting Tech.	(14D)	1 mo.	3500/mo.	3,500
Clerk Typist	(8A)	1 mo.	2300/mo.	2,300
				<u>\$62,800</u>

Travel

One two-day trip to Fairbanks and one two-day trip to Fairbanks for 2 people

2,000

Contractual

telephone	900
photocopy	120
public notices	1,000
aerial photography	700
printing/photography/blueprinting	<u>5,000</u>
	7,720

Supplies 2,000

TOTAL \$74,520

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version : CSSB 55
Publish Date : _____

REQUEST: _____

Revision Date: _____
Title: Minto Flats State Game Refuge

Agency Affected: Dept. of Fish and Game
BRU: Habitat Division

Sponsor: _____
Requestor: _____

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES				60,000		
TRAVEL				5,000		
CONTRACTUAL				8,000		
SUPPLIES				2,000		
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING				75,000*		
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND				75,000		
FEDERAL FUNDS						
OTHER						
TOTAL				75,000		

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Preparation of the Minto Flats State Game Refuge Management Plan.

Prepared by: Bruce Baker, Acting Director
Division: Habitat Division

Phone: 465-4105
Date: 5/5/87

Approved by Commissioner: Don Collinsworth
Agency: Department of Fish and Game

Date: 5.6.87

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)
 Senate Secretary

*Amount required only if the plans are prepared concurrently in FY90-FY91. If the existing schedule of one plan per year is adhered to, the operating budget would be adequate and this fiscal note would not be necessary.

May 1987

SB55 Fiscal Note
Summary of Personal Services Costs

<u>Job Class</u>	<u>Location</u>	<u>Months</u>	<u>Cost</u>
Habitat Biologist III*	Anchorage	6	31.0
Habitat Biologist III	Division-wide	3	12.0
Clerk Typist III	Anchorage	3	7.0
Drafting Technician III	Anchorage	3	10.0
		TOTAL:	60.0

*Project Manager

May 1987

ALASKA DEPARTMENT OF FISH AND GAME SPECIAL AREA PLANNING SCHEDULE

(DRAFT)

State FY87

Palmer Hay Flats State Game Refuge Management Plan.
1985 - November 1986.

State FY87 - FY88

Susitna Flats State Game Refuge Management Plan.
November 1986 - November 1987.

State FY88 - FY89

Anchor River/Fritz Creek Critical Habitat Area Management Plan.
November 1987 - November 1988.

State FY89 - FY90

*Anchorage Coastal Wildlife Refuge Management Plan.
November 1988 - November 1989.

State FY90 - FY91

Mendenhall Wetlands State Game Refuge Management Plan. or
*Minto Flats State Game Refuge Management Plan.
November 1989 - November 1990.

*Depending upon legislative designation.

July 1, 1985

Special Area Plans
Proposed Order of Priority

TOP
PRIORITY

Anchorage Coastal Wildlife Refuge*
Palmer Hay Flats State Game Refuge
Susitna Flats State Game Refuge

2nd
Priority
Group

Mendenhall State Game Refuge
Kachemak Bay State Critical Habitat Area
Anchor River/Fritz Creek Critical Habitat Area**
Trading Bay State Game Refuge
Fox River Flats State Critical Habitat Area
Copper River Delta State Critical Habitat Area
Clam Gulch State Critical Habitat Area
Goose Bay State Game Refuge

3rd
Priority
Priority

Port Moller State Critical Habitat Area
Port Heiden State Critical Habitat Area
Egegik State Critical Habitat Area
Pilot Point State Critical Habitat Area
Cinder River State Critical Habitat Area
Izembek State Game Refuge

4th
Priority
Group

Walrus Island State Game Refuge
Cape Newenham State Game Refuge
McNeil River State Game Sanctuary
Kalgin Island State Critical Habitat Area

5th
Priority
Group

Chilkat River State Critical Habitat Area
Creamer's Field Migratory Waterfowl Refuge

* First priority after legislative passage

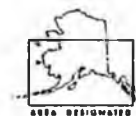
** To be completed by 1989 as per legislative mandate

May 1987

SUSITNA FLATS STATE GAME REFUGE
MANAGEMENT PLAN COMPLETION SCHEDULE

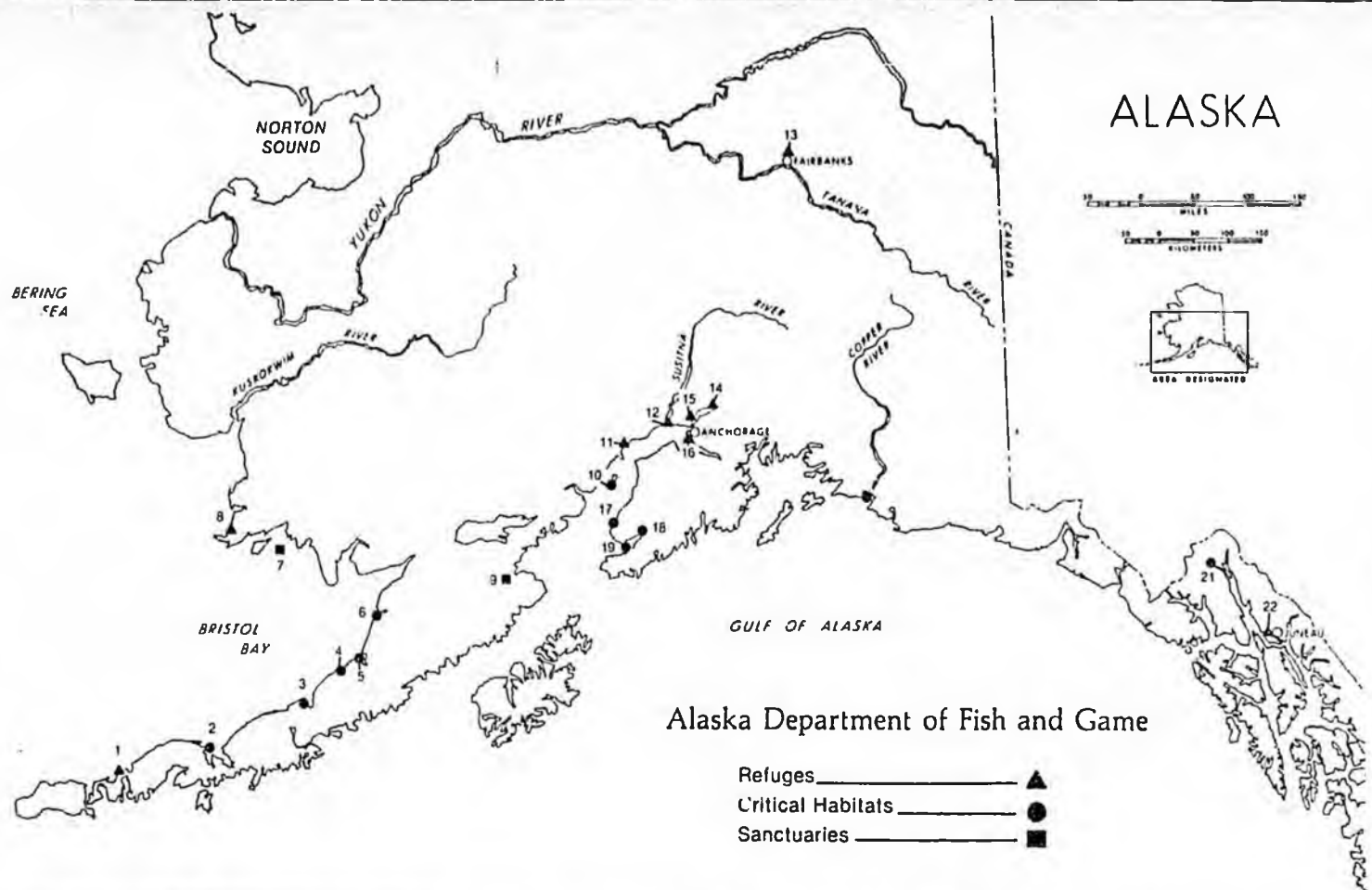
May - June	Interagency planning team prepares draft refuge management plan.
July - August	Public reviews draft refuge management plan. Public hearings are held.
September - October	Staff summarizes public review and interagency planning team finalizes the refuge management plan.
November - December	Department of Fish and Game implements the Susitna Flats State Game Refuge Management Plan.

ALASKA



AREA DESIGNATED

1. Izembok
2. Port Moller
3. Port Heldon
4. Cinder River
5. Pilot Point
6. Egegik
7. Walrus Islands
8. Cape Newenham
9. McNeil River
10. Kalgin Island
11. Trading Bay
12. Susitna Flats
13. Creamer's Field
14. Palmer Hay Flats
15. Goose Bay
16. Potter Point
17. Clam Guich
18. Fox River Flats
19. Kachemak Bay
20. Copper River Delta
21. Chilkat River
22. Mendenhall Wetlands



- 1 Izembek State Game Refuge
- 2 Port Moller State Critical Habitat Area
- 3 Port Heiden State Critical Habitat Area
- 4 Corder River State Critical Habitat Area
- 5 Pilot Point State Critical Habitat Area
- 6 Egegik State Critical Habitat Area
- 7 Walrus Islands State Game Sanctuary
- 8 Cape Newenham State Game Refuge
- 9 McNeil River State Game Sanctuary
- 10 Kainig 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 Clam 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 3-2000, 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

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.



S B

G 2

HOUSE COMMITTEE REPORT

(9)

Date referred: 5/11/87

FURTHER REFERRALS:

3/15
Finance

DATE: 5/15/87
CSSB 62(Rls)

The Resources Committee has considered

"An Act relating to public access to recreation areas; and providing for an effective date"

RECOMMENDS:

- replace with HCS ~~246~~ CSSB 62 (Res)
- attached amendment(s)
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

- the same title
- a new title

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact
- zero fiscal note
- zero with analysis
- same as previous fiscal note published _____
- same as previous zero fiscal note published _____

SIGNING DO PASS:

Adelheid Herrmann
Heinrich Springer
Lynne Hoff
Cliff Davidson
Paul Stultz

SIGNING OTHER RECOMMENDATIONS:

Adelheid Herrmann
 CO- Chairman's signature

Alaska State Legislature



SENATOR
ARLISS STURGULEWSKI

Chairman, Senate Community and Regional Affairs Committee
Vice-Chairman, Senate Judiciary Committee
Member, Senate Resources Committee

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

Write in Juneau
P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

MEMORANDUM

May 14, 1987

TO: All Members
House Resources Committee

FROM: Senator Arliss Sturgulewski *(Signature)*
Senate District F

RE: CSSB 62(Rules) - Public Access to Recreational Areas

Senate Bill 62 is designed to help solve the problem of lack of access to Alaska's rivers, streams, and salt water. The bill has zero fiscal notes and I am not aware of any opposition.

The findings in the bill emphasize that access to state waters for fishing, hunting, guiding, boating, lodge operation, and other recreational uses is very important to the economy of the state.

Public access to state waters is critical to the interrelated recreation, tourism, guiding and lodge industries. Recreational use of our state waters is also extremely important to the people of the state.

Many of the state's most popular freshwater and marine fisheries are severely overcrowded. Increasing the ease of access, which this bill is designed to do, will increase people's enjoyment, be beneficial to the economy, and reduce overcrowding of some of Alaska's most popular fishing areas.

Attached is a copy of a sectional analysis of the bill. I also feel it is important to point out what the bill does not do.

This bill does not affect private property, there is no eminent domain section in the bill.

The bill does not lock up state land.

The bill does not require appropriations from the legislature.

It does not have any constitutional problems regarding dedicated funds or anything else.

According to the Department of Natural Resources (DNR) and Legal Services, nothing in the bill in any way diminishes the ability of DNR to trade land for other purposes.

What the bill does is - help solve the problem of lack of access to Alaska's rivers, streams, and salt water.

The bill has the support of and zero fiscal notes from the Departments of Fish and Game and Natural Resources. It is a priority of the Alaska Outdoor Council and the Alaska Sportfishing Association, and is endorsed by the National Rifle Association.

Representatives of the Alaska Miners Association, the Resource Development Council, and the Alaska Environmental Lobby have gone on the record in support of the bill.

Enclosure

SECTIONAL ANALYSIS
CSSB 62(Rules)

Section 1 of the bill is findings and intent.

Subsection 1(a) emphasizes the importance of access to the state's waters, both fresh and marine.

Subsection 1(b) states the intent of the legislature to encourage state programs to develop access to additional waters near state's major population areas.

This subsection does not preclude access projects in rural areas, if supported by local residents, but it focuses on projects near urban areas. This is because the greatest need is near urban areas and residents in some rural areas may have some misgivings regarding access areas.

Section 2 amends AS 38.05.127 ACCESS TO NAVIGABLE OR PUBLIC WATERS, by adding two new subsections.

Subsection 2(f) requires that rights-of-way on easements established by existing law to public waterways be established approximately once each mile unless the commissioner makes a written finding that regulating or limiting access is necessary for other beneficial uses on public purposes.

Subsection 2(g) clarifies that "creating access to waters of the state with high value for recreational uses" is a reason for which DNR is permitted to enter into land trades.

Section 3 creates a public access fund. This fund is to be used to develop access, including the purchase and lease of land, easements, and rights-of-way to enhance public access to recreation areas.

Subsection 3(a) creates the fund. The fund consists of contributions from individuals and corporations. The legislature may also appropriate to the fund. The fund is invested by the commissioner of the Department of Revenue.

Subsection 3(b) specifies that the commissioner of DNR, in concurrence with the commissioner of Fish and Game, shall administer the fund.

Subsection 3(c) vests title to rights of public access to recreational areas obtained by the commissioner in the state and mandates a clause requiring the land be used for public access. If the land ceases to be used for access, the state shall either (1) pay the fund the assessed value of the land at that time; or (2) if the land was purchased with federal Wallop-Breaux funds (16 U.S.C. 777-777K Sport Fish Restoration Act), reimburse the federal government.

Subsection 3(d) requires that expenditure of Wallop-Breaux funds under this section is subject to the approval of the commissioner of Fish and Game.

This is a federal requirement. This subsection also requires that approximately 20 percent of Wallop-Breaux funds be used to develop access.

Subsection 3(e) specifies the legislature may appropriate to the public access fund.

Subsection 3(f) gives the commissioner of DNR authority to adopt necessary regulations.

Section 4 is an immediate effective date change.

Original sponsors: Sturgulewski, Kerttula,
Szymanski and Fischer

1 IN THE SENATE

BY THE RULES COMMITTEE

2

CS FOR SENATE BILL NO. 62 (Rules)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to public access to recreation
7 areas; and providing for an effective date."

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

9 * Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature
10 finds that access to state waters for fishing, hunting, guiding, boating,
11 lodge operation and other recreational uses is very important to the econo-
12 my of the state. State waters, and public access to those waters, is
13 critical to the interrelated recreation, tourism, guiding and lodge indus-
14 tries. These industries support a large number of small, resident Alaska
15 businesses. Recreational use of state waters is also extremely important
16 to the people of the state. The legislature further finds that many of the
17 state's popular freshwater and marine fisheries are severely overcrowded
18 and that increasing the ease of access to additional waters suitable for
19 recreational uses would enhance the enjoyment by the people, would be
20 beneficial to the economy, and would reduce the overcrowding on the already
21 popular waters.

22 (b) It is the intent of the legislature to encourage state programs
23 to develop access to additional waters of the state near the state's major
24 population areas.

25 * Sec. 2. AS 38.05.127 is amended by adding new subsections to read:

26 (f) Rights-of-way or easements to waterways established under
27 (a)(2) of this section shall be established approximately once each
28 mile unless the commissioner makes a written finding that regulating
29 or limiting access is necessary for other beneficial uses or public

1 purposes.

2 (g) The commissioner may exchange land under AS 38.50 to create
3 access to public water of the state.

4 * Sec. 3. AS 38.05 is amended by adding a new section to read:

5 Sec. 38.05.874. PUBLIC ACCESS FUND CREATED. (a) The public
6 access fund is established as a special account in the general fund
7 and funds may be deposited into the special account and withdrawn from
8 it as provided in this section. The fund consists of money and inter-
9 est derived under this subsection and contributions from individuals
10 and corporations. The fund shall be invested by the commissioner of
11 revenue. The commissioner of revenue may be reimbursed for actual
12 administrative costs incurred under this subsection by appropriation
13 from the public access fund.

14 (b) Except as provided in (a) of this section, the commissioner
15 shall administer the fund. The commissioner, after public hearings
16 and in concurrence with the commissioner of fish and game, may use
17 money in the fund to develop recreational access, including the pur-
18 chase and lease of land, easements, and rights-of-way to enhance
19 public access to recreational areas.

20 (c) The title to rights of public access to recreational areas
21 obtained by the commissioner vests in the state. The commissioner
22 shall include in the instrument transferring title to the state a
23 clause requiring that the land be used for public access. If the land
24 ceases to be available for public access, the state shall either

25 (1) pay to the fund the assessed value of the land at that
26 time; or

27 (2) if the land was purchased with funds derived under 16
28 U.S.C. 777-777k (Sport Fish Restoration Act), as amended, reimburse
29 the sport fish restoration program.

1 (d) If the state receives funds under 16 U.S.C. 777-777k (Sport
2 Fish Restoration Act), as amended, approximately 20 percent of the
3 funds shall be used to implement the provisions of this section.
4 Expenditure of funds received by the state under this subsection is
5 subject to the approval of the commissioner of fish and game.

6 (e) The legislature may appropriate to the fund. →

7 * Sec. 4. This Act takes effect immediately under AS 01.10.07C(c).

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DS
C.P.J.
W.B.

Alaska State Legislature



SENATOR
ARLISS STURGULEWSKI

Chairman, Senate Community and Regional Affairs Committee
Vice-Chairman, Senate Judiciary Committee
Member, Senate Resources Committee

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

White in Juneau
P. O. BOX 5
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

MEMORANDUM

May 14, 1987

TO: All Members
House Resources Committee

FROM: Senator Arliss Sturgulewski *AS*
Senate District F

RE: CSSB 62(Rules) - Public Access to Recreational Areas

Senate Bill 62 is designed to help solve the problem of lack of access to Alaska's rivers, streams, and salt water. The bill has zero fiscal notes and I am not aware of any opposition.

The findings in the bill emphasize that access to state waters for fishing, hunting, guiding, boating, lodge operation, and other recreational uses is very important to the economy of the state.

Public access to state waters is critical to the interrelated recreation, tourism, guiding and lodge industries. Recreational use of our state waters is also extremely important to the people of the state.

Many of the state's most popular freshwater and marine fisheries are severely overcrowded. Increasing the ease of access, which this bill is designed to do, will increase people's enjoyment, be beneficial to the economy, and reduce overcrowding of some of Alaska's most popular fishing areas.

Attached is a copy of a sectional analysis of the bill. I also feel it is important to point out what the bill does not do.

This bill does not affect private property, there is no eminent domain section in the bill.

The bill does not lock up state land.

The bill does not require appropriations from the legislature.

It does not have any constitutional problems regarding dedicated funds or anything else.

According to the Department of Natural Resources (DNR) and Legal Services, nothing in the bill in any way diminishes the ability of DNR to trade land for other purposes.

What the bill does is - help solve the problem of lack of access to Alaska's rivers, streams, and salt water.

The bill has the support of and zero fiscal notes from the Departments of Fish and Game and Natural Resources. It is a priority of the Alaska Outdoor Council and the Alaska Sportfishing Association, and is endorsed by the National Rifle Association.

Representatives of the Alaska Miners Association, the Resource Development Council, and the Alaska Environmental Lobby have gone on the record in support of the bill.

Enclosure

SECTIONAL ANALYSIS
CSSB 62(Rules)

Section 1 of the bill is findings and intent.

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Subsection 3(d) requires that expenditure of Wallop-Breaux funds under this section is subject to the approval of the commissioner of Fish and Game.

This is a federal requirement. This subsection also requires that approximately 20 percent of Wallop-Breaux funds be used to develop access.

Subsection 3(e) specifies the legislature may appropriate to the public access fund.

Subsection 3(f) gives the commissioner of DNR authority to adopt necessary regulations.

Section 4 is an immediate effective date change.

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400

May 12, 1987

The Honorable Adelheid Herrmann, CoChair
The Honorable Sam Cotten, CoChair
House Resources Committee
P.O. Box V
Juneau, AK 99811

Dear Representatives Herrmann and Cotten:

Subject: SB 62 - Creation of a public access fund and providing for public access to recreation areas.

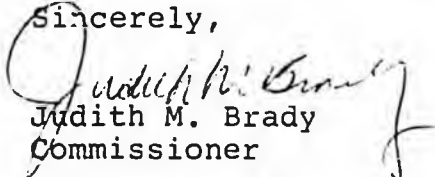
Response: The department supports the creation of a public access fund as described in this bill and the concurrent recognition that access to public water is important to the economy and the people of the state. The provision of this bill that allows Alaskans to contribute directly to the public access fund is an excellent idea.

Section 4 confirms the department's understanding that exchanges are one tool available for access acquisition.

Section 2 reinforces current department policy which requires reservation of periodic access routes to public waters when land is offered for private ownership. It also provides sufficient flexibility for waiving the requirement when it does not serve the best interests of the public.

Recommendation: The department urges passage of SB 62.

Sincerely,


Judith M. Brady
Commissioner

cc: House Resources Committee Members
Senator Sturgulewski
George Sullivan
Rod Swope

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version : SB 62

Publish Date : _____

Revision Date: _____

Title : Public Access to Recreational Areas

Agency Affected: Natural Resources

BRU: Land and Water Management

Sponsor: Sturgulewski

Requestor: Senate C&RA

Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Carol Wilson

Phone: 465-2400

Division: Commissioner's Office

Date: _____

Approved by Commissioner: *Dennis Gorsuch*

Date: 5-11-87

Agency: Natural Resources

Distribution (by preparer):

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

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67

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

POSITION PAPER

Bill No: SB 167

Date: March 16, 1987

Title: An Act relating to grants for water supply, sewage, and solid waste facilities; establishing a Revolving Loan Fund; and providing for an effective date.

Contact: Gary Hayden
465-2610

Department's Position

We support the bill.

Effect of the Bill

SB 167 would create the mechanism the State needs to take advantage of federal dollars authorized under the 1987 amendments to the Clean Water Act. The amendments provide for a transition from a federally funded grant program for sewage treatment facilities to a federally and State funded loan program. About \$69 million in federal funds will be available in the next seven years to capitalize a revolving loan fund in Alaska. The State would match with another twenty percent. SB 167 will allow the Department of Environmental Conservation to make low interest loans to communities to construct sewage treatment plants.

The bill also makes adjustments to the existing statute concerning the Department's fifty percent Construction Grants Program.

Impact on the Agency

The proposed revolving loan program would replace the federal grant program being administered by the Department. Therefore, we would administer the proposed loan program with existing staff, with no increase in the operating budget.



Dennis D. Keiso
Commissioner

Position Paper
in fiscal note
(revised w/ Halford's
name)
given to Halford
3-17-87

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: SB 167
Publish Date: _____

Revision Date: _____
Title: Grants for water supply & sewage facilities; establishing revolving loan fund
Sponsor: Senator Halford
Requestor: _____

Agency Affected: Environmental Conservation BRU: Facility Construction & Operation
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	2179.0	2152.7	2252.7	2905.4	2179.0
FEDERAL FUNDS	-0-	10895.4	10763.6	11263.6	14527.2	10895.4
OTHER						
TOTAL	-0-	13074.4	12916.3	13516.3	17432.6	13074.4

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) Passage of the revolving loan fund bill will give the state the ability to accept a total of \$69,240,000 in federal dollars to capitalize the fund. Federal funds require a 20% state match. Passage of the bill does not obligate the state to accept the federal dollars or to appropriate the match. *Please see attachment.

Prepared by: Lori Telfer Phone: 465-2610
Division: Facility Construction and Operation Date: 3/17/87

Approved by Commissioner: [Signature] Date: 3/17/87
Agency: Environmental Conservation

Distribution (by preparer):

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

Attachment 1

FISCAL NOTE ASSUMPTIONS AND ANALYSIS

- 1 All operating and administrative expenses will be paid by a percentage set aside from annual federal grants to the program. Operating projections have, therefore, been left blank. Additional staff will not be needed. Staff that now administer the federal grant program will administer the federal loan program.
- 2 Loan repayments to the fund and interest earned by the fund have not been included in this analysis.
- 3 Federal capitalization grants to the loan fund will be available annually for seven years (FFY 88 - FFY 94). An extension of the fiscal analysis on the front page is given below.

	<u>FY 93</u>	<u>FY 94</u>
General Fund	1,452,720	726,360
Federal Funds	7,262,600	3,631,800
Other	-0-	-0-
Total	8,716,320	4,358,160

SEVEN YEAR TOTAL: General Fund \$ 13,848,120
 Federal Funds \$ 69,240,600
 \$ 83,088,720

Alaska State Legislature

ARLISS STURGULEWSKI, Chairman
TIM KELLY, Vice Chairman
RICK HALFORD
MIKE SZYMANSKI
FRED ZHAROFF



P O BOX V
JUNEAU, ALASKA 99811
(907) 465-4989

Senate Community and Regional Affairs Committee

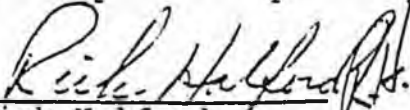
LETTER OF INTENT SB 167

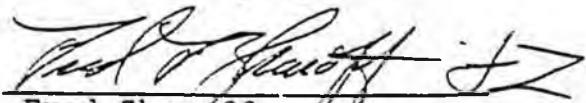
It is the intent of the Senate Committee on Community and Regional Affairs that, contingent upon federal requirements, when establishing interest rate policy as defined in AS 46.03.032 (i) (2) and setting interest standards for collateral or security as defined in AS 46.03.032 (i) (4) and (e), the department will adhere to the following;

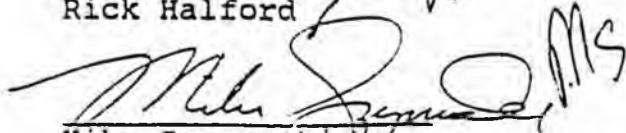
1. The interest rate charged to a community for loans from the Alaska Clean Water Fund will be 66% of the current rate defined by the Municipal Bond Index for all loans prior to July 1, 1992, and 75% of the current rate for all loans after July 1, 1992; and

2. In order to determine that repayment of loans is secured (as required by federal legislation), the department will perform a financial capability review of the community. This review must demonstrate that the recipient has sufficiently pledged a dedicated revenue stream to repay the loan as well as operate and maintain the facility; and

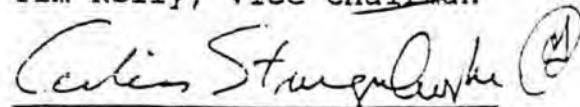
3. Municipalities that repay loans to the Alaska Clean Water Fund by consumer utility billings will charge a rate that is consistent with the savings realized by municipalities participating in this loan program.


Rick Halford

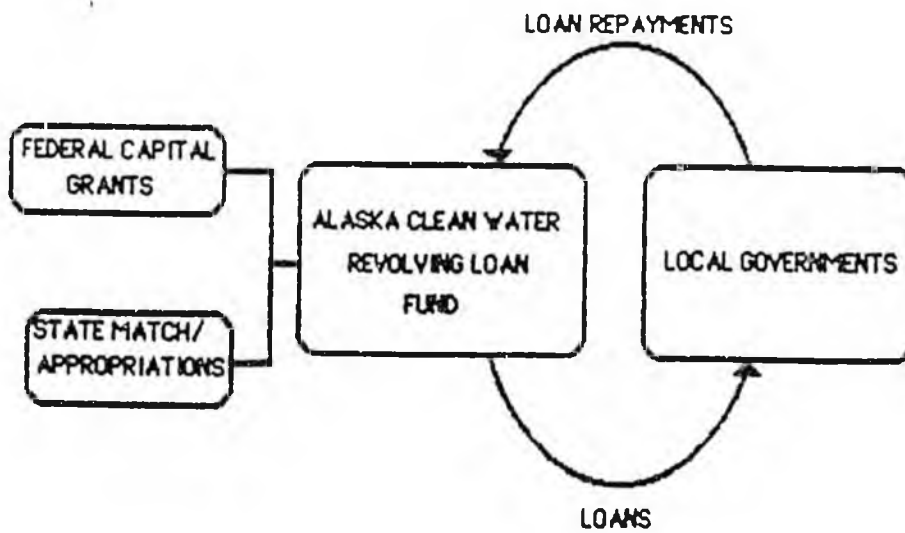

Fred Zharoff


Mike Szymanski


Tim Kelly, Vice Chairman


Arliss Sturgulewski, Chair

THE ALASKA CLEAN WATER REVOLVING LOAN FUND



April 15, 1987

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
STATE REVOLVING WASTEWATER TREATMENT FACILITIES LOAN FUND

BACKGROUND OF FEDERAL GRANTS PROGRAM

- The Federal Government is phasing out its construction grant program for wastewater treatment projects
- Since 1972 \$177,161,685 for Alaskan communities
- 1982 The Department received full delegation of federal program
- Program will be phased out by 1990

CLEAN WATER REVOLVING LOAN FUND

- From 1987 to 1994, \$69,240,600 seed money from the Federal Government available to establish a revolving loan fund for wastewater treatment projects
- Requires 20% state match, for total of \$13,848,120
- After 1994 no more federal money will be put into the fund. It should be self sustaining
- Loans will be made at rate less than or equal to the current market rate

PROGRAM ADMINISTRATION

- The existing staff of The Facility Construction and Operation Division will be used for the loan program
- Administrative costs will come from loan fund
- Operation of the loan program will follow current federal construction grants procedures
- Projects selected by same process used in current federal program

TYPES OF ASSISTANCE

- Low interest rate loans
- Refinancing of certain projects
- Guaranteeing or purchasing insurance of local obligations

PROGRESS TO DATE

- Received 23 responses after survey of municipal officials
- Ran computer simulations of loan program
- SB167 sponsored by Senators Halford and Sturgulewski sets up the statutory framework for the Alaska Clean Water Fund
- SB167 was passed out by the Senate Community and Regional Affairs and Senate Finance Committees. It then passed the Senate floor with a 18-0 vote.

EXHIBIT I

HISTORY OF EPA GRANTS BY MUNICIPALITY
MUNICIPALITY TOTAL FED GRANT AWARDS

ANCHORAGE	\$54,982,845
BRISTOL BAY BOR.	\$6,131,552
CORDOVA	\$3,194,776
DILLINGHAM	\$1,526,780
FAIRBANKS	\$11,475,009
HAINES	\$1,086,224
HOMER	\$15,000
JUNEAU	\$19,188,866
KENAI	\$4,181,559
KETCHIKAN	\$12,918,119
KODIAK	\$7,553,029
NOME	\$308,358
PALMER	\$1,056,674
PELICAN	\$37,497
PETERSBURG	\$6,285,531
SELDOVIA	\$18,579
SEWARD	\$5,404,575
SKAGWAY	\$2,455,092
SITKA	\$17,498,197
SOLDOTNA	\$2,739,608
UNALASKA	\$4,055,070
VALDEZ	\$4,889,029
WASILLA	\$8,916,207
WHITTIER	\$856,420
WRANGELL	\$387,089
TOTALS:	\$177,161,685

3/17/87

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
FACILITY CONSTRUCTION & OPERATION

ACTIVE PROJECTS

Anchorage	- 020087-04	Point Woronzof Outfall	\$ 3,860,307
Anchorage	- 020087-05	Chester Creek Interceptor	2,110,133
Anchorage	- 020087-07	Point Woronzof Phase VI	18,464,000
Anchorage	- 020087-09	Gravity Thickeners	1,788,080
Anchorage	- 020087-10	Effluent Tunnel	4,188,204
Dillingham	- 020066-02	Wastewater Treatment Facility	1,526,720
Juneau	- 020108-01	Mendenhall STP Expansion	13,105,000
Petersburg	- 020047-03	Sewerage Facility	4,055,000
Wasilla	- 020073-02	Sewerage System	6,554,506

3/19/87

COMMUNITIES EXPRESSING AN INTEREST IN THE ALASKA CLEAN WATER FUND.

TWENTY-THREE COMMUNITIES RESPONDED TO THE SURVEY THE DEPARTMENT SENT OUT LAST SEPTEMBER. ALL RESPONDENTS INDICATED AN INTEREST IN THE LOAN PROGRAM. A LISTING OF RESPONDENTS FOLLOWS. IT SHOULD BE NOTED THAT AT THE TIME THE QUESTIONNAIRE WAS SENT OUT, IT WAS BELIEVED THAT THE LOAN FUND WOULD NOT BE AN AVAILABLE SERVICE TO SECOND CLASS CITIES, THEREFORE THEY WERE NOT SURVEYED. WE HAVE SINCE FOUND OUT THAT SUCH CITIES ARE ELIGIBLE TO PARTICIPATE IN THE PROGRAM.

1. KING COVE
2. NORTH SLOPE BOROUGH
3. SAND POINT
4. SOLDOTNA
5. KETCHIKAN GATEWAY BOROUGH
6. YAKUTAT
7. PETERSBURG
8. SITKA
9. CITY OF KETCHIKAN
10. UNALASKA
11. KODIAK ISLAND BOROUGH
12. HAINES
13. CRAIG
14. GALENA
15. BRISTOL BAY BOROUGH
16. JUNEAU
17. FAIRBANKS
18. ST. MARY'S
19. MUNICIPALITY OF ANCHORAGE
20. KODIAK
21. NORTH POLE
22. PELICAN
23. NOME

ISSUE: WHO IS ELIGIBLE TO RECEIVE LOANS FROM THE CLEAN WATER FUND?

THERE ARE THREE FEDERAL REQUIREMENTS WHICH OUTLINE WHO CAN RECEIVE LOANS FROM THE FUND:

FEDERAL WATER POLLUTION CONTROL ACT (P.L. 100-4)

THE STATE WILL REQUIRE AS A CONDITION OF MAKING A LOAN ...FROM THE FUND THAT THE RECIPIENT OF SUCH ASSISTANCE WILL MAINTAIN PROJECT ACCOUNTS IN ACCORDANCE WITH GENERALLY ACCEPTED GOVERNMENT ACCOUNTING PROCEDURES."

SEC. 603 (C). "THE AMOUNTS OF FUNDS AVAILABLE TO EACH STATE WATER POLLUTION CONTROL REVOLVING FUND SHALL BE USED ONLY FOR PROVIDING FINANCIAL ASSISTANCE (1) TO ANY MUNICIPALITY, INTERMUNICIPAL, OR STATE AGENCY FOR CONSTRUCTION OF PUBLICLY OWNED TREATMENT WORKS (AS DEFINED IN SEC. 212 OF THIS ACT)."

SEC. 603 (d)(1)(c). "THE RECIPIENT OF A LOAN WILL ESTABLISH A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF LOANS."

FEDERAL DEFINITION OF "MUNICIPALITY":

"A CITY, TOWN, ETC..HAVING ITS OWN INCORPORATED GOVERNMENT FOR LOCAL AFFAIRS."

AS SEC. 29.08.030:

"GENERAL LAW MUNICIPALITIES ARE OF FIVE CLASSES:

- (1) FIRST CLASS BOROUGHES;
- (2) SECOND CLASS BOROUGHES;
- (3) THIRD CLASS BOROUGHES;
- (4) FIRST CLASS CITIES;
- (5) SECOND CLASS CITIES;

AS SEC 46.03.900 (PROVIDES DEFINITIONS FOR CHAPTER DEALING WITH POWERS AND LIMITATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION):

"MUNICIPALITY MEANS AN ORGANIZED BOROUGH OR AN INCORPORATED CITY OUTSIDE AN ORGANIZED BOROUGH, AND INCLUDES ALL CLASSES OF BOROUGHES AND CITIES WHETHER HOME RULE OR OTHERWISE."

APPLICATION

CITIES AND BOROUGHES ARE DISTINCT LEGAL ENTITIES (MUNICIPALITIES) INCORPORATED UNDER THE LAWS OF ALASKA TO PERFORM BOTH REGULATORY AND PROPRIETY FUNCTIONS. THESE POWERS CAN ALLOW A CITY TO PROVIDE A WIDE RANGE OF COMMUNITY SERVICES AND FACILITIES; IN PRACTICE, HOWEVER, POPULATION AND FISCAL CONSTRAINTS SERVE TO LIMIT THE NUMBER PROVIDED BY MANY CITIES. ALTHOUGH ANY INCORPORATED BOROUGH, MUNICIPALITY, FIRST AND SECOND CLASS CITY IS ELIGIBLE BY DEFINITION TO RECEIVE LOANS FROM THE CLEAN WATER FUND, SOME CITIES MAY NOT FIND THE PROGRAM ATTRACTIVE OR FINANCIALLY FEASIBLE DUE TO THE FEDERAL ADMINISTRATIVE AND ACCOUNTING REQUIREMENTS.

CONCLUSION

ANY INCORPORATED CITY OR MUNICIPALITY, GENERAL OR HOMERULE, IS ELIGIBLE BY DEFINITION TO RECIEVE A LOAN FROM THE ALASKA CLEAN WATER FUND.

3-17-87

515161

CAPITALIZATION OF THE STATE REVOLVING LOAN FUND

FED F.Y.	FED SEED GRANT	STATE MATCH	TOTAL
88	\$10,895,400	\$2,179,080	\$13,074,480
89	\$10,763,600	\$2,152,720	\$12,916,320
90	\$11,263,600	\$2,252,720	\$13,516,320
91	\$14,527,200	\$2,905,440	\$17,432,640
92	\$10,895,400	\$2,179,080	\$13,074,480
93	\$7,263,600	\$1,452,720	\$8,716,320
94	\$3,631,800	\$726,360	\$4,358,160
TOTALS:	\$69,240,600	\$13,848,120	\$83,088,720

42167 100 SHEETS
MAY 1984

CAPITALIZATION OF THE STATE REVOLVING LOAN FUND

1987	1988	1989	1990	1991	1992	1993	1994	1995
July	July	July	July	July	July	July	July	July
SFY 88	SFY 89	SFY 90	SFY 91	SFY 92	SFY 93	SFY 94		

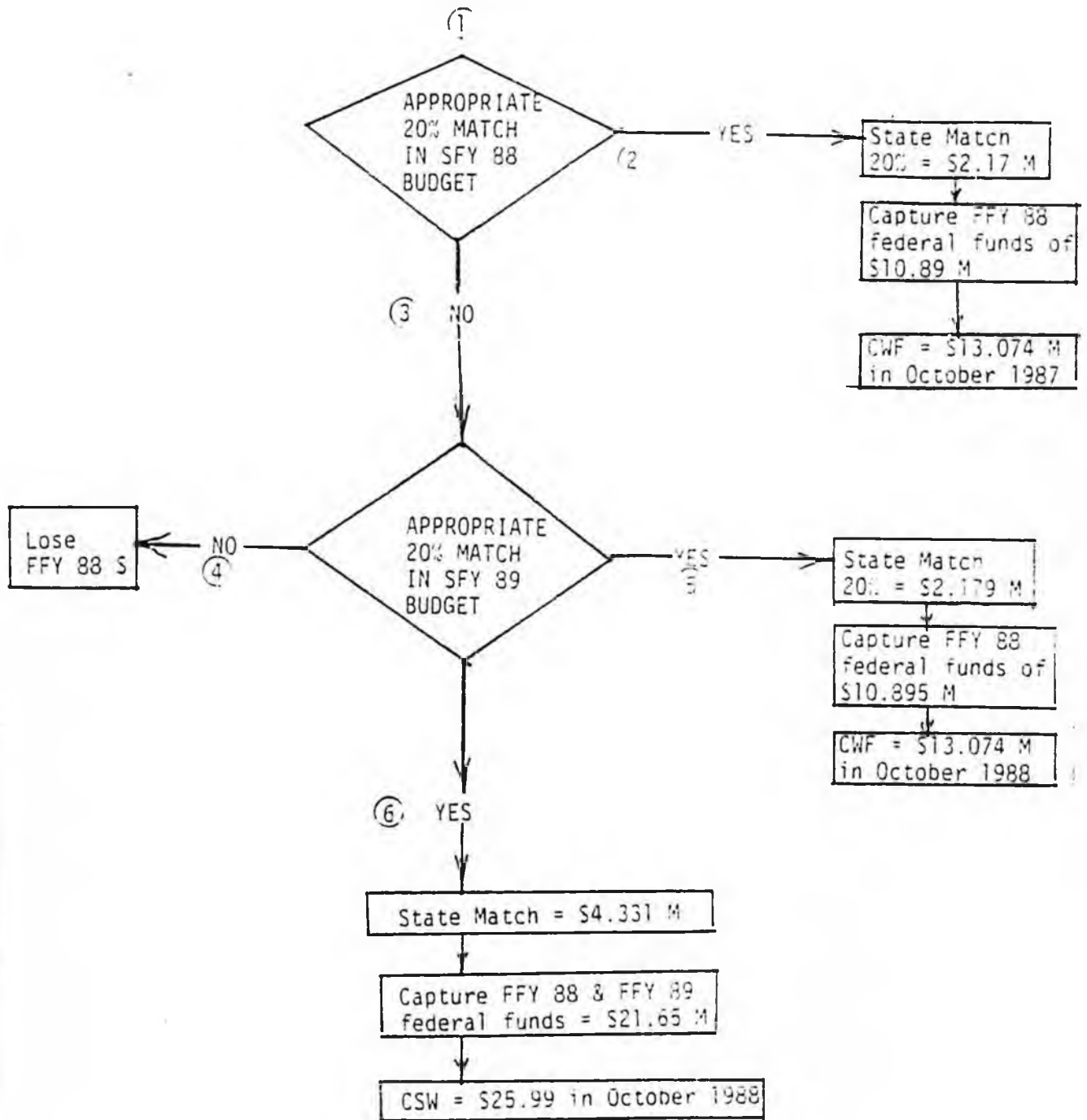
Oct	Oct	Oct	Oct	Oct	Oct	Oct	Oct
FFY 88	FFY 89	FFY 90	FFY 91	FFY 92	FFY 93	FFY 94	
\$ 10.89 M	\$ 10.76 M	\$ 11.26 M	\$ 14.53 M	\$ 10.89 M	\$ 7.26 M	\$ 3.63 M	

3-17-87

SB 167

STATE MATCH DECISION TREE

Note: SFY=State Fiscal year
FFY=Federal Fiscal Year



SUMMARY
TITLE VI
STATE WATER POLLUTION CONTROL REVOLVING FUNDS

1987 AMENDMENTS TO CLEAN WATER ACT
March 19, 1987

Sec 601 - GENERAL AUTHORITY

- a) Administrator (EPA) shall make capitalization grants to each state for a water pollution control revolving fund for
 - 1. Construction of treatment works
 - 2. Management program under Sec 391
 - 3. Management program under Sec 320

- b) Establish a schedule of payments based on State's intended use plan.

Sec 602 - CAPITALIZATION GRANT AGREEMENTS

- a) State shall enter into agreement with EPA administrator.

- b)
 - 1. Establish payment schedule and deposit all payments in the revolving fund.

 - 2. State 20 percent match on or before quarterly payment.

 - 3. State must enter binding commitments to provide assistance within one year of receipt of grants.

 - 4. Funds will be expended in an expeditious and timely manner.

 - 5. Funds will be used to first assure progress toward enforceable deadlines, goals, and requirements of this Act, including municipal compliance deadlines.

d) Types of Assistance

1. Loans on the condition that

- A) At or below market interest rate, not to exceed 20 years.
- B) Annual principal and interest will commence not later than one year and will be amortized not later than 20 years.
- C) Receipts will establish a dedicated source of revenue for repayment of loans; and
- D) Funds will be credited with all payments.

2. Buy or refinance loan debt where obligations incurred after March 7, 1988.

3. Guarantee or purchase insurance for local obligations when it improves market access or reduce interest rates.

4. As a source of revenue or surity for revenue or general obligation bonds

5. To provide loan guarantees

6. To earn interest

7. For administering funds not to exceed 4 percent

g) Priority list requirements

1. Must be on list developed under Sec 216

2. Regardless of the ranking on list

- d) Annual report
- e) Annual federal oversight review

Sec 607 - AUTHORIZATION OF APPROPRIATIONS

1.	\$1.2 billion	1989 and 1990
2.	2.4 billion	1991
3.	1.8 billion	1992
4.	1.2 billion	1993
5.	0.6 billion	1994

1. Can we use 50 percent of construction grant in 1986 and 1987,
and 70 percent in 1988
2. Notice Requirement
 - A) In 1987, no later than 90 days after Act is enacted
 - B) Other years, 90 days before fiscal year start

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

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 - 5. Funds will be used to first assure progress toward enforceable deadlines, goals, and requirements of this Act, including municipal compliance deadlines.

6. Projects constructed before year 1995 will meet Title II of the Act [see attached summary].
7. Expend in accordance with laws and procedures applicable to State.
8. Use accounting, audit, and fiscal procedures generally accepted government standards.
9. State will require recipient's records to meet generally accepted government standards.
10. State will make annual reports to EPA administrator.

Sec 603 - WATER POLLUTION CONTROL REVOLVING LOAN FUNDS

- a) First establish a revolving fund complying with this section.
- b) Fund will be administered by an instrumentality of the State, with powers to operate fund in accordance with the Act.
- c) Projects eligible for assistance
 1. To any municipality, inter-municipal, interstate, or State agency for construction of publically owned treatment works
 2. Sec 319 implementation
 3. Sec 320 implementation

d) Types of Assistance

1. Loans on the condition that

- A) At or below market interest rate, not to exceed 20 years.
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- C) Receipts will establish a dedicated source of revenue for repayment of loans; and
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